

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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**Case No. 76276**

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**HELIX ELECTRIC OF NEVADA, LLC; AND NATIONAL WOOD  
PRODUCTS, INC., A UTAH CORPORATION,**

Appellant,

v.

**APCO CONSTRUCTION, INC, A NEVADA CORPORATION,**

Respondent.

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Appeal from Judgment  
Eighth Judicial District Court, Clark County  
The Honorable Mark Denton, District Court Judge  
District Court Case No. **08A571228**

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**EXHIBITS TO APPELLANT/CROSS-RESPONDENT'S RESPONSE TO  
ORDER TO SHOW CAUSE**

**VOLUME II**

**Exhibit B - Pages 558 – 588**

**(Part 1(g))**

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*Attorneys for Appellant  
Helix Electric of Nevada, LLC*

Gary D. Tharaldsons' Response to

Granite Construction Company's Joinder to APCO and Scott Financial Corporation's Joint Motion for C

Acceptance of Service by Scott Financial Corporation

Acceptance of Service by Scott Financial Corporation

Acceptance of Service by Scott Financial Corporation

Acceptance of Service by Scott Financial Corporation

Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Joinder to Apco's Motion for Summary Judgment o

Scott Financial Corporation's Opposition to Cell-Crete Fireproofing of Nevada, Inc.'s Motion for Pa

Scott Financial Corporation's Opposition to Tri-City Drywall, Inc.'s Motion for Summary Judgment Ag

Scott Financial Corporation's Opposition to Ferguson Fire & Fabrication, Inc.'s Motion for Partial

Camco's Answer to SWPPP's Amended Complaint

Stipulation and Order for Dismissal With Prejudice Of Claims Asserted By Select Build Nevada, Inc.

Notice of Entry of Stipulation & Order for Dismissal with Prejudice of Claims Asserted by Select Bu

Granite Construction Company's Joinder to APCO's Opposition to Scott Financial's Motion for Partial

Las Vegas Pipeline's Joinder in Apco's Opposition to Scott Financial's Motion for Partial Summary J

Reply to Scott's Opposition to Motions for Partial Summary Judgment Filed on Behlaf of All Lien Cla

Lien Claimant/PLaintiff Cellcrete Fireproofing of Nevada's Joinder in Plaintiff Apco Construction I

Order Re-Setting Hearing Dates

Graybar Electric Company's Joinder to Apco's Motion for Summary Judgment on Priority

Northstar Concrete, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority

Dave Peterson Framing, Inc., E&E Fire Protection, LLC, Noorda Sheet Metal Company, the Pressure Gro

APCO's Opposition to Scott Financial's Motion For Partial Summary Judgment as to Priority of Liens

Graybar Electric Company's, Tri-City Drywall, Inc.'s, and Northstar Concrete, Inc.'s Joinder in Apc

Club Vista Financial Services, LLC, Tharaldson Motels II, Inc. and Gary D. Tharaldsons' Response to

Defendant Scott Financial Corporation's Brief on Lender Standing to Dispute Mechanic's Lien Claims

Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada's Reply in Support of its Motion for Parti

Selectbuild Nevada, Inc's Reply Brief in Support of Motion for Partial Summary Judgment against Def

Dave Peterson Framing, Inc., E&e Fire Protection, Llc, Noorda Sheet Metal Company, the Pressure Gro

Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Joinder to APCO Construction's Opposition to Sco

**HEC000558**

Steel Structures Consent to Service by Electronic Means

Nevada Prefab Consent to Service by Electronic Means

Ferguson Fire And Fabrication, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority

Scott Financial Corporation's Opposition to Las Vegas Pipeline, LLC's Motion for Summary Judgment A

Fast Glass, Inc.'s Notice of Joinder in APCO's Opposition to Scott Financial's Motion for Partial S

Harsco Corporation, EZA, P.C. dba Oz Architecture of Nevada, and Patent Construction Systems, A Div

Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, In

Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, In

APCO's Opposition to Insulpro Projects, Inc.'s Motion for Partial Summary Judgment and Countermotio

Insulpro Project, Inc.'s Reply to Camco's Opposition to Insulpro's Motion for Partial Summary Judgm

Insulpro Project, Inc.'s Reply to Apco's Opposition to Insulpro's Motion for Partial Summary Judgme

Order Granting Apco Construction's Motion to Consolidate Case No. A10-608717 with Pending Action

Notice of Entry of Order Granting APCO Construction's Motion to Consolidate Case No. A-10-608717 wi

COMP - COMPLAINT FILED Fee \$148.00

PRMT - PEREMPTORY CHALLENGE Williams CASE REASSIGNED TO

NDR - NOTICE OF DEPARTMENT REASSIGNMENT

IAFD - INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 1

APPR - HARSCO CORPORATION'S STATEMETN OF FACTS CONSTITUTING

COMP - FIRST AMENDED COMPLAINT

LISP - NOTICE OF LIS PENDENS

NOTC - NOTICE OF FORECLOSURE OF CLAIMS OF LIEN

ANS - ANSWER TO PLAITNIFFS AMENDED COMPLAINT

CERT - CERTIFICATE OF MAILING

SUMM - SUMMONS - FIRST AMERICAN TITLE INSURANCE COM

SUMM - SUMMONS - NEVADA CONSTRUCTION SERVICES

SUMM - SUMMONS - GEMSTONE DEVELOPMENT WEST INC

ANS - ANSWER TO FIRST AMENDED COMPLAINT

SUMM - SUMMONS - COMMONWEALTH LAND TITLE INSURANCE CO

AFFD - AFFIDAVIT OF PUBLICATION

APPR - STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT

NOTC - NOTICE OF LIS PENDENS

IAFD - INITIAL APPEARANCE FEE DISCLOSURE

NOTC - NOTICE OF FORECLOSURE OF LIEN

IAFD - INITIAL APPEARANCE FEE DISCLOSURE  
APPR - CABINETEC INC'S STATEMENT OF FACTS  
CONSTITUTING  
IAFD - INITIAL APPEARANCE FEE DISCLOSURE  
SUMM - SUMMONS- GEMSTONE DEVE WEST INC  
IAFD - INITIAL APPEARANCE FEE DISCLOSURE  
ANS - ANSWER TO FIRST AMENDED COMPLAINT  
SUMM - SUMMONS - COMMONWEALTH LAND TITLE INS CO  
SUMM - SUMMONS - FIRST AMERICAN TITLE INS CO  
SUMM - SUMMONS - PLATTER RIVER INSURANCE COMPANY  
AFFD - AFFIDAVIT OF PUBLICATION  
ANS - ANSWER TO STATEMENT OF FACTS CONSTITUTING  
IAFD - INITIAL APPEARANCE FEE DISCLOSURE  
RCCM - APCO CONSTRUCTIONS REPLY TO GEMSTONES  
COUNTERCLAIM  
SUMM - SUMMONS- CONCRETE VISIONS INC  
SERV - ACCEPTANCE OF SERVICE  
IAFD - INITIAL APPEARANCE FEE DISCLOSURE  
APPR - STATEMENT OF FACTS CONSTITUTING LIEN  
AND COMPLAINT IN  
CERT - CERTIFICATE OF SERVICE  
STAT - AMENDED STATEMENT OF FACTS CONSTITUTING LIEN  
AND COMP  
NOTC - NOTICE TO LIEN CLAIMANTS TO FILE AND SERVE  
STATEME  
LISP - LIS PENDENS  
IAFD - INITIAL APPEARANCE FEE DISCLOSURE  
SUMM - SUMMONS - CAMCO PACIFIC CONSTRUCTION CO INC  
LISP - LIS PENDENS  
IAFD - INITIAL APPEARANCE FEE DISCLOSURE  
SERV - ACCEPTANCE OF SERVICE  
STAT - STATEMENT OF FACTS CONSTITUTING LIEN AND  
COMPLAINT  
LISP - NOTICE OF PENDENCY OF ACTION  
STAT - NOORDA SHEET METAL COMPANY'S STATEMENT  
OFFACTS CONSTIT  
IAFD - INITIAL APPEARANCE FEE DISCLOSURE  
DFLT - DEFAULT  
DFLT - DEFAULT  
DFLT - DEFAULT  
SERV - ACCEPTANCE OF SERVICE - APCO CONSTRUCTION  
ORDR - STIPULATION AND ORDER RE FILING AND SERVICE OF  
ST  
PRMT - PEREMPTORY CHALLENGE Leavitt CASE REASSIGNED  
TO



NDR - NOTICE OF DEPARTMENT REASSIGNMENT 0

ORDR - STIPULATION AND ORDER RE FILING AND SERVICE OF CA

CERT - CERTIFICATE OF MAILING OF SERVICE OF FIRST AMERICA

AFFD - AFFIDAVIT OF PUBLICATION

STAT - GEMSTONE DEVELOPMENT WEST INCS ANSWER TO CABINETEX

STAT - GEMSTONE DEVELOPMENT WEST INCS ANSWER TOSTEEL STRUCTU

CRTF - CERTIFICATE OF SERVICE OF EMPLOYERS MUTUAL CASUAL

NOTC - NOTICE OF ENTRY OF STIPULATION AND ORDERREGARDING FIL

SERV - ACCEPTANCE OF SERVICE

IAFD - CELL CRETE FIREPROOFING OF NEVADA INCS INITIAL APPEA

IAFD - CAMCO PACIFIC CONSTRUCTION COMPANY INCS INITIAL APPEA

AMEN - AMENDED THIRD PARTY SUMMONS CIVIL

STAT - GEMSTONE DEVELOPMENT WESET INCS ANSWER TO AHERN RENT

ORDR - STIPULATION AND ORDER

CRTF - CERTIFICATE OF SERVICE OF COMMONSWEALTH

ANSW - APCO CONSTRUCTIONS ANSWER TO STEEL STRUCTURES IN

ANSW - APCO CONSTRUCTIONS ANSWER TO CABINET INCS STATEMEN

AMEN - AMENDED SUMMONS CIVIL

STAT - CELL CRETE FIREPROOFING OF NEVADA INCS STATEMENT OF

CRTF - AMENDED CERTIFICATE OF SERVICE OF GEMSTONE DEVE

MOT - AHERN'S MTN TO AMEND STATEMENT OF FACTS/1

APPR - STATEMENT OF FACTS CONSTITUTING LIENS

CRTF - AMENDED CERTIFICATE OF SERVICE OF GEMSTONE DEVE

ORDR - STIPULATION AND ORDER ALLOWING AHERN RENTALS INC T

CERT - CERTIFICATE OF MAILING OF STATEMENT OF FACTS CONSTIT

NOTC - NOTICE OF ENTRY OF ORDER

DISC - COMMONWEALTH LAND TITLE INSURANCE COMPANY'S DIS

ORDR - STIPULATION AND ORDER RE FILING AND SERVICE OF ST

ANS - GEMSTONE DEVELOPMENT WEST INCS ANSWER TONOORDA SHEET

STAT - SECOND AMENDED STATEMENT OF FACTS CONSTITUTING

CERT - CERTIFICATE OF MAILING

NOTC - NOTICE OF LIS PENDENS

AMEN - HARSCO CORPORATIONS AMENDED STATEMENT  
OFFACTS CONSTIT

NOTC - NOTICE OF ENTRY OF STIPULATION AND ORDER

IAFD - INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 1

APPR - E & E FIRE PROTECTION LLC 'S STATEMENT OF FACTS  
CONS

APPR - DAVE PETERSON FRAMING LLC' S STATEMENT OF  
FACTS CONS

LISP - NOTICE OF PENDENCY OF ACTION

APPR - PROFESSIONAL DOORS & MILLWORKS LLC'S  
STATEMENT OF

LISP - NOTICE OF PENDENCY OF ACTION

IAFD - INITIAL APPEARANCE FEE DISCLOSURE

IAFD - INITIAL APPEARANCE FEE DISCLOSURE

IAFD - INITIAL APPEARANCE FEE DISCLOSURE

NOTC - NOTICE OF PENDENCY OF ACTION

ANSW - APCO CONSTRUCTION'S ANSWER TO AHERN RENTAL  
INC'S

ANS - APCO CONSTRUCITONS AMENDED ANSWER TO AHERN  
RENTAL

SERV - ACCEPTANCE OF SERVICE

SERV - ACCEPTANCE OF SERVICE

ANS - APCO CONSTRUCTIONS ANSWER TO STEEL  
STRUCTURES IN

CRTF - CERTIFICATE OF SERVICE

SERV - ACCEPTANCE OF SERVICE - GEMSTONE DEVELOPMENT  
W

SERV - ACCEPTANCE OF SERVICE OF AMENDED STATEMENT  
OF

ERR - ERRATUM TO ANSWER TO PLTFS AMENDED COMPLAINT

IAFD - INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 1

IAFD - EZA PC DBA OZ ARCHITECTURE OF NEVADAS INITIAL  
APPEA

SUMM - THIRD PARTY SUMMONS CIVIL VIA US MAIL FIDELITY  
AND

STAT - STATEMENT OF FACTS CONSTITUTING LIEN  
ANDCOMPLAINT IN

STAT - EZA PC DBA OZ ARCHITECTURE OF NV INCS  
STATEMENT OF

LISP - EZA PC DBA OZ ARCHITECTURE OF NEVADAS NOTICE OF  
LIS

SUMM - SUMMONS - FIDELITY & DEPOSIT CO OF MARYLAND

AOS - AFFIDAVIT OF SERVICE - KELLY MARSHALL

AOS - AFFIDAVIT OF SERVICE - CONCRETE VISIONS INC

AOS - AFFIDAVIT OF SERVICE - ACCURCY OF GLASS AND  
MIRROR IN

SIO - SUMMONS - CSC SERVICES VIA US MAIL

NOTC - NOTICE OF APPEARANCE

INVT - DEFT'S MOTION TO INTERVENE /2

SERV - ACCEPTANCE OF SERVICE MISC DOCS 04-09-09

SERV - ACCEPTANCE OF SERVICE MISC DOCS 04-09-09

SERV - ACCEPTANCE OF SERVICE - CAMCO PACIFIC  
CONSTRUCTION

SUPP - AHERN RENTAL INCS SUPPLEMENTAL MOTION  
TO AMEND STATEMENT

SUMM - SUMMONS - CAMCO PACIFIC CONSTRUCTION CO INC

NOTC - NOORDA SHEET METAL COMPANY'S THREE DAY  
NOTICE OF INT

ANS - APCO CONSTRUCTIONS ANSWER TO INSULPRO  
PROJECT INCS

Notice to Vacate and Continue Only the Hearing on Plaintiff Ahern  
Rentals, Inc.'s (1) Motion for Summary Judgment

Default on Defendant-In-Intervention Gemstone Development West,  
Inc.

Default on Defendant-In-Intervention Concrete Visions, Inc.

Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Joinder to  
Apco Construction's Motion for Summary Judgment

Steel Structures, Inc. and Nevada Prefab Engineers Inc.'s Joinder to  
Apco's Opposition to Scott Financial's Motion for Summary Judgment

Scott Financial Corporation's Answer to S.R. Bray dba Power Plus'  
Amended Statement of Facts and Contingent Damages

Renaissance Pools And Spas's Joinder To Apco's Motion For  
Summary Judgment On Priority

Atlas Construction Supply, Inc.'s Joinder To APCO's Opposition To  
Scott Financial Corporation's Motion for Summary Judgment

Ferguson Fire And Fabrication, Inc.'s Joinder To APCO's Opposition  
To Scott Financial Corporation's Motion for Summary Judgment

Notice of Entry of Default on Defendant-In-Intervention Concrete  
Visions, Inc.

Notice of Entry of Default on Defendant-In-Intervention Gemstone  
Development, Inc.

APCO's Reply to Insulpro Projects, Inc.'s Opposition to APCO's  
Counter Motion for Summary Judgment

Custom Select Billing, Inc.'s Joinder to APCO's Opposition to Scott  
Financial's Motion for Partial Summary Judgment

Hydropressure Cleaning, Inc.'s Joinder to APCO's Opposition to Scott  
Financial's Motion for Partial Summary Judgment

Custom Select Billing, Inc.'s Reply in Support of Motion for Summary  
Judgment Against Defendant Gemstone Development, Inc.

Ferguson Fire & Fabrication, Inc.'s Reply In Support Of Motion For  
Partial Summary Judgment Regarding

Motion for Partial Summary Judgment

Northstar Concrete, Inc.'s Memorandum of Costs and Disbursements

Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Joinder to Apco's  
Opposition to Scott Financial's Motion for Summary Judgment

Scott Financial Corporation's Reply Brief in Support of the Motion for

**HEC000563**

Partial Summary Judgment as

Reply in Support of APCO's Motion for Summary Judgment on Priority

Arch Aluminum and Glass, LLC's Joinder to APCO's Opposition to  
Scott financial Corporation's Motion

Zitting Brothers Construction, Inc.'s Joinder to Reply to Scott  
Financial's Opposition to Motions f

Zitting Brothers Construction, Inc.'s Joinder to APCO's Opposition to  
Scott Financial Corporation'

The Masonry Group Nevada, Inc's Joinjder to Apco's Opposition to  
Scott Financial Corporation's Moti

All Pending Motions

Zitting Brothers Constructin, inc.'s Joinder to APCO Construction's  
Motion for Parital Summary Judg

RENAISSANCE POOLS AND SPAS` JOINDER TO APCO`S  
OPPOSITION TO SCOTT FINANCIAL CORPORATION`S MOTION  
FO

Arch Aluminum and Glass, LLC's Response to APCO's Motion for  
Summary Judgment on Priority

Stipulation and Order to Continue Ahern Rentals, Inc's : (1) Motion for  
Summary Judgment Against De

Nevada Prefab Engineers Reply to Camco Pacific Construction's  
Second Amended Answer and Counterclai

Notice of Entry of Order

Joinder to Apco's Opposition to Scott Financial Corporation's Motion  
for Partial Summary Judgment a

Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc's First  
Supplement in Support of its

Motion to Associate Counsel

Motion to Associate Counsel

Lien Claimant/Plaintiff-in-Intervention Selectbuild Nevada, Inc.'s  
Default Against Defendant Gemsto

Lien Claimant/Plaintiff-in-Intervention Selectbuild Nevada, Inc.'s Notice  
of Entry of Default Again

Insulpro Project, Inc.'s Supplemental Exhibit to Motion for Partial  
Summary Judgment

All Pending Motions

Motion for Partial Summary Judgment Against Gemstone  
Development West, Inc.

Motion for Partial Summary Judgment Against Gemstone  
Development West, Inc.

Certificate of Service

Certificate of Service

Granite Construction Company's Statement of Claim

Certificate of Mailing

Certificate of Mailing

Consent to Service by Electronic Means

Release of Notice of Pendency of Action (Lis Pendens)

All Pending Motions

**HEC000564**

Scott Financial's Corporation's Opposition to E & E Fire Protections'  
Motion for Partial Summary Ju

All Pending Motions

Stipulation and Order to Vacate Ahern Rentals, Inc.'s: (1) Motion for  
Summary Judgment Against Defe

Order Admitting Stephanie L. Samuelson, Esq. To Practice

Order Admitting Layne K. Morrill, Esq. To Practice

Notice of Entry of Order

Notice of Entry of Order

Notice of Entry of Order

Scott Financial Corporation's Motion to Stay Further Activity in This  
Case Until the Issue of Prior

Notice of Hearing of Scott Financial Corporation's Motion to Stay  
Further Activity in This Case Unt

Insulpro Projects Inc's Joinder to Scott Financial Corporation's Motion  
to Stay Further Activity in

Notice of APCO Construction's Non-Opposition to Scott Financial  
Corporation's Motion to Stay Furthe

Custom Select Billing, Inc.'s Non-Opposition to Scott Financial  
Corporation's Motion to Stay Furthe

Hydropressure Cleaning, Inc.'s Non-Opposition to Scott Financial  
Corporation's Motion to Stay Furth

Shumway Van & Hansen's Motion to Withdraw as Attorney of Record

Certificate of Service

Motion to Withdraw as Counsel

Order Granting Shumway Van & Hansen's Motion to Withdraw as  
Attorney of Record

Notice of Entry of Order Granting Shumway Van & Hansen's Motion to  
Withdraw as Attorney of Record

Notice of Entry of Order Granting Scott Financial Corporaiton's Motion  
to Stay Further Activity in

Order Granting Scott Financial Corporation's Motion to Stay Further  
Activity in this Case Until the

Order Granting Motion to Withdraw as Attorney of Record

Insulpro Projects, Inc.'s Third Notice of Compliance

Insulpro Projects, Inc.'s Fourth Notice of Compliance

Notice of Change of Address Effective April 11, 2011

Stipulation and Order to Set Aside Lien Expungement of Insulpro  
Projects, Inc., d/b/a Sacramento In

Notice of Entry of Stipulation and Order to Set Aside Lien  
Expungement of Insulpro Projects, Inc. D

Substitution of Attorneys

Substitution of Attorney

Notice of Change of Firm Name

Substitution of Attorney

Notice of Dismissal

Release of Lis Pendens

**HEC000565**

Status Conference

APCO's Motion for Issuance of an Order on Priority on Order Shortening Time

Certificate of Service of APCO's Motion for Issuance of an Order on Priority on Order Shortening Time

Ex Parte Application for Order Shortening Time on APCO Construction's Renewed Motion to Consolidate

APCO Construction's Renewed Motion to Consolidate Case No. A579963

Hydropressure Cleaning, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order

Custom Select Billing, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order

Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in APCO's Motion for Issuance of an Order

Defendant Scott Financial Corporation's Opposition to APCO Construction's Motion for Issuance of an Order

Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc.'s Joinder in Support of Plaintiff A

Granite Construction Company's Notice of Non-Opposition to APCO's Motion for Issuance of an Order on Priority

Arch Aluminum and Glass, LLC's Joinder in APCO's Motion for Issuance of an Order on Priority on Order

The Masonry Group Nevada, Inc.'s Joinder to APCO's Motion for Issuance of Order on Priority

Joinder to APCO's Renewed Motion to Consolidate Case No. A579963

Custom Select Billing, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963

Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963

Arch Aluminum and Glass, LLC's Joinder in APCO's Renewed Motion to Consolidate Case No. A579963

Insulpro Projects, Inc.'s Joinder in APCO's Motion for Issuance of an Order on Priority on Order Shortening Time

The Masonry Group Nevada, Inc.'s Joinder to APCO's Renewed Motion to Consolidate Case No. A579963

Opposition To APCO Construction's Renewed Motion To Consolidate Case No. A579963

Atlas Construction Supply, Inc.'s Joinder To APCO's Motion For Issuance Of An Order On Priority On Order

Harsco Corporation, EZA, P.c. dba OZ Architecture of Nevada, and Patent Construction Systems, a Division

SelectBuild Nevada, Inc.'s Joinder to APCO Construction's Motion for Issuance of an Order on Priority

Joinder to Scott Financial Corporation and Bradley J. Scott's Opposition to APCO Construction's Motion for Issuance of an Order on Priority

Unitah Investments, LLC dba Sierra Reinforcing's Joinder to APCO Construction's Motion for Issuance of an Order on Priority

Zitting Construction, Inc.'s Joinder to APCO Construction's Motion for Issuance of an Order on Priority

Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Motion For Issuance of an Order on Priority

Issuance Of AN Order On Priorit

Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Renewed Motion To Consolidate Case No. A57

Application for Judgment by Default Against Defendant Selina Cicneros

All Pending Motions

Memorandum of Costs and Disbursements

Substitution of Counsel

All Pending Motions

Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judg

Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Moti

Order Granting APCO Construction's Renewed Motion to Consolidate Case No A579963, In Part

Notice of Entry of Order Granting APCO Construction's Renewed Motion to Consolidate Case No. A57996

Mandatory Rule 16 Conference

Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construc

Brad J. Scott's Joinder To Scott Financial Corporation's Motion For Reconsideration Or In The Alter

Camco Pacific Construction Co., Inc.'s Consent to Service by Electronic Means

Notice of Change of Address and Firm Affiliation

Notice of Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APC

Defendant Alexander Edelstein's Answer to Ready Mix Inc.'s First Amended Complaint

Initial Appearance Fee Disclosure

Second Amended Case Agenda Dates and Deadlines

Order Lifting Stay of any Further Activity in this Case

Stipulation and Order for Dismissal with Prejudice

Notice of Entry of Stipulation and Order for Dismissal with Prejudice

Notice of Entry of Order Lifting Stay of any Further Activity in this Case

APCO Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of La

Atlas Construction Supply, Inc.'s Joinder To APCO's Opposition To Scott Financial Corporation's Mot

Steel Structures, Inc.'s and Nevada Prefab Engineers, Inc.'s Joinder to Opposition Filed by APCO Co

Las Vegas Pipeline's Joinder in APCO Construction's Opposition to Motion for Reconsideration of Fin

Opposition to Defendant Scott Financial Corporation's Motion for Reconsideration of Findings of Fac

Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco Construction's Opposition to

Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco Construction's Opposition to

**HEC000567**

Granite Construction Company's Joinder to Apco's Opposition to Scott Financial Corporation's Motion

Plaintiff Zitting Brothers Construction, Inc.'s Joinder to APCO Construction's Opposition to Motion

Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc.'s Joinder in Support of Plaintiff A

Joinder to APCO's Opposition to Scott Financial Corporation's Motion for Reconsideration

Harsco Corporation, EZA, P.C. dba OZ Architecture of Nevada and Patent Construction Systems, a Divi

Wiss Janney Elstner Associates, Inc.'s Joinder To APCO Construction's Opposition To Motion For Recon

APCO Construction's Joinder to Insulpro Projects, Inc.'s Opposition to Scott Financial Corporation'

Custom Select Billing, Inc.'s Joinder to APCO Construction's and Insulpro Projects, Inc.'s Oppositi

Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's and Insulpro Projects, Inc.'s Opposit

Substitution of Counsel

The Masonry Group Nevada, Inc.'s Joinder to Apco Construction's Opposition to Motion for Reconsider

Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.s Opposition to Defendant S

Notice of Substitution of Attorneys for Plaintiff/Counter-Defendant United Subcontractors, Inc. dba

Unitah Investments, LLC, dba Sierra Reinforcing's Joinder to APCO Construction, Inc.'s Opposition t

Arch Aluminum and Glass, LLC's Joinder in APCO's Opposition to Motion for Reconsideration of Findin

Defendant Alexander Edelstein's Motion to Dismiss

Scott Financial Corporaiton's Reply in Support of Motion for Reconsideration of Findings of Fact, C

E&E Fire Protection, LLC, Noorda Sheet Metal Company, The Pressure Grout Company and Professional D

United Subcontractors, Inc. dba Skyline Insulation's Statement of Claims

Ready Mix, Inc.'s Statement Of Claim

Selectbuild Nevada, Inc.'s Joinder to Apco Construction and Insulpro Projects, Inc.'s Oppositions t

Status Check

Insulpro Projects, Inc.'s Statement of Claim

Notice of Hearing on Motion For Reconsideration of Findings of Fact, Conclusions of Law and Order G

All Pending Motions

Affidavit of Attorneys Fees

Notice of Name Change

Certificate of Service

Hearing

Memorandum of Costs and Disbursements

**HEC000568**



Certificate of Service

Steel Structures, Inc.'s Motion for Partial Summary Judgment

Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment

Transcript of Proceedings: Motions

Amended Business Court Scheduling Order Re-Setting Civil Jury Trial, Pre-Trial Conference And Calen

Substitution of Counsel

Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens

National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and A

Declaration of S Judy Hirahara in Support of National Wood Products Incs Motion to Intervene Filed

Status Check

Supplemental Affidavit of Matthew W. Treu in Support of Plaintiff Ahern Rental, Inc.'s Claim for At

APCO's Objection to and Motion to Strike Scott Financial's Supplement to Motion for Summary Judgment

Joinder to APCO's Objection to and Motion to Strike Scott Financial's Supplement to Motion for Summary Judgment

Scott Financial Corporation's Opposition to APCO's Objection and Motion to Strike Scott's Supplement

Granite Construction Company's Joinder to APCO's Objection to and Motion to Strike Scott Financial

Certificate of Mailing National Wood Products Incs Notice of Motion and Motion to Intervene and Mem

Certificate of Mailing Declaration of S Judy Hirahara in Support of National Wood Products Incs Mot

Camco's Limited Opposition to Alexander Edelstein's Motion to Dismiss

Joinder to APCO's Objection and Motion to Strike Scott Financial Corporation's Supplement to Motion

Zitting Brothers Construction, Inc.'s Joinder to APCO Construction's Objection to and Motion to Str

Order Granting Defendant Alexander Edelstein's Motion to Dismiss

Notice of Entry of Order Granting Defendant Alexander Edelstein's Motion to Dismiss

All Pending Motions

Harsco Corporation, EZA, P.C. dba OZ Architecture of Nevada, and Patent Construction Systems, A Div

First Amended Certificate of Mailing National Wood Products Incs Notice of Motion and Motion to Int

First Amended Certificate of Mailing Declaration of S Judy Hirahara in Support of National Wood Pro

Rescheduling Hearing

APCO's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to

Order Denying APCO's Objection and Motion to Strike Scott Financial Corporation's Supplement to Mot

United Subcontractors, Inc. dba Skyline Insulation's Notice of Compliance Regarding Document Produc

Notice of Entry of Order Denying APCO's Objection and Motion to Strike Scott Financial Corporaiton'

Las Vegas Pipeline's Joinder in Apco's Construction's Opposition to Scott Financial Corporation's S

Uintah Investments, LLC, dba Sierra Reinforcing's Joinder in APCO Construction's Opposition to Scot

Granite Construction Company's Joinder to Apco's Opposition to Scott Financial Corporation's Supple

Scott Financial Corporation's Reply in Support of Supplement To Motion for Summary Judgment as to P

Northstar Concrete, Inc.'s Joinder to Apco's Opposition to Scott Financial Corporation's Supplement

Tri-City Drywall, Inc.'s Joinder to Apco's Opposition to Scott Financial Corporation's Supplement t

Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Opposition to Scott Financial Corpora

Zitting Brothers Construction, Inc.'s Joinder to APCO Construction's Opposition to Scott Financial

SelectBuild Nevada, Inc.'s Joinder to Apco Construction's Opposition to Scott Financial Corporation

Trulite Glass & Aluminum Solutions, LLC, f/k/a Arch Aluminum & Glass Co., LLC's Joinder in Apco's O

Motion to Intervene

All Pending Motions

Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening T

Errata to Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Sh

Findings of Fact, Conclusions of Law and Order Granting Nevada Prefab Engineers, Inc.'s Motion for

Findings of Fact, Conclusions of Law and Order Granting Steel Structure, Inc.'s Motion for Partial

Notice of Hearing

Notice of Entry of Order

Notice of Entry of Order

Motion to Withdraw as Counsel

Decision

Order Granting Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc.

Order Granting National Wood Products Inc's Motion to Intervene

Recorder's Transcript Re: Court's Decision

Notice of Entry of Order Granting Motion to Withdraw as Attorney of Record for Atlas Construction S

Fennemore Craig, P.C's Notice of Attorney's Lien

Transcript Re: Defendant Alexander Edelstein's Motion to Dismiss; Apco's Objection to and Motion to

Transcript Re: Hearing: Argument -- Motion for Summary Judgment; Nevada Prefab Engineers' Motion fo

**HEC000570**

Certificate of Mailing

Notice of Entry of Order Granting National Wood Products, Inc.'s Motion to Intervene

Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment

Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion f

Status Check: Status of Case

Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Further Court Order, And F

Judgment By Default

Receipt Of Copy

Receipt Of Copy

Certificate Of Service

Receipt Of Copy

Certificate Of Sevice

Order Shortening Time

Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pe

Joinder to Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed With Deposit

Hydropressure Cleaning, Inc.'s Joinder to PB Lien Claimants' Opposition to Scott Defendants' Motion

Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Lien Claimants' Opposition to Scot

Motion

SelectBuild Nevada, Inc.'s Joinder to PB Lien Claimants' Opposition to Scott Defendants' Motion to

Transcript Re: Hearing

Order Granting Scott Financial Corporation's Motion to Reconsider

Notice of Entry of Order Granting Scott Financial Corporation's Motion to Reconsider

Reply In Support Of Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Furthe

Appendix Of Exhibits To Reply In Support Of Motion To Lift Stay, Allow Sale To Proceed With Deposit

Tharaldson Defendants' Joinder to Scott Financial Corporation's Motion to Lift Stay, Allow Sale to

Evidentiary Hearing

Defendant Scott Financial Corporation's Evidentiary Objection to Presentation of Evidence from Rep

WRG Design, Inc.'s Second Amended Notice of Lis Pendens

SWPPP Compliance Solutions LLC's Amended Notice of Lis Pendens

Interstate Plumbing and Air Conditioning's Amended Notice of Lis Pendens

Helix Electric of Nevada, LLC's Second Amended Notice of Lis Pendens

Heinaman Contract Glazing's Second Amended Notice of Lis Pendens

**HEC000571**

HD Supply Waterworks LP's Second Amended Notice of Lis Pendens

Fast Glass Inc.'s Amended Notice of Lis Pendens

Cactus Rose Construction's Amended Notice of Lis Pendens

Bruin Painting Corp.'s Second Amended Notice of Lis Pendens

Buchele Inc.'s Amended Notice of Lis Pendens

Accuracy Glass & Mirror Co. Inc.'s Second Amended Notice of Lis Pendens

NRAP 26.1(A) Disclosure

Evidentiary Hearing

Evidentiary Hearing

Order to Show Cause re: Summary Determination of Lien Amounts; and the Possible Sale of the Property

NOTICE OF ENTRY OF ORDER TO SHOW CAUSE RE: SUMMARY DETERMINATION OF LIEN AMOUNTS; and THE POSSIBLE

Show Cause Hearing

Notice of Change of Address and Telephone Number

Hearing

Order Granting In Part And Denying In Part Scott Financial Corporation's Motion To Lift Stay, Allow

Notice Of Entry Of Order

Status Check: Status of Case

Telephonic Conference

Order for Mediation

Notice of Entry of Order for Mediation

Substitution of Attorneys

Receipt of Copy

Telephonic Conference

Order Vacating the Auction Set for October 9, 2012; and Order to Show Cause re: Sale of the Property

Notice of Entry of Order Vacating the Auction Set for October 9, 2012; and Order to Show Cause re:

Hearing

Notice of Change of Address

Notice of Change of Address

Notice of Change of Address

Consent to Service By Electronic Means

Hearing

Status Check

Calendar Call

Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.; Notice of Attorneys' Lien;

Ready Mix, Inc.'s Pre-Trial Memorandum

APCO Construction's Pre-Trial Memorandum for the Ready Mix, Inc. Trial

Scott Financial Corporation's Pre-Trial Memorandum

**HEC000572**

Certificate of Service of Motion to Withdraw as Counsel of Record for  
Dave Peterson Framing, Inc.;

Bench Trial

Stipulation and Order to Dismiss With Prejudice

Notice of Entry of Order

Status Check

Motion to Withdraw as Counsel

Order Staying the Case, Except for the Sale of the Property, Pending  
Resolution of the Writ Petition

Notice of Entry of Order Staying the Case, Except for the Sale of the  
Property, Pending Resolution

Status Check

Stipulation and Order for Dismissal with Prejudice as to Defendant  
Alexander Edelstein Only

Notice of Entry of Stipulation and Order for Dismissal With Prejudice  
as to Defendant Alexander Edelstein

Transcript of Proceedings: Status Hearing, May 9, 2012

Transcript of Proceedings: Status Hearing, August 16, 2012

Transcript of Proceedings: Apco Construction's Order to Show Cause  
Re: Summary Determination of Liability

Transcript of Proceedings: Status Check Re: Sale of Property,  
November 6, 2012

Transcript of Proceedings: Hearing Re: Sale of Property, October 16,  
2012

Transcript of Proceedings: Status Check Re: Sale of Property,  
December 6, 2012

Motion to Set Hearing to Discuss Order Approving Private Sale,  
Purchase and Sale Agreement and Related Issues

Order Granting in Part Motion to Withdraw as Counsel of Record for  
Dave Peterson Framing, Inc.

Joinder to Motion to Set Hearing to Discuss Order Approving Private  
Sale Agreement and Related Issues

Notice of Entry of Order Granting in Part Motion to Withdraw As  
Counsel of Record for Dave Peterson

Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada Inc's Request  
and Notice for CourtCall Teleconference

Motion

Motion

Order

Stipulation and Order for Dismissal with Prejudice as to Defendant  
Alexander Edelstein Only

Notice of Entry of Stipulation and Order for Dismissal With Prejudice  
as to Defendant Alexander Edelstein

Notice of Entry of Order

Defendant Scott Financial Corporation's Ex Parte Application For  
Order To Show Cause On Order Short

Order to Show Cause

Order To Show Cause Regarding Possible Sale Of The Property

**HEC000573**

Notice of Entry of Order Shortening Time

Errata to Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on O

Notice Of Entry Of Order To Show Cause Regarding Possible Sale Of Property

Notice of Entry of Order to Show Cause

Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Tim

Show Cause Hearing

Notice Of Hearing On Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On

Declaration Of Bradley J. Scott, In Anticipation Of Evidentiary Hearing

All Pending Motions

Order To Show Cause

Notice of Entry Of Order To Show Cause

Receipt Of Copy

Receipt of Copy

Receipt of Copy

Receipt of Copy

Transcript Re: Show Cause Hearing Re: Summary Determination of Lien Amounts; and The Possible Sale

Transcript Re: Hearing Re: Sale of Property, July 31, 2012

Transcript Re: Telephonic Conference, August 21, 2012

Transcript Re: Telephonic Conference, September 26, 2012

Transcript Re: Hearing Re: Sale of Property, October 23, 2012

Transcript Re: Evidentiary Hearing: Real Estate Commission for the Private Sale, February 7, 2013

Transcript Re: Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase

Transcript Re: Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause

Transcript Re: Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase

Receipt Of Copy Of The Notice Of Hearing On Defendant Scott Financial Corporation's Motion To Dismi

Affidavit of Service

Order Expunging Lien

Order On Defendant Scott Financial Company's Motion To Dismiss And Expunge Liens

Order Regarding Show Cause Hearing

All Pending Motions

Affidavit of Service

Affidavit of Service

Notice Of Entry Of Order Expunging Lien

Affidavit of Service

Notice Of Entry Of Order Regarding Show Cause Hearing

Notice Of Entry Of Order On Defendant Scott Financial Company's  
Motion To Dismiss And Expunge Liens

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Order Expunging Liens

Partial Transcript: (Testimony of Bradley Scott and Doug Schuster)  
Hearing Re: Scott Defendants' Mo

Notice Of Entry Of Order Expunging Funds

Peel Brimley Lien Claimants' Pre-Hearing Brief and Disclosures

Scott Financial Corporation And Bradley J. Scott's Evidentiary Hearing  
Brief

Tharaldson Parties' Evidentiary Hearing Brief and Limited Joinder to  
Peel Brimley Lien Claimants' P

APCO Construction's Joinder to Peel Brimley Lien Claimants' Pre-  
Hearing Brief and Disclosures

Errata To Scott Financial Corporation And Bradley J. Scott's  
Evidentiary Hearing Brief

All Pending Motions

Motion to Withdraw as Attorney of Record for Harsco Corporation

Transcript of Proceedings: Excerpt of Status Check: RE: Sale of  
Property, Evidentiary Hearing: Real

All Pending Motions

Transcript of Proceedings: Status Check: RE: Sale of Property,  
Evidentiary Hearing: Real Estate Com

Transcript of Proceedings: Status Check: RE: Sale of Property,  
Evidentiary Hearing: Real Estate Com

Evidentiary Hearing

Decision

Decision and Order

Notice of Entry of Decision and Order on Motion to Set Hearing

Stipulation and Order to Dismiss E&E Fire Protection, LLC Only  
Pursuant to the Terms Stated Below

Amended Notice of Entry of Decision and Order on Motion to Set  
Hearing

Notice of Entry of Stipulation and Order

Motion to Withdraw as Counsel

Order Approving Sale of Property

Notice of Entry of Order Approving Sale of Property

Notice Of Motion And Motion To Set Aside Order Or Judgment

Ahern Rentals, Inc.'s Partial Release of Judgment Lien

Defendant Scott Financial Corporation's Ex Parte Application for Order  
To Show Cause on Order Shorte

**HEC000575**

Order to Show Cause

Order Granting Donald H. Williams, Esq.'s Motion to Withdraw as Attorney of Record for Harsco Corpo

Affidavit of Service

Notice of Entry of Order

PCI Group, LLC's Partial Release of Judgment Lien

PCI Group LLC's Partial Release of Judgment Lien

Motion to Set Aside

(1) APCO's Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO's Motion for Judg

Scott Financial Corporation's Opposition to (1) Apco Construction, Inc.'s Limited Motion to Lift Sta

Stipulation Regarding Reconveyance of Deeds of Trust Encumbering Property

Motion

Notice of Screening Device

Consent to Service By Electronic Means

Notice of Change of Handling Attorney

Substitution of Real Party in Interest

Portion of Transcript: Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit o

Transcript of Proceedings: Evidentiary Hearing, July 9, 2012

Transcript of Proceedings: Evidentiary Hearing, July 10, 2012

Insulpro Projects, Inc.'s Motion to Lift Stay

APCO Construction's Opposition to Insulpro Project, Inc.'s Motion to Lift Stay

Stipulation and Order to Continue the Hearing on Insulpro Projects Inc.'s Motion to Lift Stay

Notice of Entry of Stipulation and Order to Continue Hearing on Insulpro Projects Inc.'s Motion to

Insulpro Projects, Inc.'s Reply to Apco Construction's Opposition to Motion to Lift Stay

Opposition of Scott Financial Corporation to Insulpro Project, Inc.'s Motion to Lift Stay

Camco Pacific Construction Company, Inc.'s Opposition to Insulpro Projects, Inc.'s Motion to Lift S

Insulpro Projects, Inc.'s Reply to Camco Pacific Construction Company, Inc.'s Opposition to Motion

Motion

Order Denying Insulpro Projects Inc.'s Motion to Lift Stay

Notice of Entry of Order Denying Insulpro Projects Inc.'s Motion to Lift Stay

Opposition

Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.

Motion to Withdraw as Counsel

Order Granting Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.

**HEC000576**



Notice of Entry of Order Granting Motion to Withdraw as Counsel of Record for Northstar Concrete In

Notice of Hearing for Status Check

Substitution of Attorney

Notice of Department Reassignment

Motion for Order Shortening Time for Hearing on Joint Motion to Release Sale Proceeds from Court-Co

Joint Motion to Release Sale Proceeds from Court Controlled Escrow Account on Order Shortening Time

Notice of Appearance

Order Releasing Sale Proceeds from Court-Controlled Escrow Account

Notice of Entry of Order Releasing Sale Proceeds from Court-Controlled Escrow Account

Motion to Release Funds

Status Check

Order RE: Status Check

Motion to Appoint Special Master

Motion to Withdraw

Renewed Motion for Partial Summary Judgment

Insulpro Project's Limited Opposition to Apco Construction's Motion to Appoint Special Master

Application for Order Shortening Time Re: Motion to Withdraw

Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw

Notice of Entry of Order Granting Movant's Application for Order Shortening Time on its Motion to W

Certificate of Service - Notice of Entry of Order Granting Movant's Application for Order Shortenin

Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master

Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Limited Opposition to

APCO Construction's Reply in Support of Motion to Appoint Special Master

Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Parti

Joinder to Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Mast

Fee Disclosure for Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renew

Order Granting Movant's Motion to Withdraw

Notice of Entry of Order Granting Movant's Motion to Withdraw

Scott Financial Corporation's Limited Opposition to Lien Claimant Insulpro's Projects, Inc.'s Renew

All Pending Motions

Camco's Opposition to Insulpro's Renewed Motion for Partial Summary Judgment

APCO's Opposition to Renewed Motion for Partial Summary Judgment and Joinder thereto; and Countermove

Initial Appearance Fee Disclosure

Order: Appointing Special Master

Motion

Notice of Entry of Order

Reply in Support of Renewed Motion for Partial Summary Judgment  
Re: Apco Opposition

Reply in Support of Renewed Motion for Partial Summary Judgment  
re: Camco Opposition

Notice of Special Master Hearing

All Pending Motions

Notice of Rescheduled Special Master Hearing

Order

Notice of Entry of Order

Recorder's Transcript of Proceedings Bench Trial: APCO Construction  
and Ready Mix, Inc., October 30,

Notice of Special Master Hearing

Special Master Report, Recommendation, and District Court Order

Notice of Appearance of Counsel for Plaintiff Uintah Investments, LLC  
dba Sierra Reinforcing

Camco's 16.1 Disclosure

Special Master Order Requiring Completion of Questionnaire

E&E Fire Protection, LLC's Notice of Compliance

National Wood Products Inc's Response to Special Master  
Questionnaire

United Subcontractors, Inc. DBA Skyline Insulation's Special Master  
Questionnaire Response

United Subcontractors, Inc. DBA Skyline Insulation's Consolidated  
Disclosure Pursuant to NRCP 16.1

Request for Leave to Special Master for Approval of Late Filing and  
Service of Rule 16.1 Disclosure

Special Master Order authorizing NATIONAL WOOD PRODUCTS,  
INC., Intervenor of Cabinetec, Inc. to File

Special Master Report Regarding Remaining Parties to the Litigation,  
Special Master Recommendation

Special Master Order Authorizing United Subcontractors, Inc. dba  
Skyline Insulation to File and Ser

United Subcontractors, Inc. DBA Skyline Insulation's Re-filed,  
Supplemented and Consolidated Disclo

Substitution of Attorney

Proof of Service

Motion for Order to Show Cause Why Grubb & Ellis, Now Known As  
Newmark Grubb, Should Not be Held in

Certificate of Service (United Subcontractors, Inc. dba Skyline  
Insulation's Responses to APCO Cons

Certificate of Service (United Subcontractors, Inc. dba Skyline  
Insulation's Responses to APCO Cons

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Order Setting Civil Non-Jury Trial And Calendar Call

Motion to Associate Counsel

Certificate of Service

Stipulation and Order for Amended Briefing Schedule and to Continue Hearing on Motion for Order to

Motion to Withdraw

Notice of Entry of Stipulation and Order for Amended Briefing Schedule and to Continue Hearing on M

Notice of Special Master Hearing

Certificate of Service

Opposition to Motion for Order to Show Cause

Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status

Notice of Motion

Motion

Reply in Support of Motion for Order to Show Cause why Grubb & Ellis, now known as Newmark Grubb, S

All Pending Motions

Decision and Order

Plaintiff APCO Construction's Motion for Summary Judgment Against Uintah Investments LLC dba Sierra

Motion to Withdraw as Counsel

Notice of Entry of Decision and Order

Order admitting to Practice

Notice of Entry of Order Approving Motion to Associate Counsel

Request to Submit proposed Order

Uintah Investments LLC dba Sierra Reinforcing's Opposition to APCO Construction's Motion for Summar

Motion

Plaintiff APCO Construction's Reply In Support of its Motion for Summary Judgment Against Uintah In

Stipulation and Order to Continue Hearing on APCO Construction's Motion for Summary Judgment Agains

Notice of Entry of Stipulation and Order to Continue Hearing on APCO Construction's Motion for Summ

Minute Order

Notice of Bankruptcy of Accuracy Glass & Mirror Co.

Motion to Associate Counsel

United Subcontractors, Inc. d/b/a Skyline Insulation's Notice of 30(b)(6) Deposition of APCO Constr

United Subcontractors, Inc. d/b/a Skyline Insulation's Notice of 30(b)(6) Deposition of CAMCO Pacif

Motion for Withdrawal - MFW

United Subcontractors, Inc. d/b/a Skyline Insulation's Amended Notice of 30(b)(6) Deposition of APC

Special Master Order

Special Master Report Regarding Discovery Status  
Order to Withdraw as Attorney of Record - OWAR  
Motion to Withdraw as Counsel  
Notice of Entry of Order - NEOJ  
Order - ORDR  
Notice of Entry of Order - NEOJ  
Motion to Associate Counsel  
Substitution of Attorney - SUBT  
Order Denying - ORDD  
Order Admitting to Practice - ORAP  
Stipulation and Order for Dismissal With Prejudice - SODW  
Notice of Entry of Stipulation and Order - NTSO  
Order Denying Motion - ODM  
Notice of Entry of Order - NEOJ  
Motion To Dismiss - Alternative Motion For Summary Judgment  
Motion - MOT  
Order to Withdraw as Attorney of Record - OWAR  
Decision  
Stipulation and Order for Dismissal With Prejudice - SODW  
Motion to Continue - MCNT  
Minutes - Motion to Continue  
Minute Order  
Opposition to Motion For Summary Judgment - OMSJ  
Joinder to Opposition to Motion - JOPP  
Opposition - OPPS  
Status Check  
Order Granting Motion - OGM  
Minutes - Status Check  
Reply in Support - RIS  
Motion for Partial Summary Judgment - MPSJ  
Notice of Entry - NEO  
Motion for Partial Summary Judgment - MPSJ  
Joinder to Motion For Partial Summary Judgment - JMPSJ  
Joinder - JOIN  
Joinder - JOIN  
Initial Appearance Fee Disclosure - IAFD  
Notice - NOTC  
Joinder to Motion For Partial Summary Judgment - JMPSJ  
Notice of Entry of Order - NEOJ  
Joinder to Motion For Partial Summary Judgment - JMPSJ  
Motion to Associate Counsel - MASS

Initial Appearance Fee Disclosure - IAFD  
Initial Appearance Fee Disclosure - IAFD  
Joinder - JOIN  
Joinder - JOIN  
Initial Appearance Fee Disclosure - IAFD  
Pre-Trial Disclosure - PTD  
Pre-Trial Disclosure - PTD  
Joinder to Motion For Partial Summary Judgment - JMPSJ  
Joinder to Motion For Partial Summary Judgment - JMPSJ  
Pre-Trial Disclosure - PTD  
Minutes - Motion to Dismiss  
Opposition - OPPS  
Notice - NOTC  
Opposition - OPPS  
Opposition to Motion - OPPM  
Ex Parte Application - EPAP  
Order Denying Motion - ODM  
Notice of Entry of Order - NEOJ  
Order Shortening Time - OST  
Stipulation and Order - SAO  
Notice of Entry of Stipulation and Order - NTSO  
Notice of Entry of Order - NEOJ  
Order Admitting to Practice - ORAP  
Calendar Call  
Notice of Entry of Order - NEOJ  
Notice of Entry of Order - NEOJ  
Minutes - Motion to Associate Counsel  
Pre-trial Memorandum - PMEM  
Order Granting Motion - OGM  
Notice of Compliance - NOC  
Notice of Entry of Order - NEOJ  
Stipulation and Order for Dismissal - STDM  
Notice of Entry of Stipulation & Order for Dismissal - NESO  
Hearing  
Minutes - Settlement Conference  
Notice of Association of Counsel - NOAC  
Reply to Opposition - ROPP  
Notice of Appearance - NOTA  
Reply in Support - RIS  
Order Setting Civil Non-Jury Trial and Calendar Call - ORSNJ  
Motion to Withdraw As Counsel - MWCN

Order - ORDR  
Notice of Entry of Order - NEOJ  
Supplement to Opposition - STO  
Motion in Limine - MLIM  
Motion in Limine - MLIM  
Motion in Limine - MLIM  
All Pending Motions  
Notice of Hearing - NOH  
Notice of Hearing - NOH  
Motion in Limine - MLIM  
Notice of Hearing - NOH  
Motion in Limine  
Notice of Deposition - NDEP (CIV)  
Notice of Deposition - NDEP (CIV)  
Objection - OBJ (CIV)  
Notice of Change of Address - NCOA (CIV)  
Opposition to Motion in Limine - OML (CIV)  
Opposition - OPPS (CIV)  
Opposition - OPPS (CIV)  
Opposition - OPPS (CIV)  
Opposition to Motion - OPPM (CIV)  
Joinder - JOIN (CIV)  
Opposition to Motion in Limine - OML (CIV)  
Opposition to Motion in Limine - OML (CIV)  
Joinder - JOIN (CIV)  
Opposition to Motion in Limine - OML (CIV)  
Reply in Support - RIS (CIV)  
Joinder - JOIN (CIV)  
Joinder - JOIN (CIV)  
Supplement to Response and Opposition - SRO (CIV)  
Reply - RPLY (CIV)  
Minutes - Calendar Call  
Decision - DECN (CIV)  
Decision - DECN (CIV)  
Order Setting Civil Non-Jury Trial - OCNJ (CIV)  
Motion - MOT (CIV)  
Minute Order  
Minute Order  
Minute Order  
Minute Order  
Minute Order

Certificate of Service - CSERV (CIV)  
Minutes - Motion  
All Pending Motions  
Order Granting Motion - OGM (CIV)  
Order - ORDR (CIV)  
Order - ORDR (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Recorders Transcript of Hearing - RTRAN (CIV)  
Recorders Transcript of Hearing - RTRAN (CIV)  
Findings of Fact, Conclusions of Law and Order - FFCO (CIV)  
Order Granting Motion - OGM (CIV)  
Notice of Entry - NEO (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Amended Order - AMOR (CIV)  
Motion - MOT (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Joinder To Motion - JMOT (CIV)  
Notice of Attorney Lien - ATLN (CIV)  
Motion - MOT (CIV)  
Opposition to Motion - OPPM (CIV)  
Opposition to Motion - OPPM (CIV)  
Order Granting Motion - OGM (CIV)  
Reply in Support - RIS (CIV)  
Opposition to Motion - OPPM (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Motion to Stay - MSTY (CIV)  
Pre-trial Memorandum - PMEM (CIV)  
Minutes - All Pending Motions  
Joint Pre-Trial Memorandum - JPTM (CIV)  
Order Granting - ORDG (CIV)  
Notice of Entry - NEO (CIV)  
Trial Brief - TB (CIV)  
Minutes - Motion to Stay  
Trial Brief - TB (CIV)  
Opposition - OPPS (CIV)  
Stipulation and Order - SAO (CIV)  
Notice of Entry of Stipulation and Order - NTSO (CIV)  
Order Denying Motion - ODM (CIV)  
Notice of Entry of Order - NEOJ (CIV)

Minutes - Calendar Call  
Notice - NOTC (CIV)  
Order - ORDR (CIV)  
Memorandum of Costs and Disbursements - MEMC (CIV)  
Memorandum - MEMO (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Recorders Transcript of Hearing - RTRAN (CIV)  
Recorders Transcript of Hearing - RTRAN (CIV)  
Recorders Transcript of Hearing - RTRAN (CIV)  
Recorders Transcript of Hearing - RTRAN (CIV)  
Stipulation and Order for Dismissal - STDM (CIV)  
Minutes - Bench Trial  
Minutes - Bench Trial  
Minutes - Bench Trial  
Minutes - Bench Trial  
Minutes - Bench Trial  
Recorders Transcript of Hearing - RTRAN (CIV)  
Notice of Appeal - NOAS (CIV)  
Case Appeal Statement - ASTA (CIV)  
Opposition - OPPS (CIV)  
All Pending Motions  
Motion to Stay  
Bench Trial  
Reply in Support - RIS (CIV)  
Stipulation and Order - SAO (CIV)  
Findings of Fact, Conclusions of Law and Judgment - FFCL (CIV)  
Notice of Entry of Stipulation and Order - NTSO (CIV)  
Trial Brief - TB (CIV)  
Trial Brief - TB (CIV)  
Trial Brief - TB (CIV)  
Minutes - Hearing  
Respondent's Answering Brief - RAB (CIV)  
Respondent's Answering Brief - RAB (CIV)  
Response - RSPN (CIV)  
Response - RSPN (CIV)  
Opposition to Motion - OPPM (CIV)  
Decision - DECN (CIV)  
Findings of Fact, Conclusions of Law and Order - FFCO (CIV)  
Finding of Fact and Conclusions of Law - FCL (CIV)  
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Finding of Fact and Conclusions of Law - FCL (CIV)  
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Order - ORDR (CIV)  
Memorandum of Costs and Disbursements - MEMC (CIV)  
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Memorandum of Costs and Disbursements - MEMC (CIV)  
Memorandum of Costs and Disbursements - MEMC (CIV)  
Order - ORDR (CIV)  
Motion for Attorney Fees - MATF (CIV)  
Order - ORDR (CIV)  
Motion to Retax - MRTX (CIV)  
Joinder To Motion - JMOT (CIV)  
Motion to Retax - MRTX (CIV)  
Joinder To Motion - JMOT (CIV)  
Motion for Attorney Fees and Costs - MAFC (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Judgment - JUDG (CIV)  
Notice of Entry of Judgment - NJUD (CIV)  
Notice of Appearance - NOTA (CIV)  
Judgment - JUDG (CIV)  
Notice of Entry of Judgment - NJUD (CIV)  
Stipulation and Order for Dismissal With Prejudice - SODW (CIV)  
Notice of Entry of Stipulation and Order - NTSO (CIV)  
Motion to Withdraw As Counsel - MWCN (CIV)  
Supplemental Points and Authorities - SPA (CIV)  
Substitution of Attorney - SUBT (CIV)  
Stipulation and Order - SAO (CIV)  
Notice of Entry of Stipulation and Order - NTSO (CIV)  
Judgment - JUDG (CIV)  
Judgment - JUDG (CIV)  
Judgment - JUDG (CIV)  
Judgment - JUDG (CIV)  
Judgment - JUDG (CIV)  
Order Shortening Time - OST (CIV)  
Judgment - JUDG (CIV)  
Notice of Entry of Judgment - NJUD (CIV)

Notice of Entry of Judgment - NJUD (CIV)  
Notice of Entry of Judgment - NJUD (CIV)  
Notice of Entry of Judgment - NJUD (CIV)  
Notice of Entry of Judgment - NJUD (CIV)  
Opposition to Motion - OPPM (CIV)  
Motion to Enforce - MENF (CIV)  
Opposition and Countermotion - OPPC (CIV)  
Notice of Entry of Judgment - NJUD (CIV)  
Motion for Attorney Fees and Costs - MAFC (CIV)  
Motion for Attorney Fees and Costs - MAFC (CIV)  
Motion for Attorney Fees and Costs - MAFC (CIV)  
Motion for Attorney Fees and Costs - MAFC (CIV)  
Motion for Attorney Fees and Costs - MAFC (CIV)  
Order Granting Motion - OGM (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Motion - MOT (CIV)  
Amended Notice of Appeal - ANOA (CIV)  
Amended Case Appeal Statement - ACAS (CIV)  
Motion - MOT (CIV)  
Response - RSPN (CIV)  
Minutes - All Pending Motions  
Response - RSPN (CIV)  
Declaration.compressed.pdf  
Request - REQT (CIV)  
Opposition - OPPS (CIV)  
Opposition - OPPS (CIV)  
Opp.pdf  
doc04988520180618121241.pdf  
Zitting-OPP-to-Motion-for-54\_b\_-Certification-and-Appeal-Stay.pdf  
Notice of Non Opposition - NNOP (CIV)  
Notice of Non Opposition - NNOP (CIV)  
Notice of Non Opposition - NNOP (CIV)  
Notice of Non Opposition - NNOP (CIV)  
Notice of Non Opposition - NNOP (CIV)  
Minutes - Motion  
Recorders Transcript of Hearing - RTRAN (CIV)  
Recorders Transcript of Hearing - RTRAN (CIV)  
Notice of Appeal - NOAS (CIV)  
Case Appeal Statement - ASTA (CIV)  
Reply to Motion - REM (CIV)  
Reply to Motion - REM (CIV)

Case Appeal Statement - ASTA (CIV)  
Reply in Support - RIS (CIV)  
Order Granting Motion - OGM (CIV)  
Order Granting Motion - OGM (CIV)  
Order Granting Motion - OGM (CIV)  
Order Granting Motion - OGM (CIV)  
Order Granting Motion - OGM (CIV)  
Notice of Appeal - NOAS (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Notice of Posting Bond - NPP (CIV)  
Memorandum of Costs and Disbursements - MEMC (CIV)  
Notice of Posting of Cost Bond - NPNR (CIV)  
Motion for Order - MODR (CIV)  
Ex Parte Motion - EXMT (CIV)  
Joinder To Motion - JMOT (CIV)  
Judgment - JUDG (CIV)  
All Pending Motions  
Ex Parte Motion - EXMT (CIV)  
Motion for Leave to File - MLEV (CIV)  
Notice of Entry of Judgment - NJUD (CIV)  
Order Granting Motion - OGM (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Reply - RPLY (CIV)  
Order Approving - ORDA (CIV)  
Notice of Entry - NEO (CIV)  
Notice of Deposit - NODE (CIV)  
Order Granting Motion - OGM (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Decision - DECN (CIV)  
Motion for Attorney Fees - MATF (CIV)  
Amended Notice of Appeal - ANOA (CIV)  
Amended Case Appeal Statement - ACAS (CIV)  
All Pending Motions  
Order - ORDR (CIV)  
Notice of Non Opposition - NNOP (CIV)  
Notice of Posting Bond - NPP (CIV)  
Minutes - Motion for Attorney Fees and Costs

Order to Statistically Close Case - OSCC (CIV)  
Notice of Posting Bond - NPP (CIV)  
Order Granting Motion - OGM (CIV)  
Notice of Entry of Order - NEOJ (CIV)  
Order - ORDR (CIV)  
Notice of Entry - NEO (CIV)  
Amended Case Appeal Statement - ACAS (CIV)  
Amended Notice of Appeal - ANOA (CIV)  
Notice of Appeal - NOAS (CIV)  
Case Appeal Statement - ASTA (CIV)  
Notice of Posting of Cost Bond - NPNR (CIV)  
Recorders Transcript of Hearing - RTRAN (CIV)  
Notice of Appearance - NOTA (CIV)  
Substitution of Attorney - SUBT (CIV)  
Consent - CONS (CIV)  
Amended Judgment - AJ (CIV)  
Stipulation and Order - SAO (CIV)

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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**Case No. 76276**

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**HELIX ELECTRIC OF NEVADA, LLC; AND NATIONAL WOOD  
PRODUCTS, INC., A UTAH CORPORATION**

Appellant,

v.

**APCO CONSTRUCTION, INC, A NEVADA CORPORATION,**

Respondent.

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Appeal from Judgment  
Eighth Judicial District Court, Clark County  
The Honorable Mark Denton, District Court Judge  
District Court Case No. **08A571228**

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**EXHIBITS TO APPELLANT/CROSS-RESPONDENT'S RESPONSE TO  
ORDER TO SHOW CAUSE  
VOLUME II  
Exhibit B - Pages 534 – 557  
(Part 1(f))**

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ERIC B. ZIMBELMAN, ESQ.  
Nevada Bar No. 9407  
RICHARD L. PEEL, ESQ.  
Nevada Bar No. 4359  
**PEEL BRIMLEY LLP**  
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Henderson, NV 89074-6571  
Telephone: (702) 990-7272  
Facsimile: (702) 990-7273  
[ezimbelman@peelbrimley.com](mailto:ezimbelman@peelbrimley.com)  
[rpeel@peelbrimley.com](mailto:rpeel@peelbrimley.com)  
*Attorneys for Appellant  
Helix Electric of Nevada, LLC*

5/8/2010	Efile Payment	Receipt # 2010- 15596- CCCLK	SWPPP Compliance Solutions LLC	(\$200.00)
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Scott Financial Corporation

Total Financial Assessment	\$25.00
Total Payments and Credits	\$25.00

6/4/2015	Transaction Assessment			\$25.00
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6/4/2015	Payment (Window)	Receipt # 2015- 58504- CCCLK	Brownstein Hyatt Farber Schrec	(\$25.00)
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HD Supply Construction Supply LP

Total Financial Assessment	\$200.00
Total Payments and Credits	\$200.00

6/26/2010	Transaction Assessment			\$200.00
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6/26/2010	Efile Payment	Receipt # 2010- 25455- CCCLK	HD Supply Construction Supply	(\$200.00)
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Wiss, Janney, Elstner Associates, Inc.

Total Financial Assessment	\$200.00
Total Payments and Credits	\$200.00

6/30/2010	Transaction Assessment			\$200.00
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6/30/2010	Efile Payment	Receipt # 2010- 25904- CCCLK	Wiss, Janney, Elstner Associat	(\$200.00)
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Graybar Electric Company

Total Financial Assessment	\$400.00
Total Payments and Credits	\$400.00

7/6/2010	Transaction Assessment			\$200.00
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7/6/2010	Efile Payment	Receipt # 2010- 26931- CCCLK	Graybar Electric Company	(\$200.00)
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7/6/2010	Transaction Assessment			\$200.00
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7/6/2010	Efile Payment	Receipt # 2010- 27219- CCCLK	Graybar Electric Company	(\$200.00)
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National Wood Products, Inc.'s

Total Financial Assessment	\$1,707.00
Total Payments and Credits	\$1,707.00

8/9/2017	Transaction Assessment			\$1,483.00
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8/9/2017	Efile Payment	Receipt # 2017- 63409- CCCLK	National Wood Products, Inc.'s	(\$1,483.00)
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8/9/2017	Transaction Assessment			\$200.00
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8/9/2017	Efile Payment	Receipt # 2017- 63414- CCCLK	National Wood Products, Inc.'s	(\$200.00)
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7/2/2018	Transaction Assessment			\$24.00
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7/2/2018	Efile Payment	Receipt # 2018- 43805- CCCLK	National Wood Products, Inc.'s	(\$24.00)
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United Subcontractors Inc

Total Financial Assessment	\$400.00
Total Payments and Credits	\$400.00

8/12/2017	Transaction Assessment			\$200.00
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8/12/2017	Efile Payment	Receipt # 2017- 64144- CCCLK	United Subcontractors Inc	(\$200.00)
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8/12/2017	Transaction Assessment			\$200.00
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8/12/2017	Efile Payment	Receipt # 2017- 64237- CCCLK	United Subcontractors Inc	(\$200.00)
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Chaper 7 Trustee

Total Financial Assessment	\$200.00
Total Payments and Credits	\$200.00

8/7/2017	Transaction Assessment	\$200.00
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8/7/2017	Efile Payment	Receipt #	Chaper 7	(\$200.00)
		2017-62766-CCCLK	Trustee	

Newmark Grubb Knight Frank

Total Financial Assessment	\$7.00
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Total Payments and Credits	\$7.00
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2/23/2017	Transaction Assessment	\$3.50
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2/23/2017	Efile Payment	Receipt #	Newmark	(\$3.50)
		2017-18224-CCCLK	Grubb Knight Frank	

3/30/2017	Transaction Assessment	\$3.50
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3/30/2017	Efile Payment	Receipt #	Newmark	(\$3.50)
		2017-30219-CCCLK	Grubb Knight Frank	

## Documents

Answer

Answer

Acceptance of Service

Three Day Notice of Intent to Default

Initial Appearance Fee Disclosure

Disclaimer of Interest

Statement

Motion to Consolidate

Three Day Notice of Intent to Default

Three Day Notice of Intent to Default

Gemstone Development West, Inc.'s Answer to Professional Doors and Millworks, LLC's Statement of Fa

Gemstone Development West, Inc.'s Answer to E&E Fire Protection,

HEC000536



LLC's Statement of Facts Constitut

Gemstone Development West, Inc.'s Answer to Dave Peterson  
Framing, Inc.'s Statement of Facts Consti

Affidavit of Service

Opposition to Motion

Answer

Certificate of Mailing

Joinder

Opposition to Motion to Consolidate

Summons

Camco Pacific Construction's and Fidelity and Deposit Company of  
Maryland's Motion to Dismiss the T

Hydropressure Cleaning, Inc.'s Motion to Intervene

Default

Answer to Third Party Complaint

Motion to Intervene

Summons

Summons

Notice of Non Opposition

Three Day Notice of Intent to Default

Summons

Certificate of Mailing

Notice of Lis Pendens

Answer

Answer

Answer to Third Party Complaint

Certificate of Mailing

Scott Financial Corporation's Answer to Noorda Sheet Metal  
Company's Amended Statement of Facts Con

Scott Financial Corporation's Answer to Professional Doors and  
Millworks, LLC's Statement of Facts

Scott Financial Corporation's Answer to Cell-Crete Fireproofing of  
Nevada, Inc.'s Statement of Fact

Scott Financial Corporation's Amended Partial Joinder in Apco  
Construction's Motion to Consolidate

Reply to Counterclaim

Reply to Counterclaim

Reply to Counterclaim

Atlas Construction Supply, Inc.'s Limited Opposition to APCO  
Construction's Motion to Consolidate w

Bradley J. Scott and Scott Financial Corporation's Opposition to APCO  
Construction's Motion to Cons

Joinder of Defendant Bank of Oklahoma, N.A. to Defendants Scott  
Financial Corporation and Bradley J

Motion to Amend

**HEC000537**

Affidavit of Service

Certificate of Mailing

Joinder To Motion

Scott Financial Corporation's Answer to Nevada Prefab Engineers, Inc.'s Amended Statement of Facts

Scott Financial Corporation's Answer to Harsco Corporation's Amended Statement of Facts Constituting

Notice of Withdrawal of Opposition to Motion to Consolidate

Motion

Affidavit for Service by Publication

Three Day Notice of Intent to Default

Scott Financial Corporation's Answer to Dave Peterson Framing, Inc.'s Statement of Facts Constituting

Gemstone Development West, Inc.'s Answer to Harsco Corporation's Amended Statement of Facts Constituting

Certificate of Mailing

Opposition to Motion

Gemstone Development West, Inc.'s Answer to The Pressure Group Company's Statement of Facts Constituting

Answer to Third Party Complaint

APCO Construction's Reply in Support of its Motion to Consolidate with Case Nos. A574391, A574792,

Certificate of Service

Scott Financial Corporation's Answer to Insulpro Projects, Inc.'s Statement of Facts Constituting

Joinder of Defendant Bank of Oklahoma, N.A. to Defendants Scott Financial Corporation and Bradley J

Notice

Gemstone Development West, Inc.'s Answer to Insulpro Projects, Inc.'s Statement of Facts Constituting

Three Day Notice of Intent to Default

Joinder To Motion

Bradley J. Scott And Scott Financial Corporation's Opposition To APCO Construction's Supplement To

Statement of Facts Constituting Lien

Initial Appearance Fee Disclosure

Notice of Entry of Stipulation and Order

Gemstone Development West, Inc.'s Answer to Steel Structures, Inc. and Nevada Prefab Engineers, Inc

Gemstone Development West, Inc.'s Answer to Pape Material Handling dba Pape Rents' Statement of Facts

Gemstone Development West, Inc.'s Answer to Tri-City Drywall, Inc.'s Statement of Facts Constituting

Gemstone Development West, Inc.'s Answer to EZA, P.C. dba Oz Architecture of Nevada, Inc.'s Statement

Gemstone Development West, Inc.'s Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of

Gemstone Development West, Inc.'s Answer to Cell-Crete Fireproofing

**HEC000538**

of Nevada, Inc.'s Statement of  
Gemstone Development West, Inc.'s Answer to APCO Construction's  
Cross-Claim Contained in its Answer  
Stipulation and Order for Dismissal  
Amended Certificate of Service  
Counterdefendant Cabinetec, Inc.'s Answer to Counterclaimant  
Camco Pacific Construction Company, In  
All Pending Motions  
Initial Appearance Fee Disclosure  
Reply of Camco Pacific Construction and Fidelity and Deposit  
Company of Maryland to Dave Peterson F  
Notice of Lis Pendens  
Reply to Counterclaim  
Statement of Facts Constituting Lien  
APCO Construction's Answer to Zitting Brothers Construction, Inc.'s  
Complaint  
Motion for Default Judgment  
Proof of Service  
Notice of Motion  
Substitution of Attorney  
Affidavit of Service  
Notice of Department Reassignment  
Proof of Service  
Acceptance of Service  
Acceptance of Service  
Ex Parte Motion for Enlargement of Time  
Statement of Facts Constituting Lien  
Initial Appearance Fee Disclosure  
Lis Pendens  
Summons  
Summons  
Summons  
Renotice  
Order Granting  
Accuracy Glass & Mirror Company, Inc.'s Amended Notice of Lis  
Pendens  
Bruin Painting Corporation's Amended Notice of Lis Pendens  
Bruin Painting's Amended Statement of Facts Constituting a Notice of  
Lien and Third-Party Complaint  
HD Supply Waterworks, LP's Amended Notice of Lis Pendens  
HD Supply Waterworks' Amended Statement of Facts Constituting a  
Notice of Lien and Third-Party Comp  
Helix Electric's Amended Notice of Lis Pendens  
Helix Electric's Amended Statement of Facts Constituting a Notice of  
Lien and Third-Party Complaint

Heinaman's Amended Notice of Lis Pendens

Heinaman Contract Glazing's Amended Statement of Facts  
Constituting a Notice of Lien and Third-Part

WRG Design, Inc.'s Amended Notice of Lis Pendens

First Amended Complaint Re Foreclosure (A571792, A574391,  
A577623, A583289, A584730, A587168)

WRG Design, Inc.'s Amended Statement of Facts Constituting a  
Notice of Lien and Third-Party Complai

Acceptance of Service

Certificate of Mailing

Lis Pendens

Statement of Facts Constituting Lien

Initial Appearance Fee Disclosure

Statement of Facts Constituting Lien

Order

Gemstone Development West, Inc.'s Answer to Ahern Rental, Inc.'s  
First Amended Statement of Facts C

Gemstone Development West, Inc.'s Answer to Patent Construction  
Systems, a Division of Harsco Corpo

Gemstone Development West, Inc.'s Answer to Buchele, Inc.'s  
Statement of Facts Constituting Lien

Gemstone Development West, Inc.'s Answer to Statement of Facts  
Constituting Lien Claim by Creative

Notice of Entry of Order to Consolidate this Action with Case Nos.  
A574391, A574792, A577623, A5799

APCO Construction's Answer to Ahern Rentals Inc.'s First Amended  
Statement of Facts Constituting Li

APCO Construction's Answer to Buchele, Inc.'s Statement of Facts  
Constituting Lien

APCO Construction's Answer to Selectbuild Nevada Inc.'s Statement  
of Facts Constituting Lien

APCO Construction's Answer to Las Vegas Pipeline, Inc.'s Statement  
of Facts Constituting Lien and C

APCO Construction's Answer to The Pressure Grout Company's  
Statement of Facts Constituting Lien and

Affidavit for Service by Publication

Statement of Facts Constituting Lien

Statement of Facts Constituting Lien

Lis Pendens

Initial Appearance Fee Disclosure

All Pending Motions

Summons

Certificate of Service

Acceptance of Service

Statement

Three Day Notice of Intent to Default

Three Day Notice of Intent to Default

Summons

Summons

Summons

Affidavit of Due Diligence

Notice of Entry of Stipulation and Order

Stipulation and Order for Dismissal

Notice of Dismissal

Notice of Voluntary Dismissal

Order Granting

Scott Financial Corporation's Answer to Patent Construction's  
Statement of Facts Constituting Lien

Order for Service by Publication

Statement of Facts Constituting Lien

Pape Material Handling d/b/a Pape Rents'Early Case Conference  
Report List of Witnesses and Documen

Gemstone Development West, Inc.'s Answer to Atlas Construction  
Supply, Inc.'s Statement of Facts Co

Gemstone Development West, Inc.'s Answer to Supply Network, Inc.  
dba Viking Supplynet's Statement o

Consent to Service By Electronic Means

Consent to Service By Electronic Means

Consent to Service By Electronic Means

Affidavit of Service

Motion for Default Judgment

Notice of Entry of Order

Notice of Entry of Order

Affidavit of Service

Affidavit of Due Diligence

Initial Appearance Fee Disclosure

Statement of Facts Constituting Lien

Three Day Notice of Intent to Default

Three Day Notice of Intent to Default

Certificate of Mailing

Notice of Entry of Order

Notice of Change of Address

Gemstone Development West, Inc.'s Answer to Las Vegas Pipeline,  
LLC's Statement of Facts Constituti

Gemstone Development West, Inc.'s Answer to Camco Pacific  
Construction Company, Inc.'s Statement of

Gemstone Development West, Inc.'s Answer to the Masonry Group  
Nevada, Inc.'s Statement of Facts Con

Motion to Dismiss

Answer

Acceptance of Service

Acceptance of Service

Summons

Summons

Proof of Service

Summons

Answer to Complaint

Answer to Complaint

Voluntary Dismissal

APCO Construction's Answer to Helix Electric's Amended Statement of Facts Constituting Notice of Li

APCO Construction's Answer to Accuracy Glass & Mirror Company's First Amended Complaint re Foreclos

APCO Construction's Answer to Creative Home Theatre, LLC's State of Facts Constituting Lien

APCO Construction's Answer to Granite Construction Company's Statement of Facts Constituting Lien C

APCO Construction's Answer to The Masonry Group Nevada, Inc.'s Statement of Facts Constituting a No

APCO Construction's Answer to HD Supply Waterwork's Amended Statement of Facts Constituting a Notic

Proof of Service

Proof of Service

APCO Construction's Answer to WRG Design Inc.'s Amended Statement of Facts Constituting Notice of L

APCO Construction's Answer to Tri-City Drywall, Inc.'s Statement of Facts Constituting Lien and Com

Answer

Acceptance of Service

Initial Appearance Fee Disclosure

Gemstone Development West, Inc.'s Answer to Patent Construction Systems, a Division of Harsco Corpo

Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228

Gemstone Development West, Inc.'s Answer to Granite Construction Company's Statement of Facts Const

Gemstone Development West, Inc.'s Answer to Hydropressure Cleaning, Inc.'s Statement of Facts Const

Summons

Summons

Summons

Summons

Summons

Scott Financial Corporation's Answer to Supply Network dba Vking Supplynet's Statement of Facts Con

Scott Financial Corporation's Answer to Creative Home Threatre, LLC's Statement of Facts Constituti

Scott Financial Corporation's Answer to The Pressure Grout Company's Statement of Facts Constitutin

**HEC000542**

Scott Financial Corporation's Answer to Pape Material Handling dba  
Pape Rents' Statement of Facts C

Summons

Acceptance of Service

Initial Appearance Fee Disclosure

Answer

Scott Financial Corporation's Answer to Statement of Facts  
Constituting Lien on Behalf of Buchele,

Order

Scott Financial Corporation's Answer to The Masonry Group Nevada,  
Inc.'s Statement fo Facts Constit

Gemstone Development West, Inc.'s Answer to Fast Glass, Inc.'s  
Statement of Facts Constituting Lien

Defendant Gemstone Development West, Inc.'s Notice of  
Consolidation with Case No. 08-A571228

Affidavit of Publication

Selectbuild Nevada, Inc.'S Notice Of Bankruptcy Filing And Automatic  
Stay

Notice of Consolidation with Case Numbers A571228, A574391,  
A574792, A577623, A583289, A584730, A58

Gemstone Development West, Inc.'s Answer to Executive Plastering,  
Inc.'s Statement of Facts Constit

Gemstone Development West, Inc.'s Answer to Zitting Brothers  
Construction, Inc.'s Complaint re: For

Gemstone Development West, Inc.'s Answer to Executive Plastering,  
Inc.'s First Amended Complaint

Defendant, Nevada Construction Services' Answer to Camco Pacific  
Construction Company, Inc.'s State

Initial Appearance Fee Disclosure

Answer

Custom Select Billing, Inc.'s Statement of Facts Constituting Lien and  
Complaint in Intervention

Initial Appearance Fee Disclosure

Answer to Counterclaim

Three Day Notice of Intent to Default

Scott Financial Corporation's Motion to Dismiss Club Vista Financial  
Services, LLC and Tharaldson M

Notice

Alex Edelstein's Answer to Ahern Rental, Inc.'s First Amended  
Statement of Facts Constituting Lien

Motion to Designate this Action as Complex Pursuant to NRCP 16.1(f),  
and Motion to Set a Discovery

Answer to Las Vegas Pipeline, LLC's Statement of Facts Constituting  
Lien and Complaint In Intervent

Answer to Complaint

Answer

Answer

Answer

**HEC000543**

Initial Appearance Fee Disclosure

Answer

Answer

Initial Appearance Fee Disclosure

Initial Appearance Fee Disclosure

Answer

Answer to Complaint

Answer to Complaint

Answer to Third Party Complaint

Motion for Sanctions Pursuant to NRCP 11

Reply to Counterclaim

Plaintiff Zitting Brothers Construction, Inc.'s Partial Motion to Dismiss  
Club Vista Financial Serv

Default

Default

Renewed Motion for Clarificaton Or Reconsideration of April 6, 2009  
Ruling Re: Executive Plastering

Amended Summons with Affidavits of Service

Amended Summons with Affidavits of Service

Amended Summons

Amended Summons

Amended Summons

Amended Summons

Amended Summons

Reply to Counterclaim

Certificate of Mailing

Opposition to Motion to Dismiss

Opposition to Motion to Dismiss

Answer

Answer

Answer

Answer to Complaint

Answer

Response

Fast Glass, Inc.'s Reply to Camco Pacific Construction Company,  
Inc.'s Counterclaim

Apco Construction's Limited Opposition to Scott Financial  
Corporation's Motion to Designate as Comp

Reply to Counterclaim

Reply to Counterclaim

Reply to Counterclaim

Notice of Change of Firm Name

Opposition

**HEC000544**



Motion to Associate Counsel Christine R. Taradash

Motion to Associate Counsel John T. Moshier

Answer to Complaint

Answer to Amended Complaint

Answer

Motion to Associate Counsel Martin A. Aronson

Reply in Support of Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services,

Answer to Counterclaim

Initial Appearance Fee Disclosure Statement

Bradley J. Scott's Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial

All Pending Motions

Notice of Change of Address

Answer to Counterclaim

Joinder

Notice of Change of Address

Answer to Counterclaim

Summons

Plaintiff/Counterdefendant Buchele, Inc.'s Joinder to Zitting Brothers Construction, Inc.'s Partial

Fast Glass, Inc.'s Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista

Reply in Support of NCS' Motion for Sanctions Pursuant to NRCP 11

Certificate of Mailing

Answer to Complaint

Scott Financial Corporation's Acceptance of Service of Custom Select Billing, Inc.'s Statement of F

Motion to Withdraw As Counsel

Las Vegas Pipeline's Answer to Camco Pacific Construction Company, Inc.'s Counterclaim

Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Notice of Consolidation With Case Numbers A5712

Uintah Investments, LLC's Reply to Club Vista Financial Services, LLC's, Tharaldson Motels II, Inc.

Joinder

Reply to Counterclaim

Reply to Counterclaim

Reply to Counterclaim

Reply to Counterclaim

Notice

Joinder

Joinder To Motion

Joinder To Motion

Joinder To Motion

Answer to Counterclaim  
Amended Notice  
Answer to Counterclaim  
Motion for Sanctions  
Stipulation for Dismissal  
Opposition to Motion  
Certificate of Service  
Certificate of Service  
Reply  
Reply to Counterclaim  
Acceptance of Service  
All Pending Motions  
Order Granting Motion  
Order Granting Motion  
Order Granting Motion  
Reply to Opposition  
Counterdefendant Cabinetec Inc.'s Reply to Club Vista Financial Services LLC's Counterclaim  
Motion to Withdraw as Counsel  
Gemstone Development West, Inc.'s Answer to Complaint for Damages and to Foreclose Mechanic's Lien  
Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228  
Gemstone Development West, Inc.'s Answer to Uintah Investments, LLC Complaint  
Gemstone Development West, Inc.'s Answer to Ready Mix, Inc.'s Statement of Facts Constituting Lien  
Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228 (HA Fa  
Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228 (Grayb  
Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228 (PCI G  
Scott Financial Corporation's Answer to Custom Select Billing, Inc.'s Statement of Facts Constituti  
Notice  
Notice  
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Notice  
Scott Financial Corporation's Answer to Hydropressure Cleaning, Inc.'s Statement of Facts Constitut  
Motion to Reconsider  
Motion to Amend Complaint  
Order Setting Rule 16 Conference, Designating the Case as Complex Pursuant to NRCP 16.1(f), and Con  
Notice of Entry of Order Setting Rule 16 Conference, Designating the

Case as Complex Pursuant to NR

Order Granting

Order

Notice of Motion

Stipulation and Order for Dismissal

Notice of Entry of Order

Notice of Entry of Order for Dismissal of Steel Structures Complaint  
against Camco Pacific Construc

Nevada Prefab's Reply to Camco's Counterclaim

Notice of Entry of Order

Answer

Motion to Withdraw as Counsel

Gemstone Development West Inc's Answer to PCI Group LLC's  
Complaint

Errata

Order Granting Motion

Order Granting Motion

Substitution of Attorneys

Errata to Affidavit in Support of Motion to Withdraw as Counsel

Notice of Entry of Order

Motion to Amend Complaint

Motion to Withdraw As Counsel

Notice of Hearing

Motion to Withdraw as Counsel

Order Granting Motion

Subtitution of Attorney

Order Granting Motion

Motion to Withdraw as Counsel

Motion to Withdraw As Counsel

Notice of Entry of Order

Amended Complaint

Mandatory Rule 16 Conference

Errata

Notice of Entry of Order

Plaintiff/Counter-Defendant HA Fabricators, Inc.'s Answer to APCO  
Construction's Counterclaim

Notice of Dismissal

Release of Lis Pendens

Notice of Bankruptcy

Order

Notice of Entry of Order

Motion to Withdraw as Counsel

Amended Certificate of Mailing

**HEC000547**

Case Management Order

Notice of Entry of Case Management Order

Amended Certificate of Service

Order Granting Motion to Withdraw as Counsel for Gemstone Development West, Inc.; Gemstone Devement

Pape Rents' Consent to Service by Electronic Means

Notice of Entry of Order Granting Motion to Withdraw as Counsel for Gemstone Development West, Inc.

Harsco Corporation and EZ, P.C. dba Oz Architecture of Nevada, Inc.'s Consent to Service by Electro

Substitution of Attorney for The Pressure Grout Company

Stipulation and Order of Dismissal of Defendant Nevada Construction Services Without Prejudice

Stipulation and Order for Dismissal without Prejudice of Hydropressure Cleaning, Inc.'s Claims Agai

Suggestion of Bankruptcy Petition Amicus Curiae

Consent to Service By Electronic Means

Lenders' Standard Interrogatories to Lien Claimants

Consent to Service by Electronic Means

Plaintiff Ahern Rentals, Inc's Motion for Partial Summary Judgment Against Defendant Alex Edelstein

Status Check

Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development

Notice of Hearing on Ahern Rental Inc's Motion for Partial Summary Judgment Against Defendant Alex

Certificate of Service of Notice of Motion for Partial Summary Judgment of Atlas Construction Suppl

Ex Parte Motion for Order to Show Cause on Order Shortening Time

Errata To Order To Show Cause

Three Day Notice of Intent to Enter Default Against HA Fabricators, Inc. on Counterclaim Asserted b

Three Day Notice of Intent to Take Default Against Gemstone Development West, Inc. on Third-Party C

Substitution of Attorney

Scott Financial Corporation's Objection To Written Discovery Requests To Gemstone Development West.

Affidavit of Due Diligence

Affidavit of Due Diligence

Affidavit of Service

Affidavit of Due Diligence

Affidavit ofService

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Due Diligence

Affidavit of Service  
Affidavit of Service  
Affidavit of Service  
Affidavit of Service  
Affidavit of Due Diligence  
Affidavit of Due Diligence  
Affidavit of Service  
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Affidavit of Due Diligence  
Affidavit of Service  
Affidavit of Service  
Affidavit of Service  
Errata To Order To Show Cause  
Affidavit of Service  
Affidavit of Service  
Plaintiff Ahern Rental's Early Case Conference Disclosure Statement  
Pursuant to N.R.C.P. 16.1  
Zitting Brothers Construction, Inc.'s Joinder to APCA Construction's  
Objection to Lenders' Standard  
Plaintiff HD Supply Construction Supply, L.P. d/b/a White Cap  
Construction Supply, Inc.'s Notice of  
Affidavit of Service re: Arch Aluminum c/o The Corporation trust  
Company of Nevada as Resident Agen  
Scott Financial Corporation's Opposition To Atlas Construction Supply,  
Inc.'s Motion For Partial Su  
Scott Financial Corporation's Opposition To Ahern Rentals, Inc.'s  
Motion For Partial Summary Judgem  
Defendant's Opposition to Ahern Rental Inc.'s Motion For Partial  
Summary Judgment Against Alex Edel  
Third Errata to Order to Show Cause  
Scott Financial Corporation's Answer to Northstar Concrete, Inc.'s  
Statement of Facts Constituing L

Substitution of Counsel

Zitting Brothers Construction, Inc.'s Joinder to Scott Financial corporation's Opposition to Atlas S

Reply to Scott Financial Corporation's Opposition to Ahern's Motion for Partial Summary Judgment

Reply to Defendant Edelstein's Opposition to Ahern's Motion for Partial Summary Judgment

Scott Financial Corporation's Answer to Renaissance Pools & Spas, Inc.'s Statement of Facts Constit

Show Cause Hearing

Certificate of Mailing

Default Against Gemstone Development West, Inc. on Third-Party Complaint Asserted by APCO Construct

Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction

Order Granting Defendant Scott Financial Corporation's Application for Order to Show Cause

Motion for Partial Summary Judgment

Arch Aluminum's Motion to Substitute Proper Party Pursuant to NRCP 25

Atlas Construction Supply, Inc.'s Reply Brief In Support of Its Motion for Partial Summary Judgment

Cactus Rose Construction's Notice of Lis Pendens

Cactus Rose Construction's Statement of Facts Constituting Notice of Lien and Complaint

Certificate of Service of Arch Aluminum's Motion to Substitute Proper Party Pursuant to NRCP 25

Motion for Partial Summary Judgment

Interstate Plumbing & Air Conditioning's Notice of Lis Pendens

Interstate Plumbing & Air Conditioning's Statement of Facts Constituting Notice of Lien and Complai

Consent to Service by Electronic Means

HD Supply Waterworks LLP's Voluntary Dismissal of Platte River Insurance Company Only Without Preju

Plaintiff Ahern Rentals, Inc.'s Early Case Conference Disclosure Statement Pursuant to N.R.C.P. 16.

Consent for Service by Electronic Means

Consent to Service by Electronic Means

Insulpro Projects, Inc.'s First Notice of Compliance

APCO Construction's Designation of Documents Supporting the Perfection of Lien, Commencement of Con

Lien Claimant Cell-Crete Fireproofing's Initial Disclosure of Documents and Witnesses

Consent to Service by Electronic Means

Atlas Construction Supply, Inc.'s Answers to Lenders' Standard Interrogatories to Lien Claimants

Plaintiff Ahern Rentals, Inc.'s Early Case Conference Disclosure Statement Pursuant to N.R.C.P. 16.

Notice of Intent to Default

**HEC000550**

Ferguson Fire & Fabrication, Inc.'s Responses to Lenders' Standard Interrogatories to Lien Claimant

Scott Financial Corporation's Production of Documents Pursuant to Case Management Order

Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories

Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories

Scott Financial Corporation's Responses to Lien Claimant's Standard Request for Admissions

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Initial Appearance Fee Disclosure

Initial Appearance Fee Disclosure

Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company

Acceptance of Service by Asphalt Products Corp. and APCO Construction

Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company

Initial Appearance Fee Disclosure (NRS Chapter 19)

Notice of Appearance and Response to Order Granting Defendant Scott Financial Corporation's Applica

Answer to Cactus Rose's Statemant of Facts Constituting Notice of Lien and Complaint and Camco Paci

Answer to Interstate Plumbing & Air Conditioning's Statemant of Facts Constituting Notice of Lien a

Verification of Lien Claimant, Wiss, Janney, Elstner Associates, Inc.'s Response to Lenders' Standa

E&E Fire Protection, LLC's Amended Notice of Pendency of Action

Noorda Sheet Metal Company's Second Amended Notice of Pendency of Action

Professional Doors and Millworks, LLC's Amended Notice of Pendency of Action

The Pressure Grout Company's Amended Notice of Pendency of Action

Dave Peterson Framing, Inc.'s Amended Notice of Pendency of Action

Lien Claimant Fast Glass, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc

Accuracy Glas & Mirror Company, Inc's Answer to Camco Pacific Construction Company's Counterclaim

Buchele, Inc's Answer to Camco Pacific Construction Company's Counterclaim

WRG Design, Inc.'s Answer to Camco Pacific Construction Company,

Inc's Counterclaim

Heinaman Contract Glazing's Answer to Camco Pacific Construction Company, Inc.'s Counterclaim

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Service

Affidavit of Due Diligence

Affidavit of Service

Sunstate Companies, Inc.'s Statement of Facts Constituting Lien

Verification of Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories

Affidavit of Service Re: Westward Ho, LLC

Affidavit of Service Re: Jensen Enterprises, Inc.

Receipt of Copy

Consent to Service by Electronic Means

Notice to All Parties

All Pending Motions

Ahern Rentals, Inc's Consent to Service by Electronic Means

Notice of Entry of Stipulation and Order

Order to Show Cause

Selectbuild Nevada, Inc.'s Reply to Counterclaim of Camco Pacific Construction Company, Inc.

Hydropressure Cleaning, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commence

Custom Select Billing, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencem

S.R. Bray Corp.'s Statement of Facts and Complaint in Intervention

SWPPP Compliance Solutions, LLC's Statement of Facts and Complaint

Initial Appearance Fee Disclosure

Answer to HD Supply & Waterworks' LPs Statement of Facts Constituting Lien and Third-Party Complain

Initial Appearance Fee Disclosure

Verification of Tri-City Drywall, Inc.'s Responses to Lenders' Standard Interrogatories to Lien Cla

Stipulation and Order



Stipulation and Order

Stipulation and Order for Extension of Time

Defendant's Response to Order to Show Cause

Notice of Entry of Stipulation and Order

Answer to Harsco Corporation's Second Amended Complaint

APCO Construction's Answer to Interstate Plumbing & Air Conditioning's Statement of Facts Constitut

Camco's Amended Answer to HD Supply Waterworks' Complaint

Stipulation and Order Setting Aside Default Against HA Fabricators, Inc. on Counterclaim Asserted b

Notice of Voluntary Dismissal of Accuracy Glass & Mirror Company and Employers Mutual Casualty Comp

Notice of Change of Address

APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action

Motion for Substitution

Order Partially Granting Plaintiff/Lien Claimant Ahern Rentals, Inc.'s Motion for Partial Summary J

Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryl

Notice of Entry of Order

Interstate Plumbing & Air Conditioning, LLC's Motion for Partial Summary Judgment Against Gemstone

Buchele, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

Accuracy Glass & Mirror Company, Inc.'s Motion for Partial Summary Judgment Against Gemstone Develo

Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West,

Cactus Rose Construction, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development W

S.R. Bray Corp. D/B/A Power Plus' Motion for Partial Summary Judgment Against Gemstone Development

Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West,

HD Supply Waterworks, LP's Motion for Summary Judgment Against Gemstone Development West, Inc.

Consent to Service by Electronic Means

Notice of Entry of Findings of Fact, Conclusions of Law, and Partial Summary Judgment In Favor of A

WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

Harsco Corporation's Motion for Partial Summary Judgment

Errata to Accuracy Glass & Mirror ompany, Inc.'s Motion for Partial Summary Judgment Against Gemsto

Errata to Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, I

Errata to HD Supply Waterworks, LP's Motion for Partial Summary Judgment Against Gemstone Developme

Scott Financial Corporation's Opposition to Fast Glass, Inc.'s Motion for Summary Judgment against

Patent Construction Systems, A Division of Harsco Corporation's Joinder to Harsco Corporation's Mot

EZA, P.C. dba Oz Architecture of Nevada, Inc.'s Joinder to Harsco Corporation's Motion for Partial

SWPP Compliance Solutions' Motion for Partial Summary Judgment against Gemstone Development West, I

S.R. Bray Corp.'s Amended Statement of Facts and Complaint in Intervention

S.R. Bray Corp.'s Notice of Lis Pendens

SWPP Compliance Solutions, LLC's Notice of Lis Pendens

Substitution of Attorney A571228

SWPPP Compliance Solutions, LLC's Amended Statement of Facts and Complaint

Application for Order Shortening Time for Hearings on Certain Motions for Partial Summary Judgment

Order Granting Arch Aluminum & Glass Company's Motion to Substitute Proper Party Pursuant to NRCP 2

Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment

Ex Parte Motion for Enlargement of Time to Serve Defendant Selin Cisneros and Petition for Service

Notice of Entry of Order Granting Arch Aluminum & Glass Company's Motion to Substitute Proper Party

Notice of Entry of Stipulation and Order Setting Aside Default Against HA Fabricators, Inc. on Coun

Arch Aluminum and Glass, LLC's Motion for Partial Summary Judgment Against Gemstone Development Wes

Arch Aluminum And Glass, LLC's Motion for Partial Summary Judgment Against Gemstone Development Wes

Selectbuild Nevada, Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Developme

Order Deconsolidating and Remanding Case No. A584960

Application for Order Shortening Time for Hearing on Renaissance Pools and Spas, Inc.'s Motion for

Scott Financial Corporation's Opposition to Accuracy Glass & Mirror Company, Inc.'s Motion for Part

Scott Financial Corporation's Opposition to Bruin Painting Corporation's Motion for Summary Judgmen

Scott Financial Corporation's Opposition to Buchelle, Inc.'s Motion for Partial Summary Judgment Ag

Scott Financial Corporation's Opposition to Cactus Rose Construction, Inc.'s Motion for Partial Sum

Scott Financial Corporation's Opposition to HD Supply Waterworks LP's Motion for Partial Summary Ju

Scott Financial Corporation's Opposition to Heinaman Contract Glazing's Motion for Partial Summary

Scott Financial Corporation's Opposition to Helix Elecric's Motion for

Partial Summary Judgment Aga

Scott Financial Corporation's Opposition to Interstate Plumbing & Air Conditioning LLC's Motion for

Scott Financial Corporation's Opposition to S.R. Bray Corp.'s Motion for Partial Summary Judgment A

Scott Financial Corporation's Opposition to SWPPP's Motion for Partial Summary Judgment Against Gem

Scott Financial Corporation's Opposition to WRG Design, Inc.'s Motion for Partial Summary Judgment

Show Cause Hearing

Limited Opposition to Motion to Consolidate Case No. A-10-608717 with Pending Action

Scott Financial Corporation's Answer to Interstate Plumbing & Air Conditioning's Statement of Facts

Scott Financial's Answer to Cactus Rose Construction's Statement of Facts Constituting Lien Claim

Custom Select Billings, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development W

Hydropressure Cleaning, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development W

Certificate of Service of Hydropressure Cleaning, Inc.'s Motion for Summary Judgment Against Defenda

Certificate of Service of Custom Select Billing, Inc.'s Motion for Summary Judgment Against Defenda

Certificate of Mailing

Order granting Harsco's Ex Parte Motion for Enlargement of Time to Serve Defendant Selina Cisneros

Limited Opposition to Camco Pacific Construction, Inc. and Fidelity and Deposit Company of Maryland

Errata to SWPPP Compliance Solutions' Motion for Partial Summary Judgment Against Gemstone Developm

Errata to S.R. Bray Corp. d/b/a Power Plus' Motion for Partial Summary Judgment Against Gemstone De

Ex Parte Motion

Plaintiff HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Designati

Notice of Entry of Order

Certificate of Service

All Pending Motions

Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaims, and Entering D

Zitting Brothers Construction, Inc.'s Motion for Summary Judgment Against Gemstone Development West

Stipulation and Order to Continue Hearing on APCO Construction's Motion to Consolidate Case No. A-1

Notice of Entry of Stipulation and Order to Continue Hearing on APCO Construction's Motion to Conso

Stipulation and Order For Leave For Camco Pacific Construction, Inc. To File An Amended Answer and

Pape Matrial Handling Designation of Documents Supporting Petrfection of Lien

**HEC000555**

Steel Structures Designation of Documents Supporting Perfection of Lien

Nevada Prefab Engineers Designation of Documents Supporting Perfection of Lien

Camco's Amended Answer and Counterclaim to Nevada Prefab Engineers' Second Amended Statement of Fac

Notice of Entry of Stipulation and Order

Atlas Construction Supply, Inc.'s Motion For Summary Judgment Regarding The Commencement Of Work An

Certificate Of Service Of Notice Of Motion

Graybar Electirc Company's Memorandum of Costs and Disbursements

Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Designation of Documents Supporting the Perfect

Northstar Concrete, Inc.'s Notice of Dismissal Without Prejudice as to Platte River Insurance Compa

Insulpro Projects, Inc.'s Designation of Documents Supporting The Perfection of Lien, Commencement

Ferguson Fire & Fabrication, Inc's Motion for Partial Summary Judgment Regarding Perfection, Validi

Insulpro Project, Inc.'s Motion for Partial Summary Against Gemstone Development, Inc., Apco Constr

Plaintiff Ahern Rentals, Inc.'s (1) Motion for Summary Judgment Against Defendant Gemstone Developm

Lien Claimant/Plaintiff Cell Crete Fireproofing of Nevada, Inc's Motion for Partial Summary Judgmen

Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

Plaintiff-In-Intervention, Tri-City Drywall, Inc.'s Motion For Summary judgment Against Gemstone De

Las Vegas Pipeline's Motion for Summary Judgment Against Gemstone Development West, Inc.

Errata to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

Notice of Hearing On Plaintiff Ahern Rentals, Inc.'s 1) Motion for Summary Judgment Against Defenda

Scott Financial Corporation's Opposition to Custom Select Billing, Inc.'s Motion for Summary Judgme

Scott Financial Corporation's Oppositoin to Hydropressure Cleaning, Inc.s Motion for Summary Agains

Scott Financial Corporation's Opposition to Selectbuild Nevada, Inc.'s Motion for Partial Summary J

Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company

Scott Financial Corporation's Omnibus Supplement to its Opposition to the Motions for Summary Judgm

Amended Notice of Motion for Partial Summary Judgment as to Priority of Liens

Notice of Change of Address, Telephone Number and Facsimile Number

Certificate of Mailing

Affidavit of Brian K. Walters in Support of Application for Default  
Against Defendant Gemstone Deve

Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Application for Entry  
of Default Against Defenda

Findings of Fact, Conclusions of Law and Order Granting, in Part, Arch  
Aluminum and Glass LLC's Mot

Notice of Change of Hearing

Arch Aluminum and Glass LLC's Motion for Partial Summary  
Judgment Regarding Priority Among Lien Cla

Harsco Corporation, EZA, P.C., dba Oz Architecture of Nevada, and  
Patent Construction Systems, a Di

Joint Order Granting, in Part, Various Lien Claimants' Motions for  
Partial Summary Judgment Against

Apco's Motion for Summary Judgment on Priority

Atlas Construction Supply, Inc.'s Joinder To APCO's Motion For  
Summary Judgment On Priority

Notice of ENtry of Joint Order Granting, In Part, Various Lien  
Claimants' Motions for Partial Summa

Order Granting Scott Financial Corporation's Order to Show Cause

Affidavit of Publication

Granite Construction Company's Joinder to APCO's Motion for  
Summary Judgment on Priority

Insulpro Projects, Inc.'s Joinder to APCO's Motion for Summary  
Judgment on Priority

Certificate of Service of Arch Aluminum and Glass LLC's Motion for  
Partial Summary Judgment Regardi

Notice of Entry of Order Granting Scott Financial Corporation's Order  
to Show Cause

Notice of Entry of Order

Order Consolidating Cases A-10-608718 and A-10-606730 into Case  
Number A-08-571228

Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Joinder to Apco  
Construction's Motion for Summar

Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a  
White Cap Construction Supply, In

Notice of Entry of Order

Camco's Opposition to Insulpro's Motion for Summary Judgment

Fast Glass, Inc.'s Joinder to APCO's Motion for Summary Judgment  
on Priority

Las Vegas Pipeline's Joinder in Apco's Motion for Summary Judgment  
on Priority

Camco's Joinder to Apco's Motion for Summary Judgment on Priority

Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada Inc.'s Joinder  
to Plaintiff Apco Construct

Summons - Civil

Summons - Civil

Summons - Civil

Summons - Civil

Club Vista Financial Services, LLC, Tharaldson Motels II, Inc. and

**HEC000557**