

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 04, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 04, 2018 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Nancy Maldonado

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

| | | |
|-----------------|-------------------|----------|
| PRESENT: | Faux, Kurt C. | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Truman, T. James | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- E&E FIRE PROTECTION'S MOTION FOR ATTORNEY FEES AGAINST CAMCO PACIFIC CONSTRUCTION COMPANY...MOTION TO WITHDRAW AS COUNSEL OF RECORD AND FOR ENTRY OF FINAL JUDGMENT FOR FEES AND COSTS...FIDELITY AND DEPOSIT COMPANY OF MARYLAND'S OPPOSITION TO MOTION TO WITHDRAW AS COUNSEL OF RECORD AND FOR ENTRY OF FINAL JUDGMENT FOR FEES & COSTS AND COUNTERMOTION FOR SANCTIONS

Arguments by counsel. Court stated its findings and ORDERED, E & E's motion GRANTED. COURT FURTHER ORDERED, motion to withdraw as counsel GRANTED IN PART as to withdrawing as counsel of record and entry of judgment as to Camco and DENIED IN PART WITHOUT PREJUDICE as to entry of final judgment for fees and costs regarding the bond. COURT ADDITIONALLY ORDERED, Fidelity and Deposit Company's Opposition and Countermotion DENIED. Mr. Morris to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 21, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 21, 2018**9:00 AM****Motion****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Vanessa Medina**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES**

PRESENT: Lai, I-Che Attorney
 Mounter, Cody S. Attorney

JOURNAL ENTRIES

- Mr. Mounter advised he received the opposition and parties have stipulated and agreed to the orders; requesting 30 days to have bond in place. Mr. Lai concurred and stated he did not oppose to the request of certification. COURT ORDERED, stay GRANTED 30 days, pending posting of bond. Court directed Counsel to submit proposed Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 02, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 02, 2018 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Nicole McDevitt

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Boswell, Jefferson W., ESQ Attorney
 Slighting, Bradley S. Attorney

JOURNAL ENTRIES

- UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S MOTION TO ENFORCE SETTLEMENT AGREEMENT AND ENTER JUDGMENT...HELIX ELECTRIC OF NEVADA, LLC'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS...HEINAMAN CONTRACT GLAZING'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS...SWAPP COMPLIANCE SOLUTION INC'S MOTION FOR ATTORNEY'S FEES AND COSTS...FAST GLASS, INC.'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS...CACTUS ROSE CONSTRUCTION CO., INC.'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS

There being no oppositions, COURT ORDERED, United Subcontractors, Inc. dba Skyline Insulation's Motion to Enforce Settlement Agreement and Enter Judgment GRANTED; Helix Electric of Nevada, LLC's Motion for Attorney's Fees, Interest and Costs GRANTED; Heinaman Contract Glazing's Motion for Attorney's Fees, Interest and Costs GRANTED; Swapp Compliance Solution Inc's Motion for Attorney's Fees and Costs GRANTED; Fast Glass, Inc.'s Motion for Attorney's Fees, Interest and Costs GRANTED; and Cactus Rose Construction Co., Inc.'s Motion for Attorney's Fees, Interest and Costs GRANTED. Orders SIGNED IN OPEN COURT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 19, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 19, 2018 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Haly Pannullo

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Ryan Denum, Esq., present on behalf of E&E s Fire Protection. Eric Zimbleman, Esq., present on behalf of Helix Electric of Nevada. Jordan Faux, Esq., present on behalf of Fidelity. Rich Tobler, Esq., Judy Kirahara, Esq., and John Taylor, Esq., present on behalf of National Wood Products. Randy Jefferies, Esq., and Mary Bacon, Esq., present on behalf of Plaintiff.

PLAINTIFF IN INTERVENTION, NATIONAL WOOD PRODUCTS, INC.'S NOTICE OF MOTION AND MOTION TO RETAX COSTS RE: DEFENDANT APCO CONSTRUCTION'S MEMORANDUM OF COSTS AND DISBURSEMENTS AGAINST PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS, INC. ... HELIX ELECTRIC OF NEVADA, LLC'S JOINDER TO NATIONAL WOOD'S MOTION TO RETAX COSTS RE: DEFENDANT APCO CONSTRUCTION'S MEMORANDUM OF COSTS AND DISBURSEMENTS
 COURT ORDERED, Motion TAKEN UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA, LLC'S MOTION TO RETAX COSTS RE: DEFENDANT APCO CONSTRUCTION'S MEMORANDUM OF COSTS AND DISBURSEMENTS ... PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS, INC.'S, JOINDER TO HELIX ELECTRIC OF NEVADA, LLC'S MOTION TO RETAX COSTS RE: DEFENDANT APCO CONSTRUCTION'S MEMORANDUM OF COSTS AND DISBURSEMENTS

COURT ORDERED, Motion TAKEN UNDER ADVISEMENT.

APCO CONSTRUCTION, INC.'S MOTION FOR ATTORNEY'S FEES AND COSTS AGAINST HELIX ELECTRIC OF NEVADA, LLC AND PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS, INC.

COURT ORDERED, Motion TAKEN UNDER ADVISEMENT.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND'S MOTION TO DEPOSIT BOND PENAL SUM WITH COURT, EXONERATION OF BOND, AND DISMISSAL

COURT ORDERED, Motion GRANTED subject to the proper distribution of the proceeds.

MOTION FOR ORDER APPROVING DISTRIBUTION OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND'S BOND ... PEEL BRIMLEY JUDGMENT CREDITORS' JOINDER TO E&E'S MOTION TO DISBURSE FUNDS

COURT ORDERED, Motion GRANTED.

NATIONAL WOOD PRODUCTS, INC.'S EX PARTE MOTION FOR ORDER SHORTENING TIME TO HEAR MOTION FOR ORDER PERMITTING LEAVE TO FILE SURREPLY TO APCO CONSTRUCTION'S REPLY TO NATIONAL WOOD PRODUCTS, INC.'S OPPOSITION TO MOTION FOR ATTORNEYS' FEES AND COSTS

COURT ORDERED, Motion for Leave to File Surreply GRANTED.

September 10, 2018

Minutes Date: May 12, 2009

PLAINTIFF'S EXHIBITS 1-13 RE: EVIDENTIARY HEARING

| EXHIBIT | DESCRIPTION | Offered | Objected | Accepted |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|----------|
| Exhibit 1 | Letter dated January 20, 2012 from Kemp Jones & Coulthard re: Proposed stipulate sale of the Manhattan West Property | 7/2/12 ✓ | no | 7/2/12 ✓ |
| Exhibit 2 | Letter dated February 10, 2012 from Kemp Jones & Coulthard to Wade B. Gochnour of Howard & Howard Attorneys PLLC | ↑ | ↑ | ↑ |
| Exhibit 3 | Letter dated April 25, 2012 from Kemp Jones & Coulthard to all parties in re: Sale of Manhattan West Property | ↑ | ↑ | ↑ |
| Exhibit 4 | Letter dated April 26, 2012 from Brian K. Berman to Kemp Jones & Coulthard re Sale of Manhattan West Property | ↑ | ↑ | ↑ |
| Exhibit 5 | Letter dated April 27, 2012 from Pezzillo Robinson to all counsel re Sale of Manhattan West Property | ↑ | ↑ | ↑ |
| Exhibit 6 | Letter dated April 27, 2012 from Wilson Elser Moskowitz Edelman & Dicker LLP to Randall Jones re Proposed Sale of the Manhattan West Property | ↑ | ↑ | ↑ |
| Exhibit 7 | Letter dated April 27, 2012 from Jolley Urga Wirth Woodbury & Standish to Randall Jones re Sale of Manhattan West Property | ↑ | ↑ | ↑ |
| Exhibit 8 | Letter dated April 27, 2012 from Howard & Howard Attorneys PLLC to Randall Jones re Sale of the Manhattan West Property | ↑ | ↑ | ↑ |
| Exhibit 9 | Letter dated May 1, 2012 from Watt Tieder Hoffar & Fitzgerald LLP to Randall Jones re Proposed Sale of the Manhattan West Property | ↑ | ↑ | ↑ |
| Exhibit 10 | Exhibit 10 – Letter dated May 23, 2012 from Kemp Jones & Coulthard to all parties re sale of the Manhattan West Property | ↑ | ↑ | ↑ |
| Exhibit 11 | Exhibit 11 – Letter dated May 24, 2012 from Peel Brimley LLP to Randall Jones re Sale of the Manhattan West Property | ↑ | ↑ | ↑ |
| Exhibit 12 | Purchase and Sale Agreement and Escrow Instructions | | ✓ | ✓ |
| Exhibit 13 | Email dated April 27, 2012 from Curt Allsop to Wayne@assurancelv.com re Offer Deadline May 2, 2012 – Manhattan West | 7/2/12 ✓ | NO | 7/2/12 ✓ |

LIEN CLAIMANTS
PLAINTIFF'S

EXHIBITS

CASE NO. 08A51228

[illegible]

Dept. No. XXIX

Page 1 of 3
Revised: 6/29/2012

IN RE:

MANHATTAN WEST MECHANIC'S LIEN LITIGATION

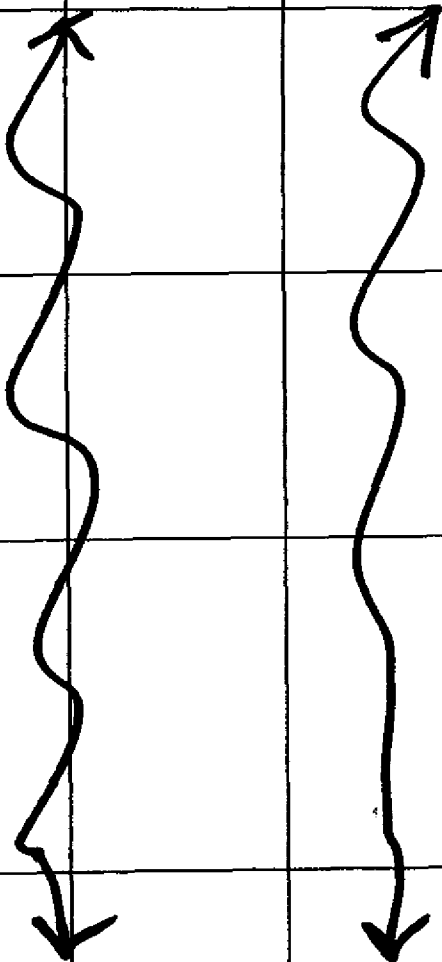
And All Related And Consolidated Claims

CASE NO.: A571228

DEPT. NO.: XXIX

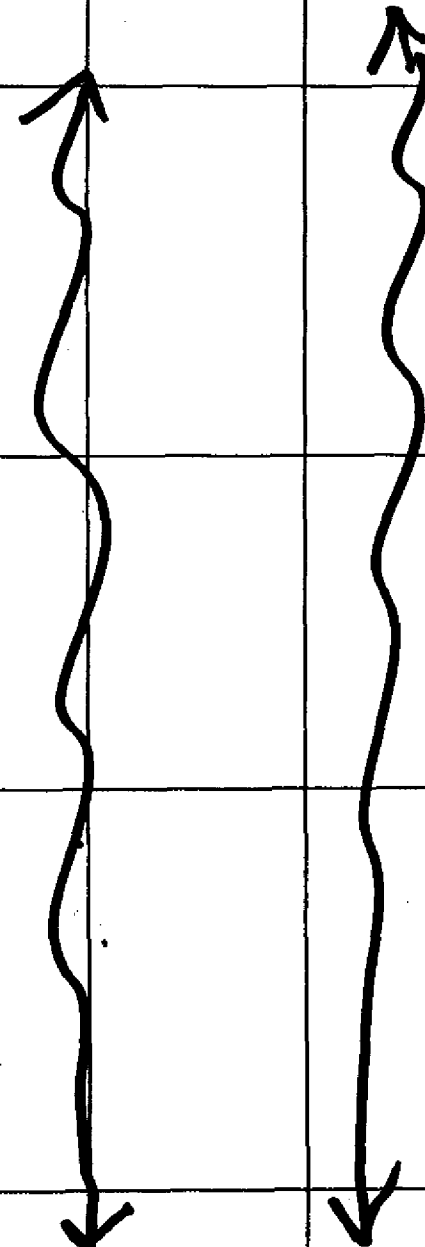
TRIAL EXHIBIT LIST

| NO. | DESCRIPTION | OFFERED | ADMITTED | DENIED | DATE |
|-----|-------------------------------------------------------------------------------------------------------------------------------------|----------|----------|--------|----------|
| 1 | Nevada State Contractors Board Licence search of Concrete Visions, Inc. - Bate Stamp No. RMI000001- RMI000002 | 10/30/12 | ✓ | | 10/30/12 |
| 2 | Nevada Secretary of State entity details of Concrete Visions, Inc. - Bate Stamp No. RMI000003- RMI000004 | NOT USED | | | |
| 3 | Nevada State Contractors Board Licence search of Apco Construction - Bate Stamp No. RMI000005-RMI000006 | | | | |
| 4 | Nevada Secretary of State entity details of Apco Construction - Bate Stamp No. RMI000007-RMI000009 | | | | |
| 5 | Nevada Secretary of State entity details of Gemstone Development West, Inc. - Bate Stamp No. RMI000010- RMI000011 | NOT USED | | | |

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| 6 | Clark County Assessor real property details of Gemstone Development West, Inc. - Bate Stamp No. RMI000012 | NOT USED | | | |
| 7 | Copy of email correspondence from Janine Lawrence to subcontractors dated August 12, 2008 - Bate Stamp No. RMI000013-RMI000015 |  | | | |
| 8 | Copy of proof copy of publication of Notice of Foreclosure of Claims of Lien - Bates Stamp No. RMI000016 | | | | |
| 9 | RMI's Notice of Right to Lien Gemco Development and USPS certified mail #7004 1350 0000 8094 0269 receipts -Apco Construction - Bate Stamp Nos. RMI000017-RMI000018 | | | | |
| 10 | RMI's Notice of Right to Lien Gemco Development and USPS certified mail #7004 1350 0000 8094 0306 receipts -Apco Construction - Bate Stamp Nos. RMI000019-RMI000020 | NOT USED | | | |



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| 11 | RMI's Notice of Right to Lien to and USPS certified mail # #7004 1350 0000 8094 7091 receipts - Camco Pacific Construction and Alex Edelstein - Bate Stamp Nos. RMI000021-RMI000022 | | | | |
| 12 | RMI's Notice of Right to Lien to and USPS certified mail # #7004 1350 0000 8094 7046 receipts - Camco Pacific Construction and Alex Edelstein - Bate Stamp Nos. RMI000023-RMI000024 | | | | |
| 13 | RMI's Notice of Intent to Lien against Concrete Visions, Inc., 9205 West Russell Road aka APN 163-32-010-019 - Bate Stamp Nos. RMI000025-RMI000026 | | | | |
| 14 | RMI's Notice of Lien against Concrete Visions, Inc., 9205 West Russell Road aka APN 163-32-010-019 recorded 10/06/2008 and Receipt of Conformed Copy - Bate Stamp Nos. RMI000027-RMI000031 | | | | |
| 15 | RMI's Notice of Lis Pendens dated 4/12/2010 APN 163-32-010-019 - Bate Stamp Nos. RMI000032-RMI000035 | | | | |



NOT USED







NOT USED





OFFERED ADMITTED DENIED DATE

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| 16 | Original Notice to Lien Claimants to File and Serve Statement of Facts Constituting their Liens filed on 4/16/09 - Bates Stamp Nos. RMI000036-RMI000042 | NOT | USED | | |
| 17 | Concrete Vision's Statement of Account to Concrete Visions, Inc. dated 4/8/10 and interest calculation work sheets - Bates Stamp Nos. RMI000043-RMI000047 | 10/30/12 | ✓ | | 10/30/12 |
| 18 | RMI's Credit Application and Purchase Agreement dated 9/15/06 - Bates Stamp Nos. RMI0000048-RMI000050 | 10/30/12 | ✓ | | 10/30/12 |
| 19 | RMI's Invoice No. 109644 re: Manhattan West/Building 2 - Bates Stamp No. RMI000051-RMI000054 | NOT | USED | | |
| 20 | RMI's Invoice NO. 101404 re: Manhattan West 2 - Bates Stamp Nos. RMI000055-RMI000058 |  |  | | |
| 21 | RMI's Invoice NO. 101405 re: Manhattan West Bldg 7 - Bates Stamp No. RMI000059 | | | | |
| 22 | RMI's Invoice NO. 101532 re: Manhattan West 7 - Bates Stamp Nos. RMI000060-RMI000061 | | | | |
| | | NOT | USED | | |

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| 23 | RMI's Invoice NO. 101700 re: Manhattan West - Bates Stamp Nos. RMI000062- RMI000064 |  |  | | |
| 24 | RMI's Invoice NO. 101763 re: Manhattan West - Bates Stamp No. RMI000065 | | | | |
| 25 | RMI's Invoice NO. 1012217 re: Manhattan West 3 - Bates Stamp Nos. RMI000066-RMI000069 | | | | |
| 26 | RMI's Invoice NO. 102684 re: Manhattan West - Bates Stamp Nos. RMI000070- RMI000071 | | | | |
| 27 | RMI's Invoice NO. 103117 re: Manhattan West 7/3 - Bates Stamp Nos. RMI000071-RMI000073 | | | | |
| 28 | RMI's Invoice NO. 103119 re: Manhattan West Bldg. 2 - Bates Stamp Nos. RMI000074-RMI000076 | | | | |
| 29 | RMI's Invoice NO. 103121 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000077 | | | | |
| 30 | RMI's Invoice NO. 103184 re: Manhattan West - Bates Stamp No. RMI000078 | | | | |
| 31 | RMI's Invoice NO. 103215 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000079 | | | | |

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| 32 | RMI's Invoice NO. 103257 re: Manhattan West - Bates Stamp No. RMI000080 | NOT USED | | | |
| 33 | RMI's Invoice NO. 103306 re: Manhattan West - Bates Stamp No. RMI000081 |  |  | | |
| 34 | RMI's Invoice NO. 103443 re: Manhattan West - Bates Stamp No. RMI000082 | | | | |
| 35 | RMI's Invoice NO. 103481 re: Manhattan West - Bates Stamp Nos. RMI000083- RMI000087 | | | | |
| 36 | RMI's Invoice NO. 107212 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000088 | | | | |
| 37 | RMI's Invoice NO. 107661 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000089-RMI000091 | | | | |
| 38 | RMI's Invoice NO. 107703 re: Manhattan West - Bates Stamp No. RMI000092 | | | | |
| 39 | RMI's Invoice NO. 107796 re: Manhattan West - Bates Stamp No. RMI000093 | | | | |
| 40 | RMI's Invoice NO. 108266 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000094-RMI000095 | NOT USED | | | |

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| 41 | RMI's Invoice NO. 108267 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000096-RMI000099 | NOT USED | | | |
| 42 | RMI's Invoice NO. 108307 re: Manhattan West - Bates Stamp No. RMI000100 |  |  | | |
| 43 | RMI's Invoice NO. 108448 re: Manhattan West - Bates Stamp Nos. RMI000101- RMI000102 | | | | |
| 44 | RMI's Invoice NO. 108498 re: Manhattan West - Bates Stamp Nos. RMI000103- RMI000106 | | | | |
| 45 | RMI's Invoice NO. 109249 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000107-RMI000111 | | | | |
| 46 | RMI's Invoice NO. 109266 re: Manhattan West Bldg. 2 - Bates Stamp Nos. RMI0000112-RMI000113 | | | | |
| 47 | RMI's Invoice NO.98729 re: Manhattan West - Bates Stamp Nos. RMI000114-RMI000122 | | | | |
| 48 | RMI's Invoice NO. 98730 re: Manhattan West - Bates Stamp Nos. RMI000123- RMI000128 | | | | |
| 49 | RMI's Invoice NO. 98893 re: Manhattan West 2&3 - Bates Stamp Nos. RMI000129-RMI000141 | NOT USED | | | |

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| 50 | RMI's Invoice NO. 108516 re: Manhattan West 7 - Bates Stamp No. RMI000142 | NOT | USED |
| 51 | RMI's Invoice NO. 100775 re: Manhattan West - Bates Stamp Nos. RMI000143- RMI000144 |  |  |
| 52 | RMI's Invoice NO. 104345 re: Manhattan West - Bates Stamp No. RMI000145 | | |
| 53 | RMI's Invoice NO. 104397 re: Manhattan West - Bates Stamp Nos. RMI000146- RMI000148 | | |
| 54 | RMI's Invoice NO. 104416 re: Manhattan West - Bates Stamp Nos. RMI000149- RMI000151 | | |
| 55 | RMI's Invoice NO. 104416 re: Manhattan West - Bates Stamp Nos. RMI000149- RMI000151 | | |
| 56 | RMI's Invoice NO. 104868 re: Manhattan West - Bates Stamp Nos. RMI000152- RMI000154 |  |  |
| 57 | RMI's Invoice NO. 105169 re: Manhattan West - Bates Stamp No. RMI000155 | | |
| 58 | RMI's Invoice NO. 105211 re: Manhattan West - Bates Stamp Nos. RMI000156- RMI000158 | NOT | USED |

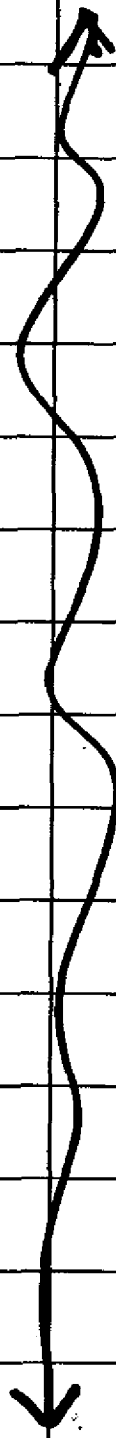

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| 59 | RMI's Invoice NO. 105263 re: Manhattan West - Bates Stamp No. RMI000159 | | NOT | USED | |
| 60 | RMI's Invoice NO. 106389 re: Manhattan West - Bates Stamp Nos. RMI0001460 | | NOT | USED | |
| 61 | RMI's Invoice NO. 106390 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000161-RMI000163 | 10/30/12 | ✓ | | 10/30/12 |
| 62 | RMI's Statement of Account for Gemstone Development West, Inc. Dated 4/8/2010 - Bates Stamp No. RMI000164 | | NOT | USED | |
| 63 | RMI's Invoice NO. 115412 re: Manhattan West - Bates Stamp No. RMI000165 | | | | |
| 64 | RMI's Invoice NO. 115513 re: Manhattan West - Bates Stamp No. RMI000166 | | | | |
| 65 | RMI's Invoice NO. 115659 re: Manhattan West - Bates Stamp No. RMI000167 | | | | |
| 66 | RMI's Invoice NO. 117557 re: Manhattan West - Bates Stamp No. RMI000168 | | | | |
| 67 | RMI's Invoice NO. 117812 re: Manhattan West - Bates Stamp No. RMI000169 | | | | |
| 68 | RMI's Invoice NO. 118116 re: Manhattan West - Bates Stamp Nos. RMI000170 | | NOT | USED | |





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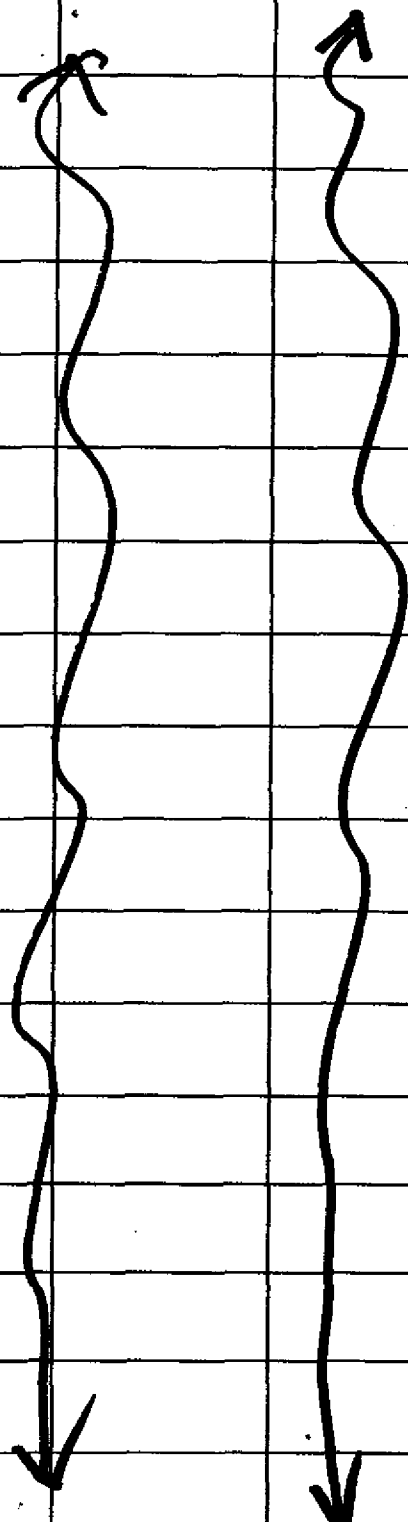
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| 69 | RMI's Invoice NO. 118369 re: Manhattan West - Bates Stamp Nos. RMI000171 | NOT | USED | |
| 70 | RMI's Invoice NO. 119386 re: Manhattan West - Bates Stamp Nos. RMI000172 | NOT | USED | |
| 71 | RMI's Invoice NO. 119640 re: Manhattan West - Bates Stamp Nos. RMI000173 | NOT | USED | |
| 72 | AR Customer Receipt History for Gemstone Development West, Inc. payment for \$29,619.22 - Bates Stamp No. RMI000174 | 10/30/12 | ✓ | 10/30/12 |
| 73 | Credit Application and Purchase Agreement - Gemstone Development West, Inc. - Bates Stamp Nos. RMI000175- RMI000181 | NOT | USED | |
| 74 | RMI Delivery Ticket 469580 - RMI000182 | ↓ | ↑ | |
| 75 | RMI Delivery Ticket 469572 - RMI000183 | | | |
| 76 | RMI Delivery Ticket 469571 - RMI000184 | | | |
| 77 | RMI Delivery Ticket 469568 - RMI000185 | | | |
| 78 | RMI Delivery Ticket 469567 - RMI000186 | | | |
| 79 | RMI Delivery Ticket 469566 - RMI000187 | | | |
| 80 | RMI Delivery Ticket 469565 - RMI000188 | ↓ | ↓ | |
| 81 | RMI Delivery Ticket 469558 - RMI000189 | NOT | USED | |

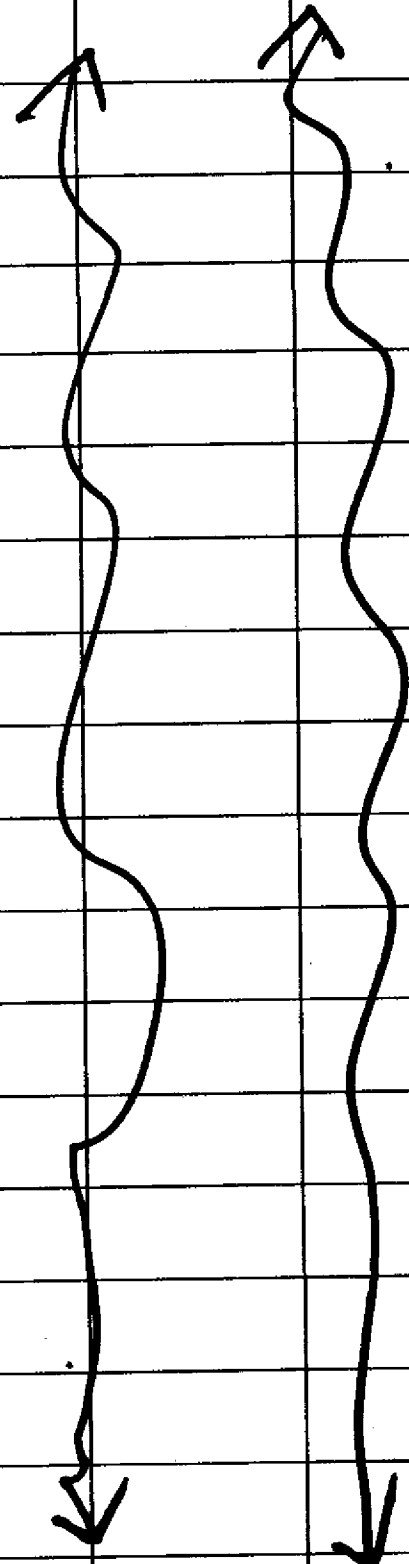
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| 82 | RMI Delivery Ticket 469556 - RMI000190 | NOT USED | |
| 83 | RMI Delivery Ticket 469555 - RMI000191 | | |
| 84 | RMI Delivery Ticket 469553 - RMI000192 | | |
| 85 | RMI Delivery Ticket 469552 - RMI000193 | | |
| 86 | RMI Delivery Ticket 469544 - RMI000194 | | |
| 87 | RMI Delivery Ticket 469543 - RMI000195 | | |
| 88 | RMI Delivery Ticket 469542 - RMI000196 | | |
| 89 | RMI Delivery Ticket 469541 - RMI000197 | | |
| 90 | RMI Delivery Ticket 469540 - RMI000198 | | |
| 91 | RMI Delivery Ticket 469539 - RMI000199 | | |
| 92 | RMI Delivery Ticket 469538 - RMI000200 | | |
| 93 | RMI Delivery Ticket 469537 - RMI000201 | | |
| 94 | RMI Delivery Ticket 469536 - RMI000202 | | |
| 95 | RMI Delivery Ticket 469535 - RMI000203 | | |
| 96 | RMI Delivery Ticket 469534 - RMI000204 | | |
| 97 | RMI Delivery Ticket 469533 - RMI000205 | | |
| 98 | RMI Delivery Ticket 469532 - RMI000206 | | |
| 99 | RMI Delivery Ticket 469531 - RMI000207 | NOT | USED |

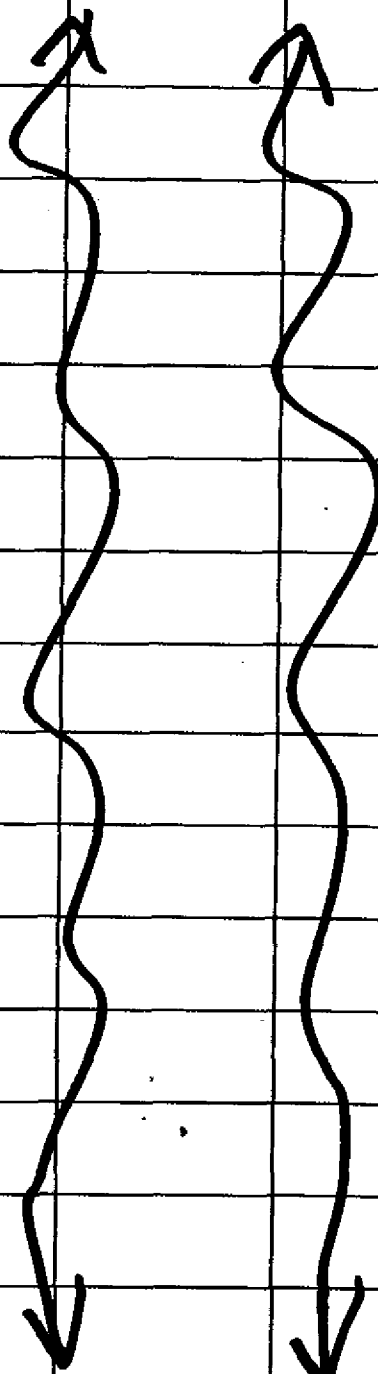
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| 100 | RMI Delivery Ticket 469530 - RMI000208 | NOT USED | |
| 101 | RMI Delivery Ticket 469529 - RMI000209 |  |  |
| 102 | RMI Delivery Ticket 469528 - RMI000210 | | |
| 103 | RMI Delivery Ticket 469527 - RMI000211 | | |
| 104 | RMI Delivery Ticket 469526 - RMI000212 | | |
| 105 | RMI Delivery Ticket 469525 - RMI000213 | | |
| 106 | RMI Delivery Ticket 469524 - RMI000214 | | |
| 107 | RMI Delivery Ticket 469523 - RMI000215 | | |
| 108 | RMI Delivery Ticket 469522 - RMI000216 | | |
| 109 | RMI Delivery Ticket 469521 - RMI000217 | | |
| 110 | RMI Delivery Ticket 469520 - RMI000218 | | |
| 111 | RMI Delivery Ticket 469519 - RMI000219 | | |
| 112 | RMI Delivery Ticket 469518 - RMI000220 | | |
| 113 | RMI Delivery Ticket 469517 - RMI000221 | | |
| 114 | RMI Delivery Ticket 469516 - RMI000222 | | |
| 115 | RMI Delivery Ticket 469515 - RMI000223 | | |
| 116 | RMI Delivery Ticket 469514 - RMI000224 | NOT USED | |
| 117 | RMI Delivery Ticket 469513 - RMI000225 | | |

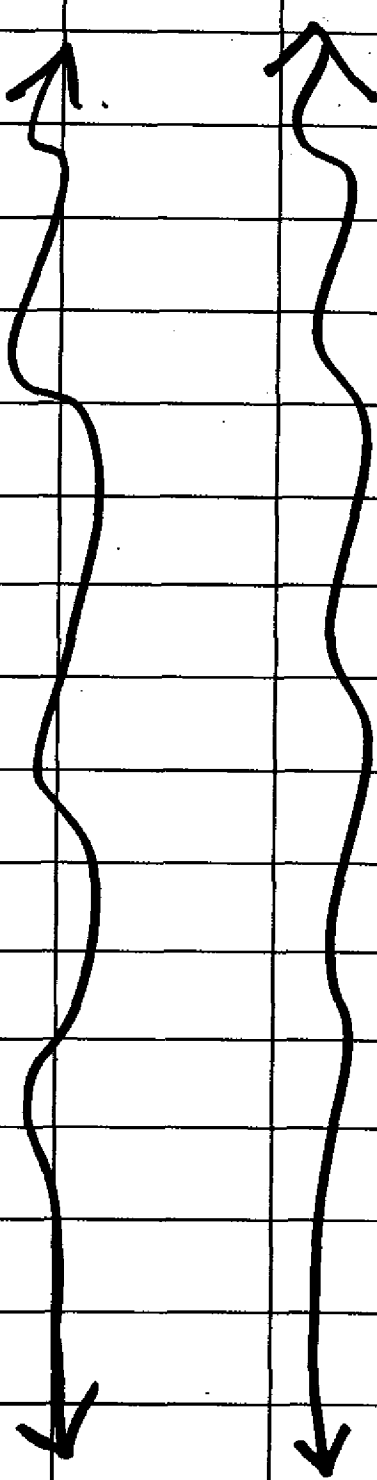
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| 118 | RMI Delivery Ticket 469512 - RMI000226 | NOT USED | |
| 119 | RMI Delivery Ticket 469511 - RMI000227 | | |
| 120 | RMI Delivery Ticket 469510 - RMI000228 | | |
| 121 | RMI Delivery Ticket 469509 - RMI000229 | | |
| 122 | RMI Delivery Ticket 469508 - RMI000230 | | |
| 123 | RMI Delivery Ticket 469507 - RMI000231 | | |
| 124 | RMI Delivery Ticket 469508 - RMI000232 | | |
| 125 | RMI Delivery Ticket 469505 - RMI000233 | | |
| 126 | RMI Delivery Ticket 469506 - RMI000234 | | |
| 127 | RMI Delivery Ticket 469503 - RMI000235 | | |
| 128 | RMI Delivery Ticket 469502 - RMI000236 | | |
| 129 | RMI Delivery Ticket 469501 - RMI000237 | | |
| 130 | RMI Delivery Ticket 469500 - RMI000238 | | |
| 131 | RMI Delivery Ticket 469499 - RMI000239 | | |
| 132 | RMI Delivery Ticket 469498 - RMI000240 | | |
| 133 | RMI Delivery Ticket 469497 - RMI000241 | | |
| 134 | RMI Delivery Ticket 469496 - RMI000242 | | |
| 135 | RMI Delivery Ticket 469495 - RMI000243 | NOT | USED |

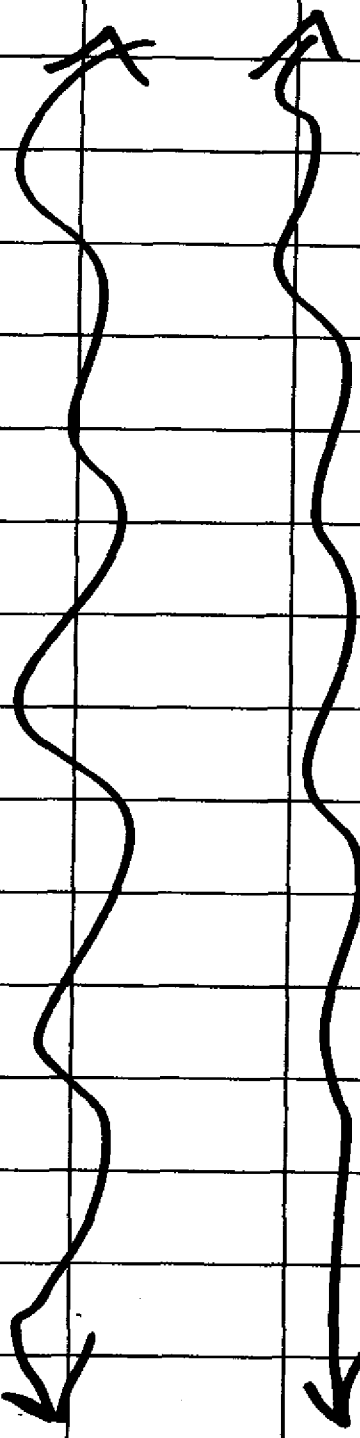
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| 136 | RMI Delivery Ticket 469494 - RMI000244 | NOT USED | |
| 137 | RMI Delivery Ticket 469493 - RMI000245 |  |  |
| 138 | RMI Delivery Ticket 469492 - RMI000246 | | |
| 139 | RMI Delivery Ticket 469491 - RMI000247 | | |
| 140 | RMI Delivery Ticket 477490 - RMI000248 | | |
| 141 | RMI Delivery Ticket 477489 - RMI000249 | | |
| 142 | RMI Delivery Ticket 477488 - RMI000250 | | |
| 143 | RMI Delivery Ticket 477487 - RMI000251 | | |
| 144 | RMI Delivery Ticket 477486 - RMI000252 | | |
| 145 | RMI Delivery Ticket 477485 - RMI000253 | | |
| 146 | RMI Delivery Ticket 477484 - RMI000254 | | |
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| 149 | RMI Delivery Ticket 477481 - RMI000257 | | |
| 150 | RMI Delivery Ticket 477480 - RMI000258 | | |
| 151 | RMI Delivery Ticket 477479 - RMI000259 | | |
| 152 | RMI Delivery Ticket 477478 - RMI000260 |  |  |
| 153 | RMI Delivery Ticket 477477 - RMI000261 | | |
| | | NOT USED | |

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| 154 | RMI Delivery Ticket 477476 - RMI000262 | NOT USED | |
| 155 | RMI Delivery Ticket 477475 - RMI000263 | | |
| 156 | RMI Delivery Ticket 477474 - RMI000264 |  | |
| 157 | RMI Delivery Ticket 477472 - RMI000265 | | |
| 158 | RMI Delivery Ticket 477471 - RMI000266 | | |
| 159 | RMI Delivery Ticket 477470 - RMI000267 | | |
| 160 | RMI Delivery Ticket 477469 - RMI000268 | | |
| 161 | RMI Delivery Ticket 469490 - RMI000269 | | |
| 162 | RMI Delivery Ticket 469489 - RMI000270 | | |
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| 164 | RMI Delivery Ticket 469487 - RMI000272 | | |
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| 166 | RMI Delivery Ticket 469485 - RMI000274 | | |
| 167 | RMI Delivery Ticket 469484 - RMI000275 | | |
| 168 | RMI Delivery Ticket 469483 - RMI000276 | | |
| 169 | RMI Delivery Ticket 469482 - RMI000277 | | |
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| 171 | RMI Delivery Ticket 469480 - RMI000279 | | |
| 172 | RMI Delivery Ticket 469479 - RMI000280 | | |

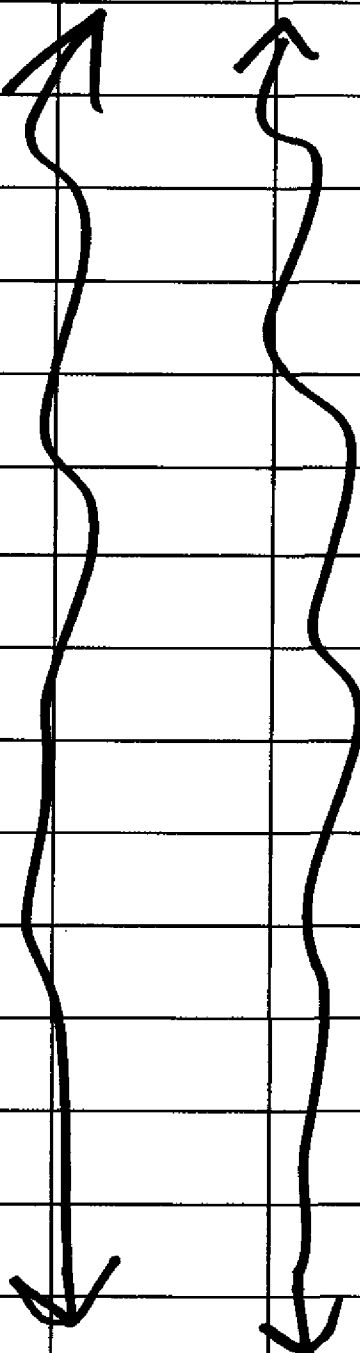
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| 173 | RMI Delivery Ticket 469478 - RMI000281 | NOT USED | |
| 174 | RMI Delivery Ticket 469477 - RMI000282 |  | |
| 175 | RMI Delivery Ticket 469476 - RMI000283 | | |
| 176 | RMI Delivery Ticket 469475 - RMI000284 | | |
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| 181 | RMI Delivery Ticket 469470 - RMI000289 | | |
| 182 | RMI Delivery Ticket 477468 - RMI000290 | | |
| 183 | RMI Delivery Ticket 477467 - RMI000291 | | |
| 184 | RMI Delivery Ticket 477466 - RMI000292 | | |
| 185 | RMI Delivery Ticket 477465 - RMI000293 | | |
| 186 | RMI Delivery Ticket 477464 - RMI000294 | | |
| 187 | RMI Delivery Ticket 477463 - RMI000295 | | |
| 188 | RMI Delivery Ticket 477462 - RMI000296 | | |
| 189 | RMI Delivery Ticket 477461 - RMI000297 | | |
| 190 | RMI Delivery Ticket 477460 - RMI000298 | | |
| 191 | RMI Delivery Ticket 477459 - RMI000299 | NOT USED | |

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| 192 | RMI Delivery Ticket 477458 - RMI000300 | NOT USED | | |
| 193 | RMI Delivery Ticket 477457 - RMI000301 | | | |
| 194 | RMI Delivery Ticket 477456 - RMI000302 |  | | |
| 195 | RMI Delivery Ticket 477455 - RMI000303 | | | |
| 196 | RMI Delivery Ticket 477454 - RMI000304 | | | |
| 197 | RMI Delivery Ticket 477453 - RMI000305 | | | |
| 198 | RMI Delivery Ticket 477452 - RMI000306 | | | |
| 199 | RMI Delivery Ticket 477451 - RMI000307 | | | |
| 200 | RMI Delivery Ticket 477450 - RMI000308 | | | |
| 201 | RMI Delivery Ticket 477449 - RMI000309 | | | |
| 202 | RMI Delivery Ticket 477448 - RMI000310 | | | |
| 203 | RMI Delivery Ticket 477447 - RMI000311 | | | |
| 204 | RMI Delivery Ticket 477446 - RMI000312 | | | |
| 205 | RMI Delivery Ticket 477445 - RMI000313 | | | |
| 206 | RMI Delivery Ticket 477444 - RMI000314 | | | |
| 207 | RMI Delivery Ticket 477443 - RMI000315 | | | |
| 208 | RMI Delivery Ticket 477442 - RMI000316 | | | |
| 209 | RMI Delivery Ticket 477441 - RMI000317 | NOT USED | | |

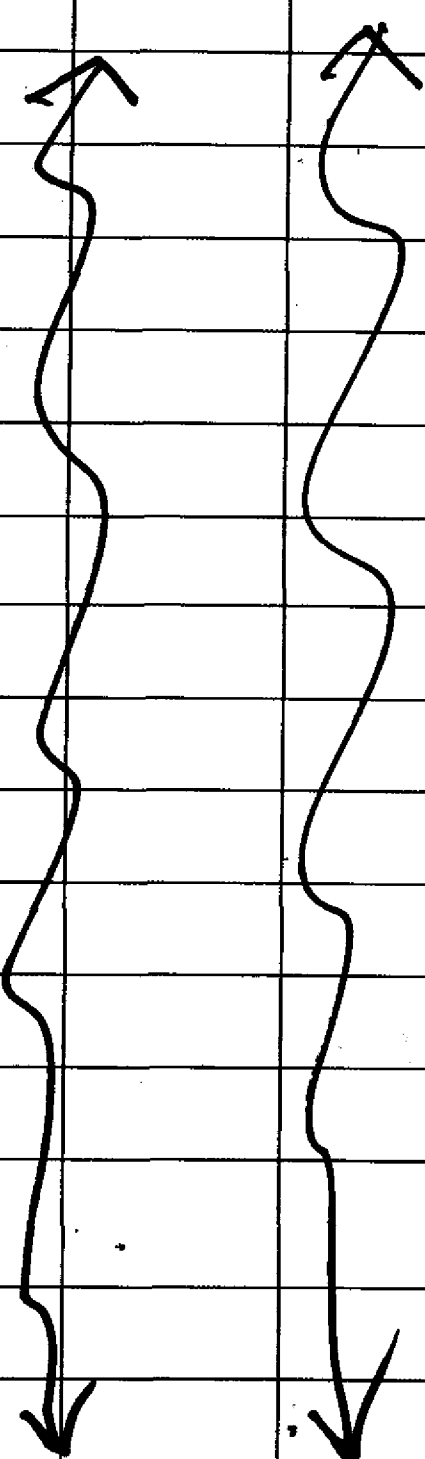
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| 210 | RMI Delivery Ticket 477440 - RMI000318 | NOT USED | |
| 211 | RMI Delivery Ticket 477439 - RMI000319 | | |
| 212 | RMI Delivery Ticket 477438 - RMI000320 |  | |
| 213 | RMI Delivery Ticket 477437 - RMI000321 | | |
| 214 | RMI Delivery Ticket 477436 - RMI000322 | | |
| 215 | RMI Delivery Ticket 477435 - RMI000323 | | |
| 216 | RMI Delivery Ticket 477434 - RMI000324 | | |
| 217 | RMI Delivery Ticket 477433 - RMI000325 | | |
| 218 | RMI Delivery Ticket 470971 - RMI000326 | | |
| 219 | RMI Delivery Ticket 470970 - RMI000327 | | |
| 220 | RMI Delivery Ticket 471058 - RMI000328 | | |
| 221 | RMI Delivery Ticket 471057 - RMI000329 | | |
| 222 | RMI Delivery Ticket 471056 - RMI000330 | | |
| 223 | RMI Delivery Ticket 471062 - RMI000331 | | |
| 224 | RMI Delivery Ticket 471061 - RMI000332 | | |
| 225 | RMI Delivery Ticket 471060 - RMI000333 | | |
| 226 | RMI Delivery Ticket 470116 - RMI000334 | | |
| 227 | RMI Delivery Ticket 470114 - RMI000335 | | |
| 228 | RMI Delivery Ticket 470100 - RMI000336 | NOT USED | |

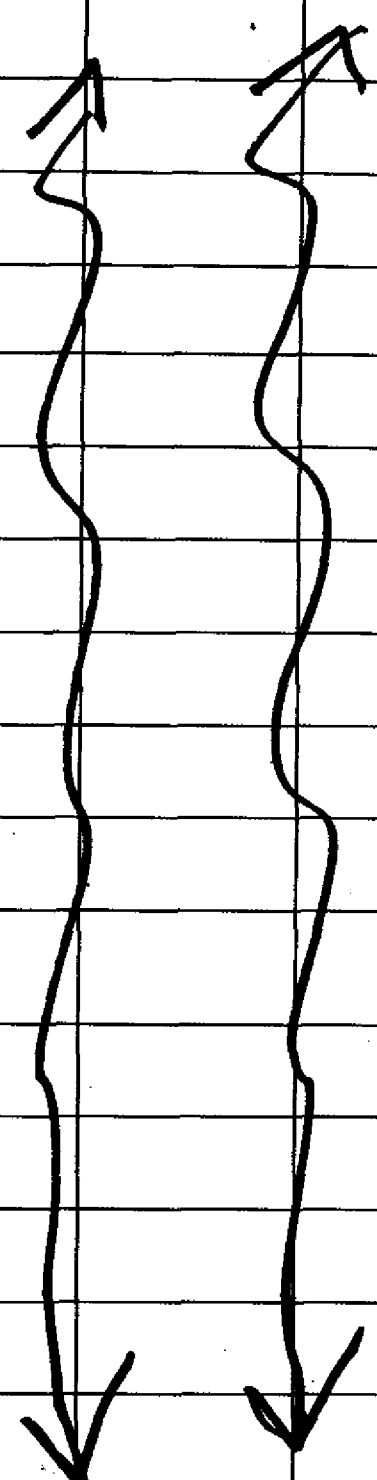
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| 229 | RMI Delivery Ticket 470097 - RMI000337 | NOT USED | |
| 230 | RMI Delivery Ticket 470096 - RMI000338 | | |
| 231 | RMI Delivery Ticket 470095 - RMI000339 |  | |
| 232 | RMI Delivery Ticket 470094 - RMI000340 | | |
| 233 | RMI Delivery Ticket 470092 - RMI000341 | | |
| 234 | RMI Delivery Ticket 470093 - RMI000342 | | |
| 235 | RMI Delivery Ticket 470091 - RMI000343 | | |
| 236 | RMI Delivery Ticket 470090 - RMI000344 | | |
| 237 | RMI Delivery Ticket 470089 - RMI000345 | | |
| 238 | RMI Delivery Ticket 470088 - RMI000346 | | |
| 239 | RMI Delivery Ticket 470085 - RMI000347 | | |
| 240 | RMI Delivery Ticket 470084 - RMI000348 | | |
| 241 | RMI Delivery Ticket 470083 - RMI000349 | | |
| 242 | RMI Delivery Ticket 470082 - RMI000350 | | |
| 243 | RMI Delivery Ticket 470079 - RMI000351 | | |
| 244 | RMI Delivery Ticket 470078 - RMI000352 | | |
| 245 | RMI Delivery Ticket 470072 - RMI000353 | | |
| 246 | RMI Delivery Ticket 470071 - RMI000354 | NOT USED | |

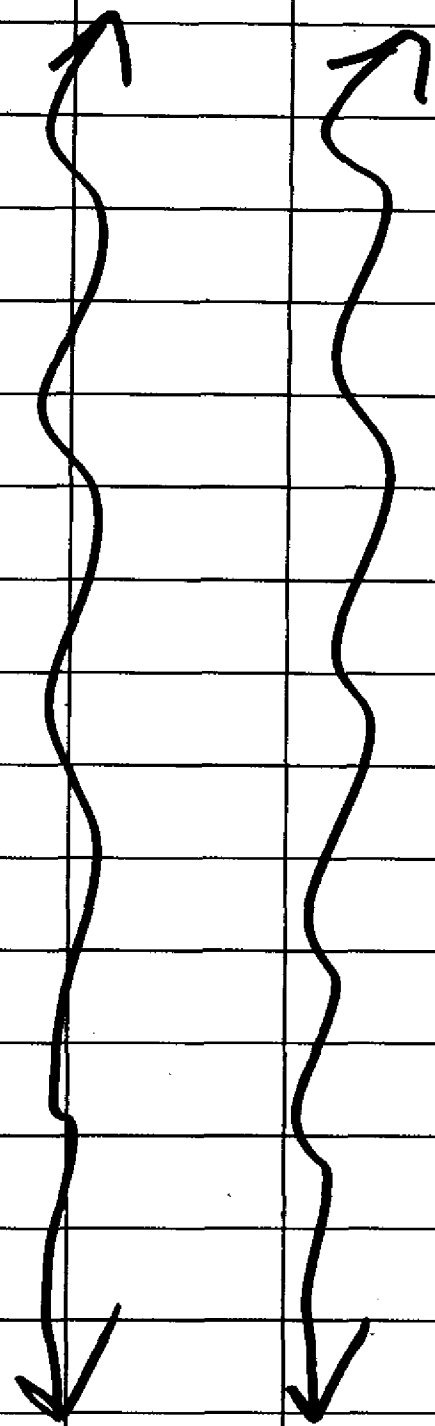
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| 247 | RMI Delivery Ticket 470070 - RMI000355 | NOT USED | | |
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| 249 | RMI Delivery Ticket 470046 - RMI000357 | | | |
| 250 | RMI Delivery Ticket 470044 - RMI000358 | | | |
| 251 | RMI Delivery Ticket 470043 - RMI000359 | | | |
| 252 | RMI Delivery Ticket 470042 - RMI000360 | | | |
| 253 | RMI Delivery Ticket 470041 - RMI000361 | | | |
| 254 | RMI Delivery Ticket 470039 - RMI000362 | | | |
| 255 | RMI Delivery Ticket 470038 - RMI000363 | | | |
| 256 | RMI Delivery Ticket 470037 - RMI000364 | | | |
| 257 | RMI Delivery Ticket 470036 - RMI000365 | | | |
| 258 | RMI Delivery Ticket 470034 - RMI000366 | | | |
| 259 | RMI Delivery Ticket 470033 - RMI000367 | | | |
| 260 | RMI Delivery Ticket 470032 - RMI000368 | | | |
| 261 | RMI Delivery Ticket 470029 - RMI000369 | | | |
| 262 | RMI Delivery Ticket 470028 - RMI000370 | | | |
| 263 | RMI Delivery Ticket 470027 - RMI000371 | | | |
| 264 | RMI Delivery Ticket 470026 - RMI000372 | NOT USED | | |

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| 265 | RMI Delivery Ticket 470025 - RMI000373 | NOT USED | |
| 266 | RMI Delivery Ticket 470024 - RMI000374 | | |
| 267 | RMI Delivery Ticket 470023 - RMI000375 |  | |
| 268 | RMI Delivery Ticket 470022 - RMI000376 | | |
| 269 | RMI Delivery Ticket 470021 - RMI000377 | | |
| 270 | RMI Delivery Ticket 470020 - RMI000378 | | |
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| 273 | RMI Delivery Ticket 470017 - RMI000381 | | |
| 274 | RMI Delivery Ticket 470016 - RMI000382 | | |
| 275 | RMI Delivery Ticket 470015 - RMI000383 | | |
| 276 | RMI Delivery Ticket 470014 - RMI000384 | | |
| 277 | RMI Delivery Ticket 470013 - RMI000385 | | |
| 278 | RMI Delivery Ticket 470012 - RMI000386 | | |
| 279 | RMI Delivery Ticket 470011 - RMI000387 | | |
| 280 | RMI Delivery Ticket 470010 - RMI000388 | | |
| 281 | RMI Delivery Ticket 470009 - RMI000389 | | |
| 282 | RMI Delivery Ticket 470008 - RMI000390 | NOT USED | |

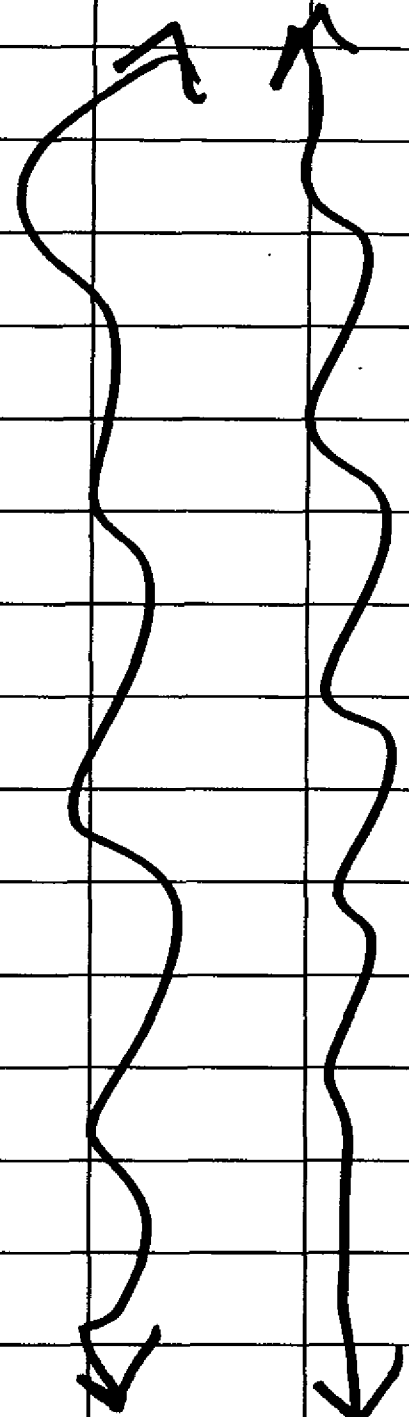
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| 283 | RMI Delivery Ticket 470007 - RMI000391 | NOT USED | | |
| 284 | RMI Delivery Ticket 470006 - RMI000392 | | | |
| 285 | RMI Delivery Ticket 470005 - RMI000393 | | | |
| 286 | RMI Delivery Ticket 470004 - RMI000394 | | | |
| 287 | RMI Delivery Ticket 470003 - RMI000395 | | | |
| 288 | RMI Delivery Ticket 470002 - RMI000396 | | | |
| 289 | RMI Delivery Ticket 470001 - RMI000397 | | | |
| 290 | RMI Delivery Ticket 470000 - RMI000398 | | | |
| 291 | RMI Delivery Ticket 469999 - RMI000399 | | | |
| 292 | RMI Delivery Ticket 469998 - RMI000400 | | | |
| 293 | RMI Delivery Ticket 469997 - RMI000401 | | | |
| 294 | RMI Delivery Ticket 469996 - RMI000402 | | | |
| 295 | RMI Delivery Ticket 469995 - RMI000403 | | | |
| 296 | RMI Delivery Ticket 469994 - RMI000404 | | | |
| 297 | RMI Delivery Ticket 469993 - RMI000405 | | | |
| 298 | RMI Delivery Ticket 469992 - RMI000406 | | | |
| 299 | RMI Delivery Ticket 469991 - RMI000407 | | | |
| 300 | RMI Delivery Ticket 469990 - RMI000408 | NOT USED | | |

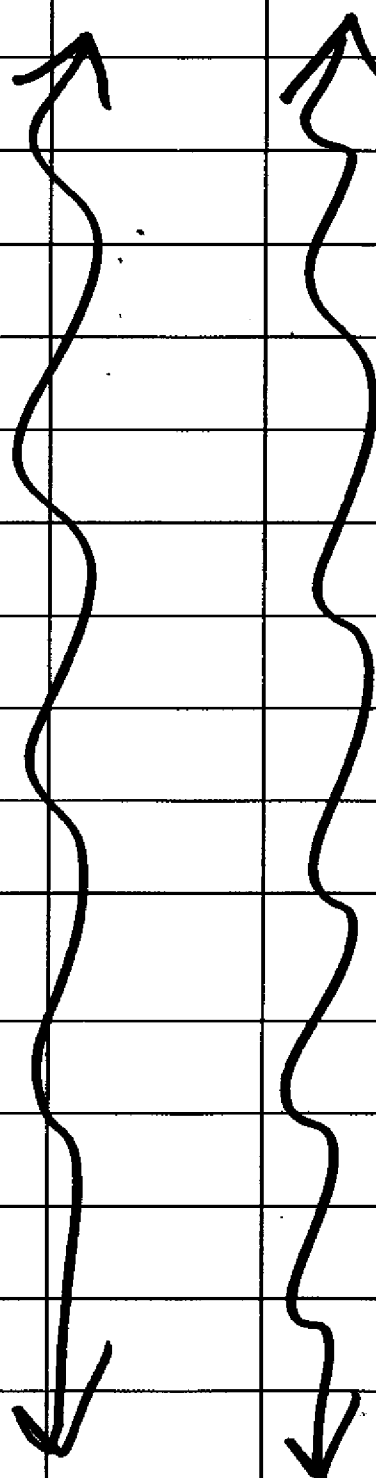
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| 301 | RMI Delivery Ticket 469989 - RMI000409 | NOT USED | |
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| 303 | RMI Delivery Ticket 469987 - RMI000411 |  | |
| 304 | RMI Delivery Ticket 469986 - RMI000412 | | |
| 305 | RMI Delivery Ticket 469985 - RMI000413 | | |
| 306 | RMI Delivery Ticket 469984 - RMI000414 | | |
| 307 | RMI Delivery Ticket 469983 - RMI000415 | | |
| 308 | RMI Delivery Ticket 469982 - RMI000416 | | |
| 309 | RMI Delivery Ticket 469981 - RMI000417 | | |
| 310 | RMI Delivery Ticket 469980 - RMI000418 | | |
| 311 | RMI Delivery Ticket 469979 - RMI000419 | | |
| 312 | RMI Delivery Ticket 469978 - RMI000420 | | |
| 313 | RMI Delivery Ticket 469977 - RMI000421 | | |
| 314 | RMI Delivery Ticket 469976 - RMI000422 | | |
| 315 | RMI Delivery Ticket 469975 - RMI000423 | | |
| 316 | RMI Delivery Ticket 469974 - RMI000424 | | |
| 317 | RMI Delivery Ticket 469973 - RMI000425 | | |
| 318 | RMI Delivery Ticket 469972 - RMI000426 | NOT USED | |

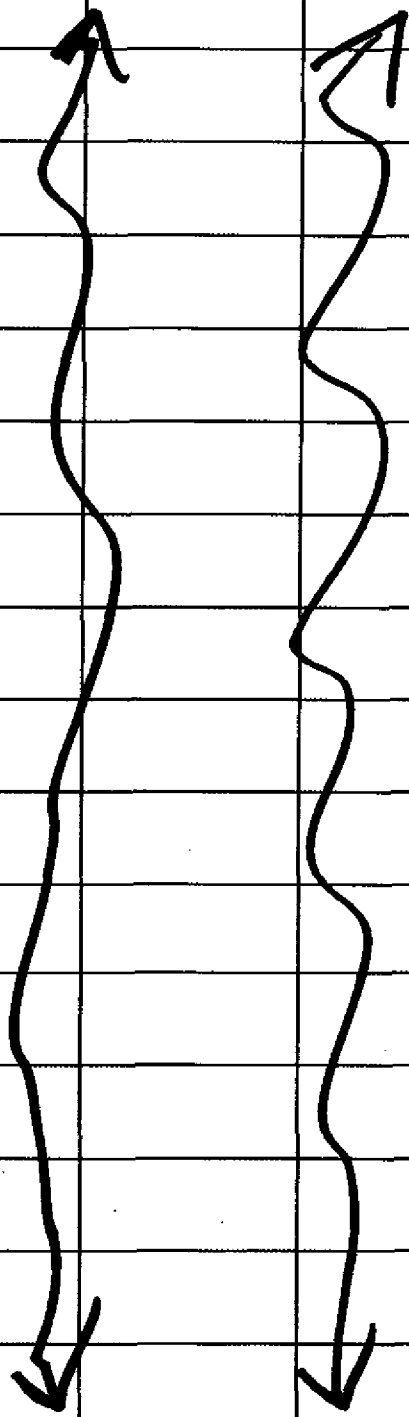
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| 319 | RMI Delivery Ticket 469971 - RMI000427 | NOT USED | |
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| 321 | RMI Delivery Ticket 469969 - RMI000429 |  | |
| 322 | RMI Delivery Ticket 469968 - RMI000430 | | |
| 323 | RMI Delivery Ticket 469967 - RMI000431 | | |
| 324 | RMI Delivery Ticket 469966 - RMI000432 | | |
| 325 | RMI Delivery Ticket 469965 - RMI000433 | | |
| 326 | RMI Delivery Ticket 469964 - RMI000434 | | |
| 327 | RMI Delivery Ticket 469963 - RMI000435 | | |
| 328 | RMI Delivery Ticket 469962 - RMI000436 | | |
| 329 | RMI Delivery Ticket 469961 - RMI000437 | | |
| 330 | RMI Delivery Ticket 469960 - RMI000438 | | |
| 331 | RMI Delivery Ticket 469959 - RMI000439 | | |
| 332 | RMI Delivery Ticket 469958 - RMI000440 | | |
| 333 | RMI Delivery Ticket 469957 - RMI000441 | | |
| 334 | RMI Delivery Ticket 469956 - RMI000442 | | |
| 335 | RMI Delivery Ticket 469955 - RMI000443 | | |
| 336 | RMI Delivery Ticket 469954 - RMI000444 | NOT USED | |

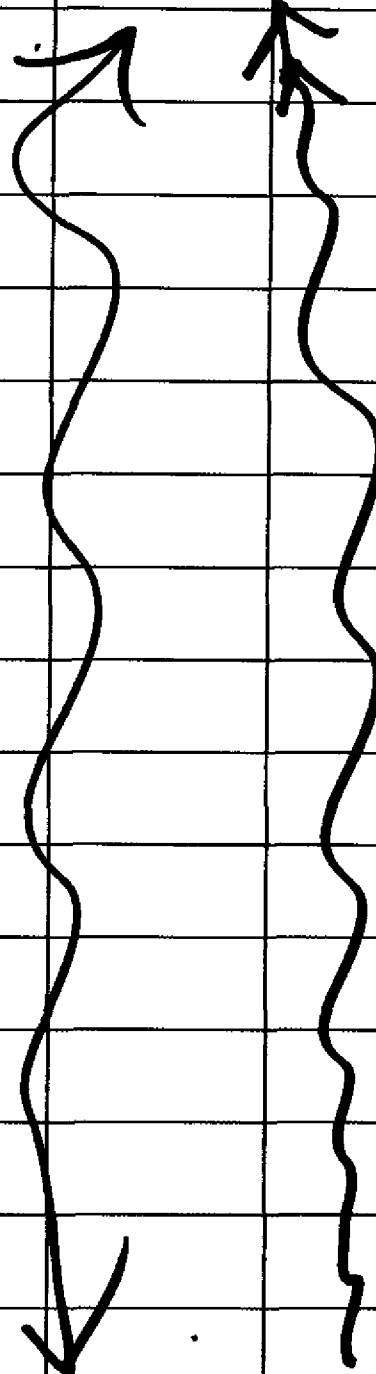
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| 337 | RMI Delivery Ticket 469953 - RMI000445 | NOT USED | | |
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| 339 | RMI Delivery Ticket 469951 - RMI000447 |  | | |
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| 341 | RMI Delivery Ticket 469949 - RMI000449 | | | |
| 342 | RMI Delivery Ticket 469948 - RMI000450 | | | |
| 343 | RMI Delivery Ticket 469947 - RMI000451 | | | |
| 344 | RMI Delivery Ticket 469946 - RMI000452 | | | |
| 345 | RMI Delivery Ticket 469945 - RMI000453 | | | |
| 346 | RMI Delivery Ticket 469944 - RMI000454 | | | |
| 347 | RMI Delivery Ticket 469943 - RMI000455 | | | |
| 348 | RMI Delivery Ticket 469942 - RMI000456 | | | |
| 349 | RMI Delivery Ticket 469941 - RMI000457 | | | |
| 350 | RMI Delivery Ticket 469940 - RMI000458 | | | |
| 351 | RMI Delivery Ticket 469939 - RMI000459 | | | |
| 352 | RMI Delivery Ticket 469938 - RMI000460 | | | |
| 353 | RMI Delivery Ticket 469937 - RMI000461 | | | |
| 354 | RMI Delivery Ticket 469936 - RMI000462 | NOT USED | | |

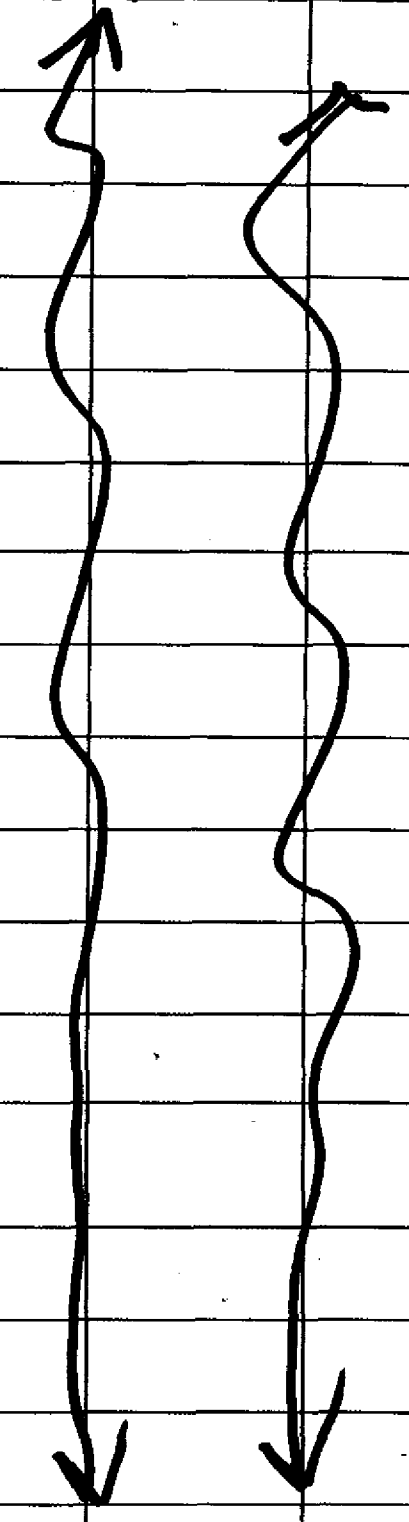
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| 355 | RMI Delivery Ticket 469935 - RMI000463 | NOT USED | |
| 356 | RMI Delivery Ticket 469934 - RMI000464 | | |
| 357 | RMI Delivery Ticket 469933 - RMI000465 | | |
| 358 | RMI Delivery Ticket 472205 - RMI000466 | | |
| 359 | RMI Delivery Ticket 472200 - RMI000467 | | |
| 360 | RMI Delivery Ticket 472197 - RMI000468 | | |
| 361 | RMI Delivery Ticket 472165 - RMI000469 | | |
| 362 | RMI Delivery Ticket 472152 - RMI000470 | | |
| 363 | RMI Delivery Ticket 472151 - RMI000471 | | |
| 364 | RMI Delivery Ticket 472158 - RMI000472 | | |
| 365 | RMI Delivery Ticket 472160 - RMI000473 | | |
| 366 | RMI Delivery Ticket 472161 - RMI000474 | | |
| 367 | RMI Delivery Ticket 472162 - RMI000475 | | |
| 368 | RMI Delivery Ticket 472163 - RMI000476 | | |
| 369 | RMI Delivery Ticket 472168 - RMI000477 | | |
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| 372 | RMI Delivery Ticket 472171 - RMI000480 | NOT USED | |

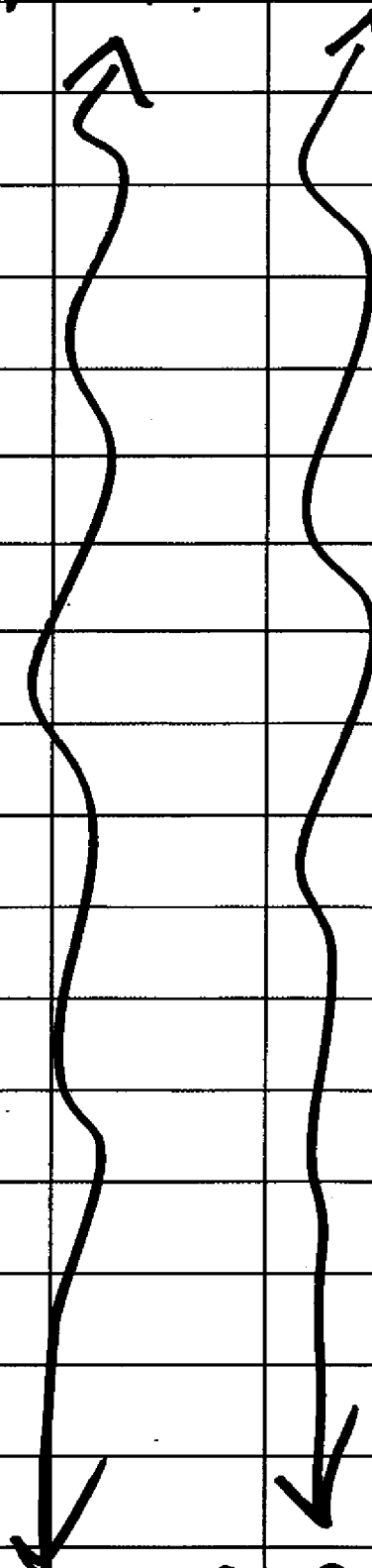


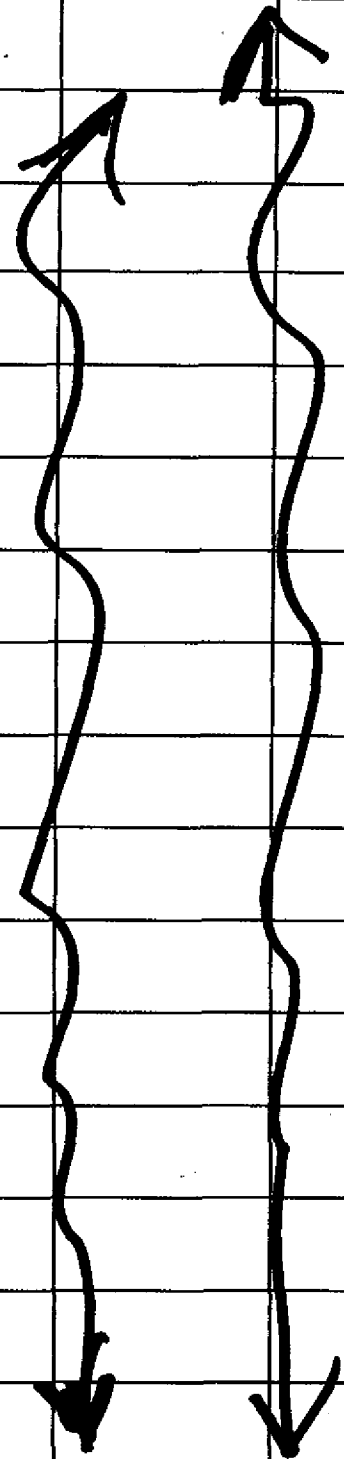
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| 375 | RMI Delivery Ticket 472179 - RMI000483 | | | |
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| 377 | RMI Delivery Ticket 472183 - RMI000485 | | | |
| 378 | RMI Delivery Ticket 472157 - RMI000486 | | | |
| 379 | RMI Delivery Ticket 472156 - RMI000487 | | | |
| 380 | RMI Delivery Ticket 472155 - RMI000488 | | | |
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| 387 | RMI Delivery Ticket 472146 - RMI000495 | | | |
| 388 | RMI Delivery Ticket 472145 - RMI000496 | | | |
| 389 | RMI Delivery Ticket 472144 - RMI000497 | | | |
| 390 | RMI Delivery Ticket 472143 - RMI000498 | NOT USED | | |

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| 391 | RMI Delivery Ticket 472142 - RMI000499 | NOT USED | |
| 392 | RMI Delivery Ticket 472141 - RMI000500 |  | |
| 393 | RMI Delivery Ticket 472140 - RMI000501 | | |
| 394 | RMI Delivery Ticket 480683 - RMI000502 | | |
| 395 | RMI Delivery Ticket 472282 - RMI000503 | | |
| 396 | RMI Delivery Ticket 472329 - RMI000504 | | |
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| 398 | RMI Delivery Ticket 472352 - RMI000506 | | |
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| 404 | RMI Delivery Ticket 472479 - RMI000512 | | |
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| 406 | RMI Delivery Ticket 472474 - RMI000514 | | |
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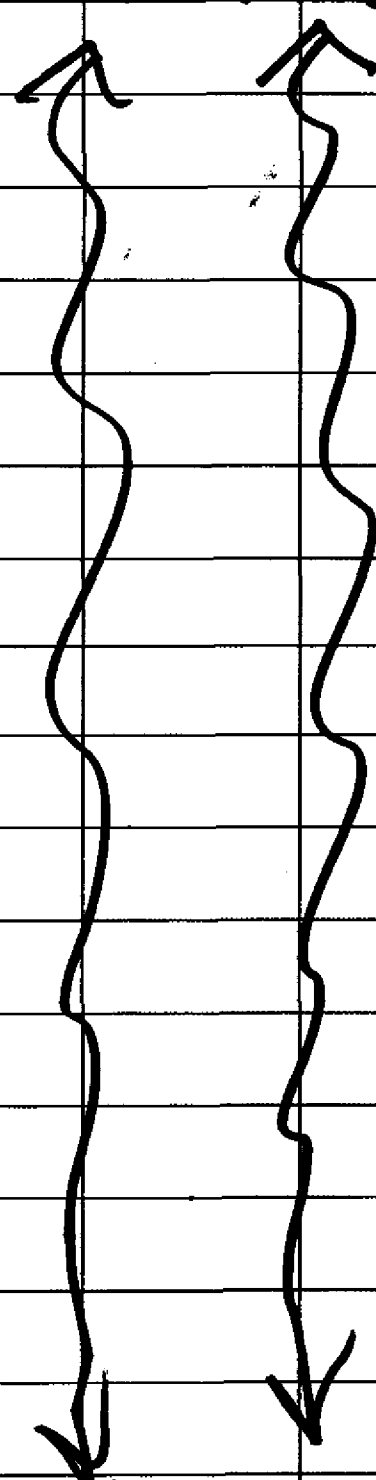
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| 421 | RMI Delivery Ticket 472672 - RMI000529 | | | |
| 422 | RMI Delivery Ticket 471469 - RMI000530 | | | |
| 423 | RMI Delivery Ticket 472468 - RMI000531 | | | |
| 424 | RMI Delivery Ticket 471467 - RMI000532 | | | |
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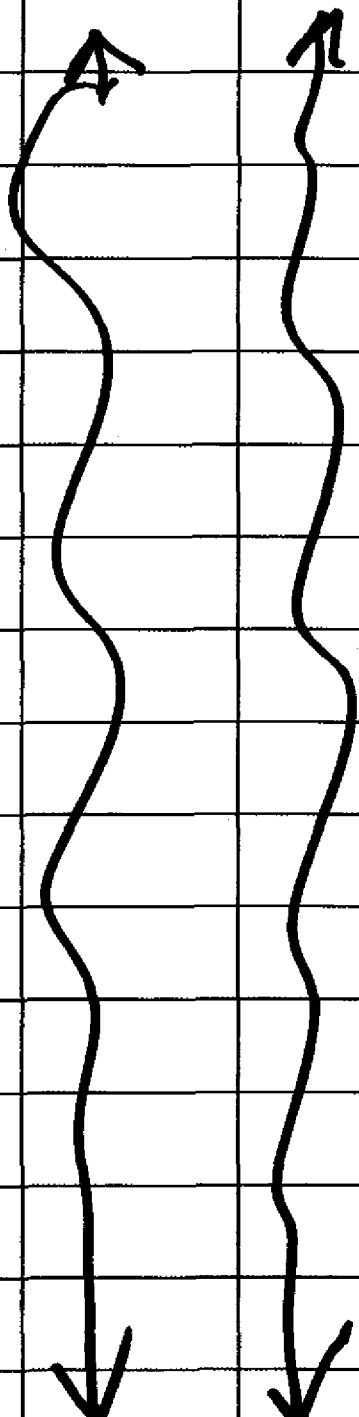

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| 437 | RMI Delivery Ticket 471429 - RMI000545 | | |
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| 439 | RMI Delivery Ticket 471427 - RMI000547 | | |
| 440 | RMI Delivery Ticket 471426 - RMI000548 | | |
| 441 | RMI Delivery Ticket 471425 - RMI000549 | | |
| 442 | RMI Delivery Ticket 471424 - RMI000550 | | |
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| 444 | RMI Delivery Ticket 471480 - RMI000552 | NOT USED | |

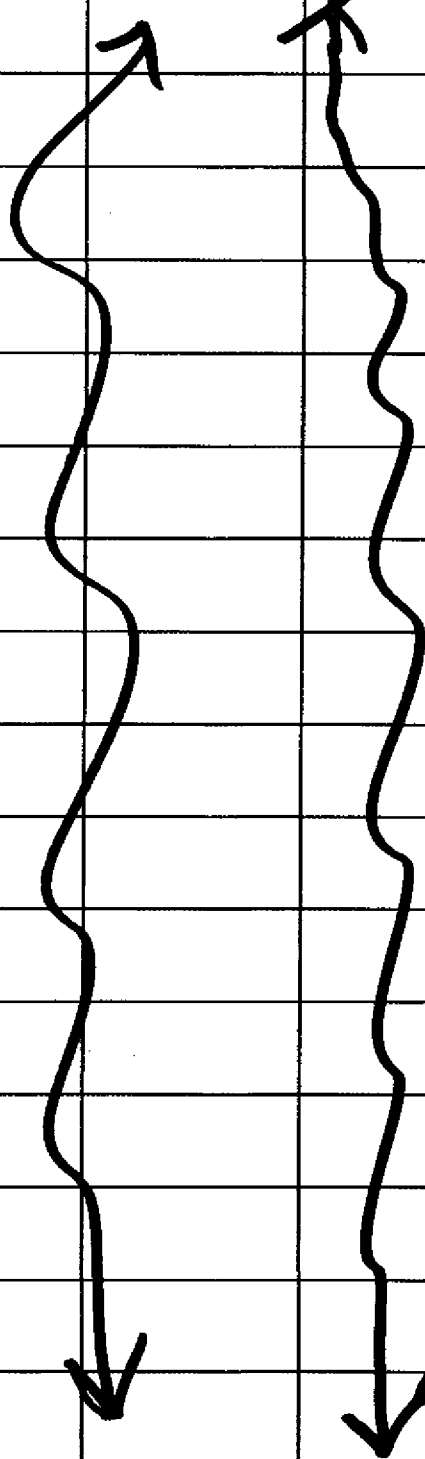
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| 446 | RMI Delivery Ticket 471475 - RMI000554 |  | | |
| 447 | RMI Delivery Ticket 471587 - RMI000555 | | | |
| 448 | RMI Delivery Ticket 471588 - RMI000556 | | | |
| 449 | RMI Delivery Ticket 471589 - RMI000557 | | | |
| 450 | RMI Delivery Ticket 471590 - RMI000558 | | | |
| 451 | RMI Delivery Ticket 471586 - RMI000559 | | | |
| 452 | RMI Delivery Ticket 471597 - RMI000560 | | | |
| 453 | RMI Delivery Ticket 471633 - RMI000561 | | | |
| 454 | RMI Delivery Ticket 471630 - RMI000562 | | | |
| 455 | RMI Delivery Ticket 471626 - RMI000563 | | | |
| 456 | RMI Delivery Ticket 471624 - RMI000564 | | | |
| 457 | RMI Delivery Ticket 471622 - RMI000565 | | | |
| 458 | RMI Delivery Ticket 471620 - RMI000566 | | | |
| 459 | RMI Delivery Ticket 471619 - RMI000567 | | | |
| 460 | RMI Delivery Ticket 471617 - RMI000568 | | | |
| 461 | RMI Delivery Ticket 471615 - RMI000569 | | | |
| 462 | RMI Delivery Ticket 471606 - RMI000570 | | | |
| 463 | RMI Delivery Ticket 471604 - RMI000571 | NOT USED | | |

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| 464 | RMI Delivery Ticket 471603 - RMI000572 | NOT USED | |
| 465 | RMI Delivery Ticket 471600 - RMI000573 |  | |
| 466 | RMI Delivery Ticket 471599 - RMI000574 | | |
| 467 | RMI Delivery Ticket 471598 - RMI000575 | | |
| 468 | RMI Delivery Ticket 471596 - RMI000576 | | |
| 469 | RMI Delivery Ticket 471595 - RMI000577 | | |
| 470 | RMI Delivery Ticket 471594 - RMI000578 | | |
| 471 | RMI Delivery Ticket 471593 - RMI000579 | | |
| 472 | RMI Delivery Ticket 471592 - RMI000580 | | |
| 473 | RMI Delivery Ticket 471591 - RMI000581 | | |
| 474 | RMI Delivery Ticket 479971 - RMI000582 | | |
| 475 | RMI Delivery Ticket 479970 - RMI000583 | | |
| 476 | RMI Delivery Ticket 479969 - RMI000584 | | |
| 477 | RMI Delivery Ticket 479968 - RMI000585 | | |
| 478 | RMI Delivery Ticket 471865 - RMI000586 | | |
| 479 | RMI Delivery Ticket 471860 - RMI000587 | | |
| 480 | RMI Delivery Ticket 471858 - RMI000588 | | |
| 481 | RMI Delivery Ticket 471853 - RMI000589 | NOT USED | |

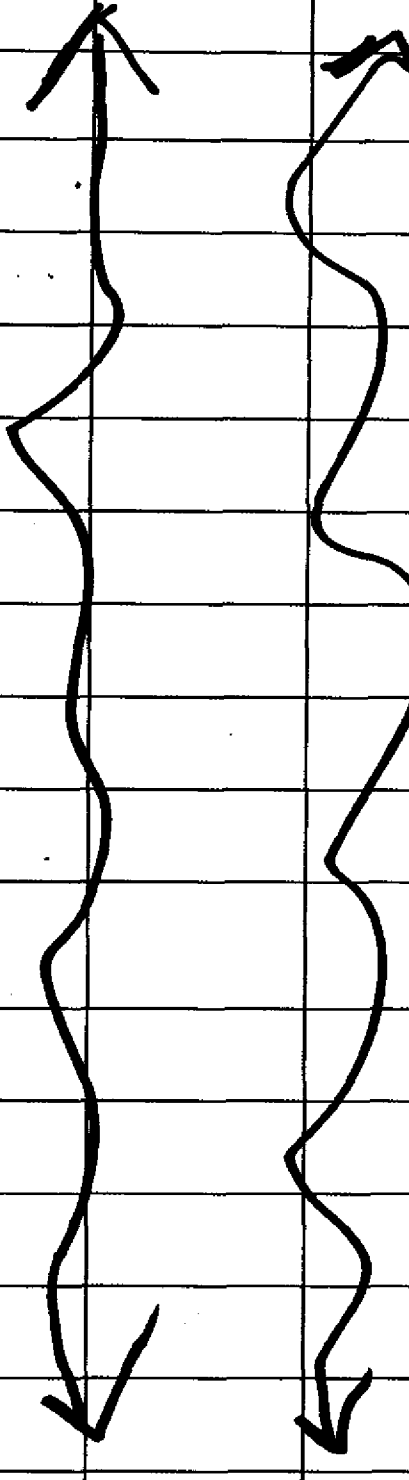
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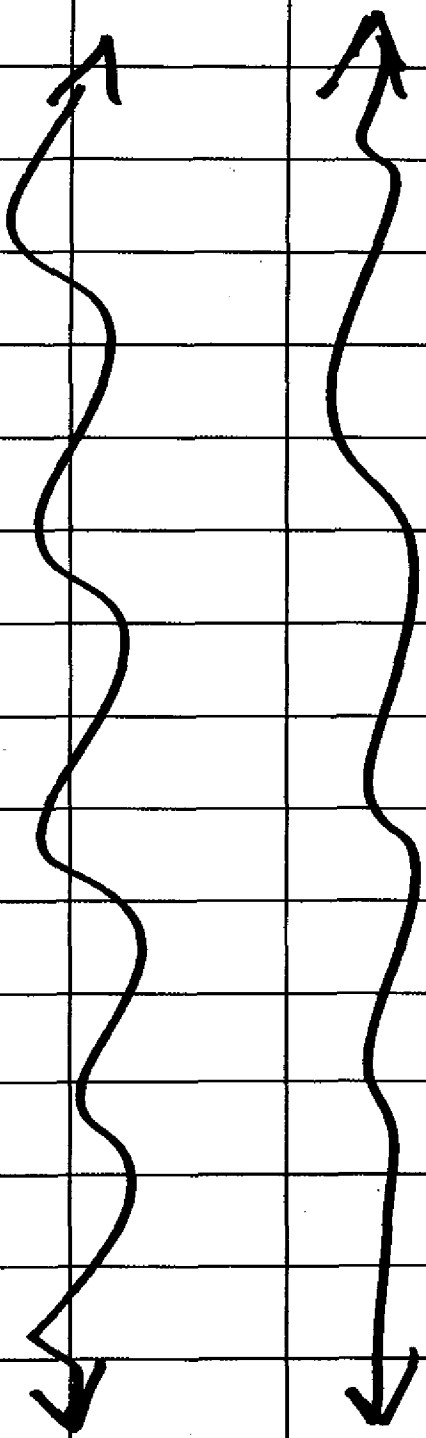
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| 483 | RMI Delivery Ticket 471850 - RMI000591 | | |
| 484 | RMI Delivery Ticket 471845 - RMI000592 |  | |
| 485 | RMI Delivery Ticket 471844 - RMI000593 | | |
| 486 | RMI Delivery Ticket 471837 - RMI000594 | | |
| 487 | RMI Delivery Ticket 471805 - RMI000595 | | |
| 488 | RMI Delivery Ticket 471802 - RMI000596 | | |
| 489 | RMI Delivery Ticket 471801 - RMI000597 | | |
| 490 | RMI Delivery Ticket 471800 - RMI000598 | | |
| 491 | RMI Delivery Ticket 471798 - RMI000599 | | |
| 492 | RMI Delivery Ticket 471795 - RMI000600 | | |
| 493 | RMI Delivery Ticket 471796 - RMI000601 | | |
| 494 | RMI Delivery Ticket 471790 - RMI000602 | | |
| 495 | RMI Delivery Ticket 471788 - RMI000603 | | |
| 496 | RMI Delivery Ticket 471786 - RMI000604 | | |
| 497 | RMI Delivery Ticket 471785 - RMI000605 | | |
| 498 | RMI Delivery Ticket 471784 - RMI000606 | | |
| 499 | RMI Delivery Ticket 471783 - RMI000607 | NOT USED | |

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|-----|-------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--|
| 500 | RMI Delivery Ticket 471782 - RMI000608 | NOT USED | | |
| 501 | RMI Delivery Ticket 471781 - RMI000609 |  |  | |
| 502 | RMI Delivery Ticket 471780 - RMI000610 | | | |
| 503 | RMI Delivery Ticket 471779 - RMI000611 | | | |
| 504 | RMI Delivery Ticket 471778 - RMI000612 | | | |
| 505 | RMI Delivery Ticket 471777 - RMI000613 | | | |
| 506 | RMI Delivery Ticket 471776 - RMI000614 | | | |
| 507 | RMI Delivery Ticket 471774 - RMI000615 | | | |
| 508 | RMI Delivery Ticket 471770 - RMI000616 | | | |
| 509 | RMI Delivery Ticket 471769 - RMI000617 | | | |
| 510 | RMI Delivery Ticket 471768 - RMI000618 | | | |
| 511 | RMI Delivery Ticket 471767 - RMI000619 | | | |
| 512 | RMI Delivery Ticket 471766 - RMI000620 | | | |
| 513 | RMI Delivery Ticket 471765 - RMI000621 | | | |
| 514 | RMI Delivery Ticket 471791 - RMI000622 | | | |
| 515 | RMI Delivery Ticket 471764 - RMI000623 | | | |
| 516 | RMI Delivery Ticket 472010 - RMI000624 | | | |
| 517 | RMI Delivery Ticket 472005 - RMI000625 | NOT USED | | |

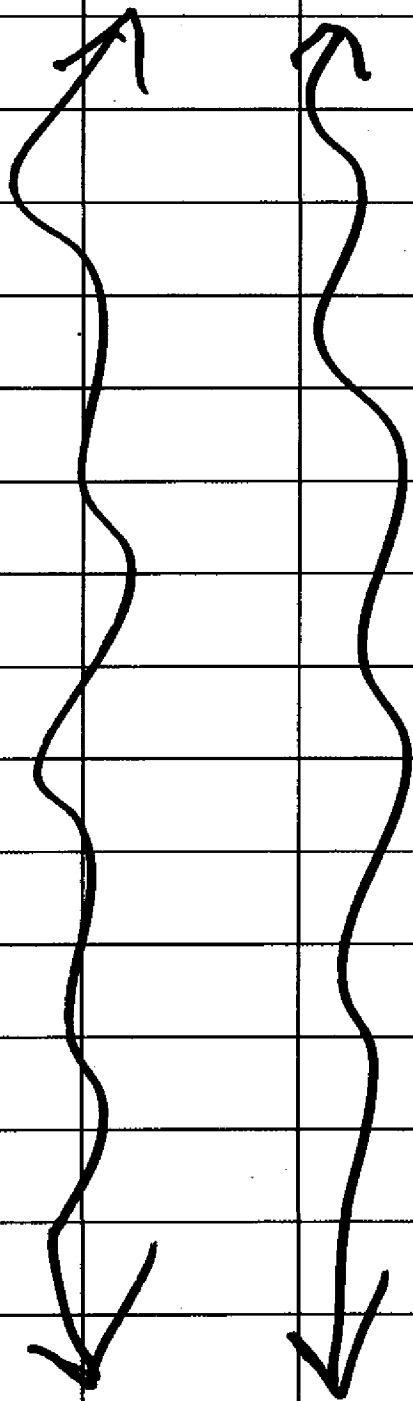
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| 518 | RMI Delivery Ticket 472004 - RMI000626 | NOT USED | | |
| 519 | RMI Delivery Ticket 472002 - RMI000627 | | | |
| 520 | RMI Delivery Ticket 472000 - RMI000628 |  | | |
| 521 | RMI Delivery Ticket 471999 - RMI000629 | | | |
| 522 | RMI Delivery Ticket 471998 - RMI000630 | | | |
| 523 | RMI Delivery Ticket 471997 - RMI000631 | | | |
| 524 | RMI Delivery Ticket 471995 - RMI000632 | | | |
| 525 | RMI Delivery Ticket 472001 - RMI000633 | | | |
| 526 | RMI Delivery Ticket 471994 - RMI000634 | | | |
| 527 | RMI Delivery Ticket 472842 - RMI000635 | | | |
| 528 | RMI Delivery Ticket 472814 - RMI000636 | | | |
| 529 | RMI Delivery Ticket 472808 - RMI000637 | | | |
| 530 | RMI Delivery Ticket 472913 - RMI000638 | | | |
| 531 | RMI Delivery Ticket 472912 - RMI000639 | | | |
| 532 | RMI Delivery Ticket 472911 - RMI000640 | | | |
| 533 | RMI Delivery Ticket 472907 - RMI000641 | | | |
| 534 | RMI Delivery Ticket 472906 - RMI000642 | | | |
| 535 | RMI Delivery Ticket 472905 - RMI000643 | NOT USED | | |

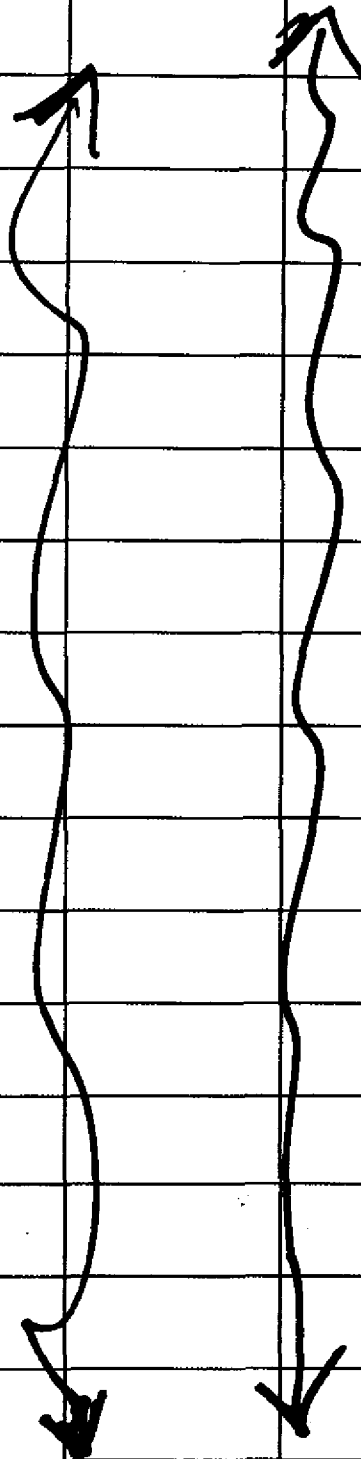
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| 536 | RMI Delivery Ticket 472904 - RMI000644 | NOT USED | |
| 537 | RMI Delivery Ticket 472902 - RMI000645 | | |
| 538 | RMI Delivery Ticket 472900 - RMI000646 | | |
| 539 | RMI Delivery Ticket 472899 - RMI000647 | | |
| 540 | RMI Delivery Ticket 472898 - RMI000648 | | |
| 541 | RMI Delivery Ticket 472897 - RMI000649 | | |
| 542 | RMI Delivery Ticket 472896 - RMI000650 | | |
| 543 | RMI Delivery Ticket 472895 - RMI000651 | | |
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| 545 | RMI Delivery Ticket 472893 - RMI000653 | | |
| 546 | RMI Delivery Ticket 472892 - RMI000654 | | |
| 547 | RMI Delivery Ticket 472891 - RMI000655 | | |
| 548 | RMI Delivery Ticket 472890 - RMI000656 | | |
| 549 | RMI Delivery Ticket 472889 - RMI000657 | | |
| 550 | RMI Delivery Ticket 472975 - RMI000658 | | |
| 551 | RMI Delivery Ticket 472965 - RMI000659 | | |
| 552 | RMI Delivery Ticket 472964 - RMI000660 | | |
| 553 | RMI Delivery Ticket 472957 - RMI000661 | NOT USED | |

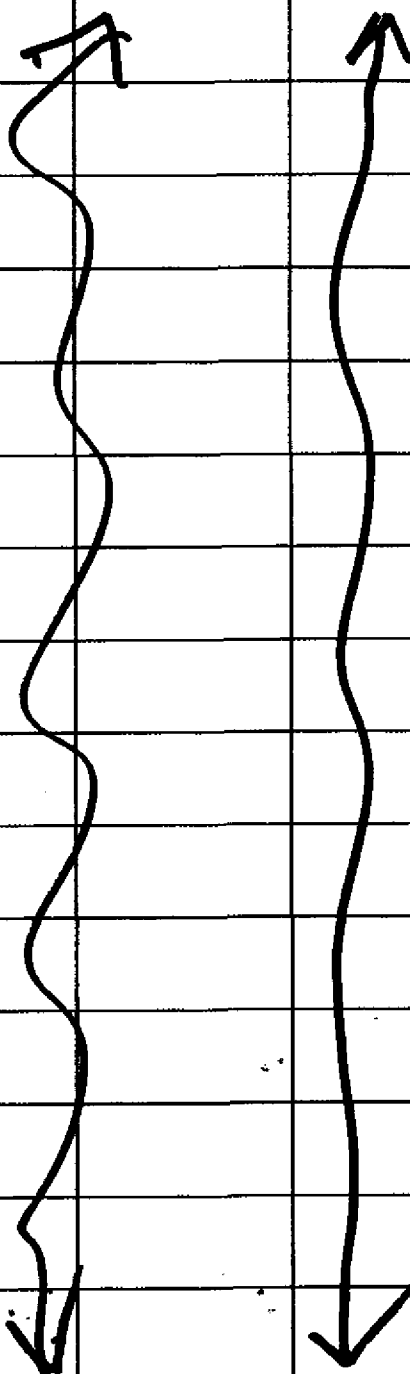
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| 554 | RMI Delivery Ticket 472956 - RMI000662 | NOT USED | |
| 555 | RMI Delivery Ticket 472952 - RMI000663 |  | |
| 556 | RMI Delivery Ticket 472949 - RMI000664 | | |
| 557 | RMI Delivery Ticket 472948 - RMI000665 | | |
| 558 | RMI Delivery Ticket 472947 - RMI000666 | | |
| 559 | RMI Delivery Ticket 472945 - RMI000667 | | |
| 560 | RMI Delivery Ticket 472938 - RMI000668 | | |
| 561 | RMI Delivery Ticket 472936 - RMI000669 | | |
| 562 | RMI Delivery Ticket 472931 - RMI000670 | | |
| 563 | RMI Delivery Ticket 472930 - RMI000671 | | |
| 564 | RMI Delivery Ticket 472928 - RMI000672 | | |
| 565 | RMI Delivery Ticket 472927 - RMI000673 | | |
| 566 | RMI Delivery Ticket 472925 - RMI000674 | | |
| 567 | RMI Delivery Ticket 472924 - RMI000675 | | |
| 568 | RMI Delivery Ticket 472922 - RMI000676 | | |
| 569 | RMI Delivery Ticket 472921 - RMI000677 | | |
| 570 | RMI Delivery Ticket 472920 - RMI000678 | | |
| 571 | RMI Delivery Ticket 472916 - RMI000679 | NOT USED | |

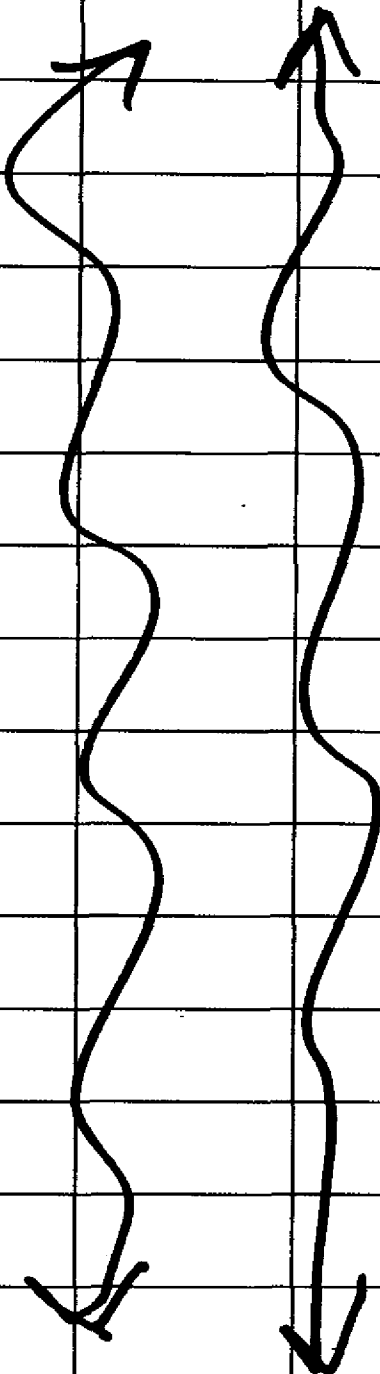
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| 572 | RMI Delivery Ticket 473267 - RMI000680 | NOT USED | |
| 573 | RMI Delivery Ticket 473260 - RMI000681 | | |
| 574 | RMI Delivery Ticket 473259 - RMI000682 |  | |
| 575 | RMI Delivery Ticket 473253 - RMI000683 | | |
| 576 | RMI Delivery Ticket 473227 - RMI000684 | | |
| 577 | RMI Delivery Ticket 473225 - RMI000685 | | |
| 578 | RMI Delivery Ticket 473223 - RMI000686 | | |
| 579 | RMI Delivery Ticket 473222 - RMI000687 | | |
| 580 | RMI Delivery Ticket 473215 - RMI000688 | | |
| 581 | RMI Delivery Ticket 473214 - RMI000689 | | |
| 582 | RMI Delivery Ticket 473213 - RMI000690 | | |
| 583 | RMI Delivery Ticket 473212 - RMI000691 | | |
| 584 | RMI Delivery Ticket 473211 - RMI000692 | | |
| 585 | RMI Delivery Ticket 473210 - RMI000693 | | |
| 586 | RMI Delivery Ticket 473209 - RMI000694 | | |
| 587 | RMI Delivery Ticket 473208 - RMI000695 | | |
| 588 | RMI Delivery Ticket 473207 - RMI000696 | | |
| 589 | RMI Delivery Ticket 473206 - RMI000697 | NOT USED | |

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| 590 | RMI Delivery Ticket 473205 - RMI000698 | NOT USED | |
| 591 | RMI Delivery Ticket 473316 - RMI000699 | | |
| 592 | RMI Delivery Ticket 473321 - RMI000700 | | |
| 593 | RMI Delivery Ticket 473320 - RMI000701 | | |
| 594 | RMI Delivery Ticket 473319 - RMI000702 | | |
| 595 | RMI Delivery Ticket 473318 - RMI000703 | | |
| 596 | RMI Delivery Ticket 473334 - RMI000704 | | |
| 597 | RMI Delivery Ticket 473392 - RMI000705 | | |
| 598 | RMI Delivery Ticket 473383 - RMI000706 | | |
| 599 | RMI Delivery Ticket 473382 - RMI000707 | | |
| 600 | RMI Delivery Ticket 473379 - RMI000708 | | |
| 601 | RMI Delivery Ticket 473375 - RMI000709 | | |
| 602 | RMI Delivery Ticket 473373 - RMI000710 | | |
| 603 | RMI Delivery Ticket 473370 - RMI000711 | | |
| 604 | RMI Delivery Ticket 473357 - RMI000712 | | |
| 605 | RMI Delivery Ticket 473354 - RMI000713 | | |
| 606 | RMI Delivery Ticket 473352 - RMI000714 | | |
| 607 | RMI Delivery Ticket 473350 - RMI000715 | NOT USED | |

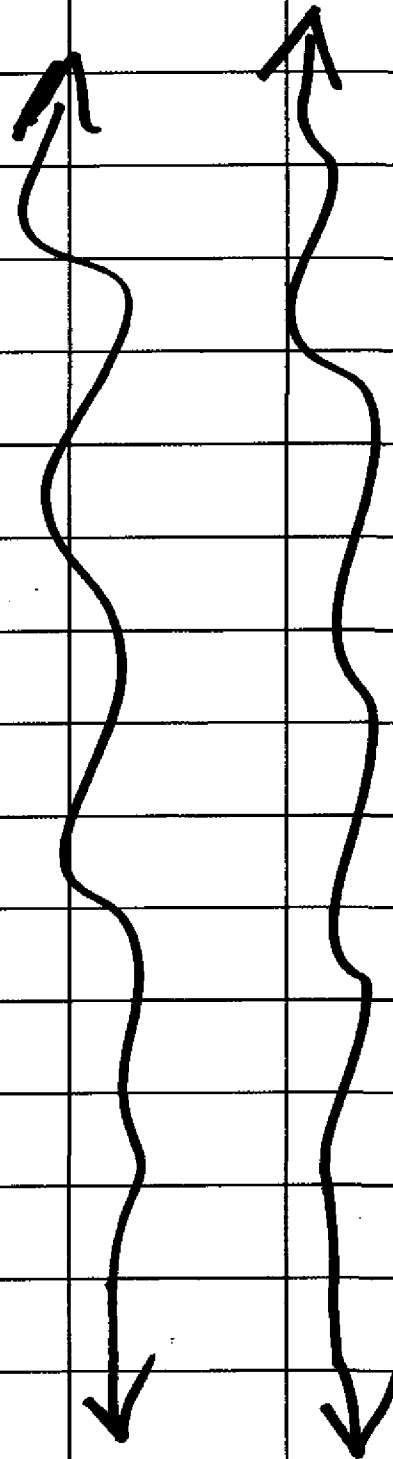
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| 608 | RMI Delivery Ticket 473347 - RMI000716 | NOT USED | | |
| 609 | RMI Delivery Ticket 473344 - RMI000717 | | | |
| 610 | RMI Delivery Ticket 473342 - RMI000718 |  | | |
| 611 | RMI Delivery Ticket 473340 - RMI000719 | | | |
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| 613 | RMI Delivery Ticket 473338 - RMI000721 | | | |
| 614 | RMI Delivery Ticket 473336 - RMI000722 | | | |
| 615 | RMI Delivery Ticket 473464 - RMI000723 | | | |
| 616 | RMI Delivery Ticket 474092 - RMI000724 | | | |
| 617 | RMI Delivery Ticket 474089 - RMI000725 | | | |
| 618 | RMI Delivery Ticket 474074 - RMI000726 | | | |
| 619 | RMI Delivery Ticket 474073 - RMI000727 | | | |
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| 621 | RMI Delivery Ticket 474069 - RMI000729 | | | |
| 622 | RMI Delivery Ticket 474066 - RMI000730 | | | |
| 623 | RMI Delivery Ticket 474057 - RMI000731 | | | |
| 624 | RMI Delivery Ticket 474055 - RMI000732 | | | |
| 625 | RMI Delivery Ticket 474046 - RMI000733 | NOT USED | | |

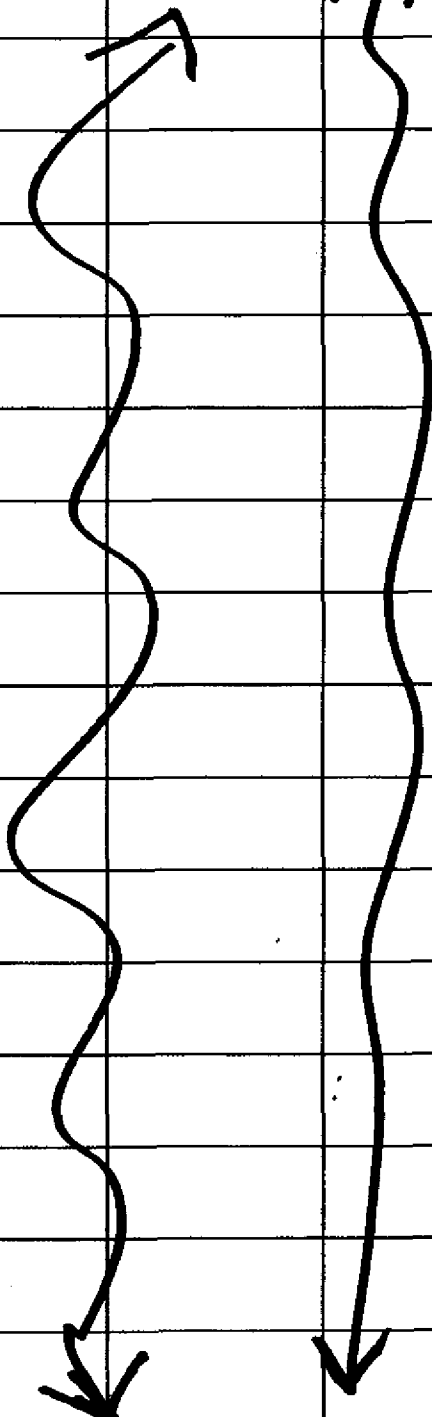
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| 628 | RMI Delivery Ticket 474019 - RMI000736 |  | |
| 629 | RMI Delivery Ticket 474014 - RMI000737 | | |
| 630 | RMI Delivery Ticket 474013 - RMI000738 | | |
| 631 | RMI Delivery Ticket 474012 - RMI000739 | | |
| 632 | RMI Delivery Ticket 474011 - RMI000740 | | |
| 633 | RMI Delivery Ticket 474010 - RMI000741 | | |
| 634 | RMI Delivery Ticket 474003 - RMI000742 | | |
| 635 | RMI Delivery Ticket 474001 - RMI000743 | | |
| 636 | RMI Delivery Ticket 475239 - RMI000744 | | |
| 637 | RMI Delivery Ticket 474709 - RMI000745 | | |
| 638 | RMI Delivery Ticket 474707 - RMI000746 | | |
| 639 | RMI Delivery Ticket 474703 - RMI000747 | | |
| 640 | RMI Delivery Ticket 474702 - RMI000748 | | |
| 641 | RMI Delivery Ticket 474701 - RMI000749 | | |
| 642 | RMI Delivery Ticket 474698 - RMI000750 | | |
| 643 | RMI Delivery Ticket 474697 - RMI000751 | NOT USED | |

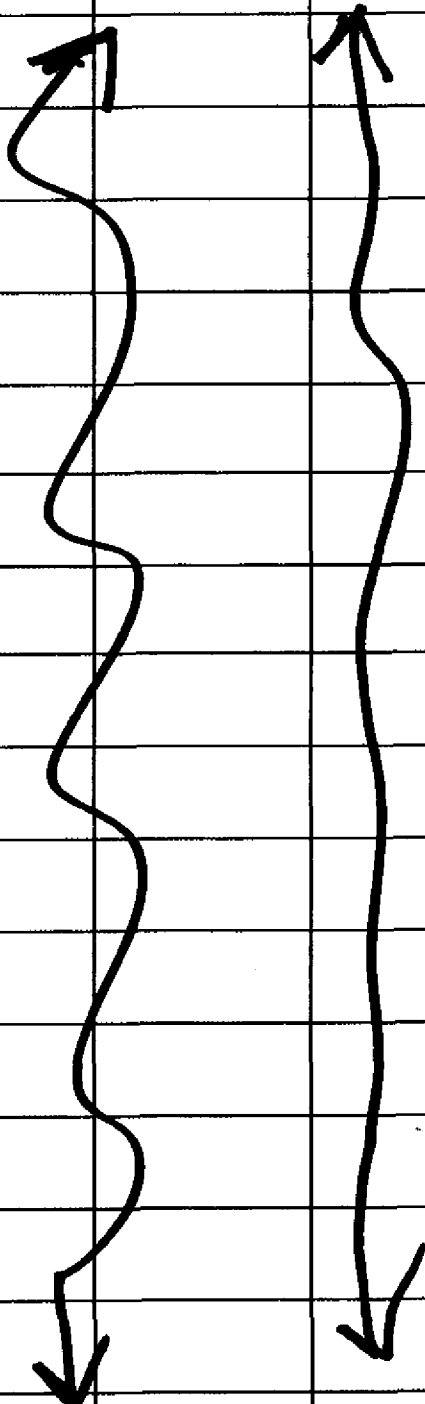
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| 654 | RMI Delivery Ticket 474684 - RMI000762 | | | |
| 655 | RMI Delivery Ticket 474681 - RMI000763 | | | |
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| 657 | RMI Delivery Ticket 474773 - RMI000765 | | | |
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| 659 | RMI Delivery Ticket 474959 - RMI000767 | | | |
| 660 | RMI Delivery Ticket 474957 - RMI000768 | | | |
| 661 | RMI Delivery Ticket 474954 - RMI000769 | NOT USED | | |


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| 662 | RMI Delivery Ticket 474953 - RMI000770 | NOT USED | |
| 663 | RMI Delivery Ticket 474961 - RMI000771 | | |
| 664 | RMI Delivery Ticket 485001 - RMI000772 |  | |
| 665 | RMI Delivery Ticket 484998 - RMI000773 | | |
| 666 | RMI Delivery Ticket 484979 - RMI000774 | | |
| 667 | RMI Delivery Ticket 484977 - RMI000775 | | |
| 668 | RMI Delivery Ticket 484959 - RMI000776 | | |
| 669 | RMI Delivery Ticket 484950 - RMI000777 | | |
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| 671 | RMI Delivery Ticket 484940 - RMI000779 | | |
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| 673 | RMI Delivery Ticket 484934 - RMI000781 | | |
| 674 | RMI Delivery Ticket 475215 - RMI000782 | | |
| 675 | RMI Delivery Ticket 475214 - RMI000783 | | |
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| 677 | RMI Delivery Ticket 475212 - RMI000785 | | |
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| 679 | RMI Delivery Ticket 475207 - RMI000787 | NOT USED | |

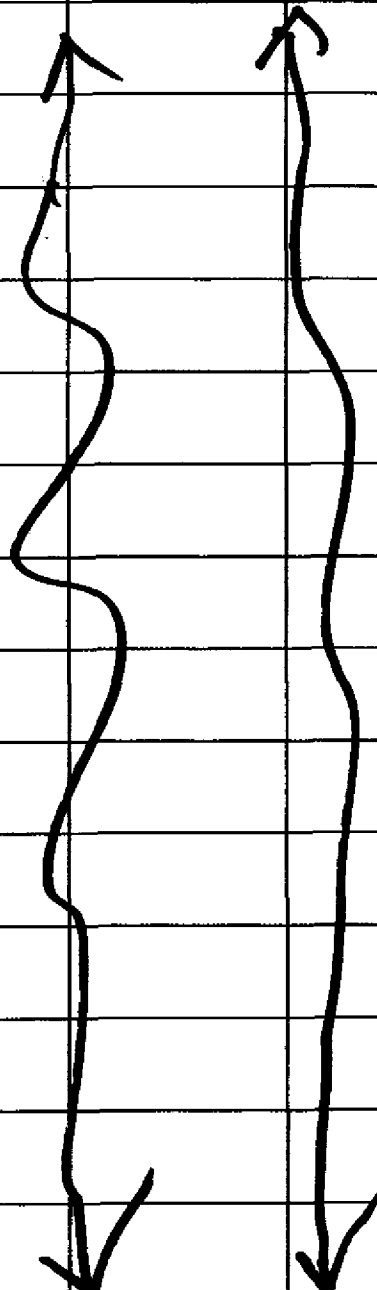
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| 695 | RMI Delivery Ticket 475186 - RMI000803 | | | |
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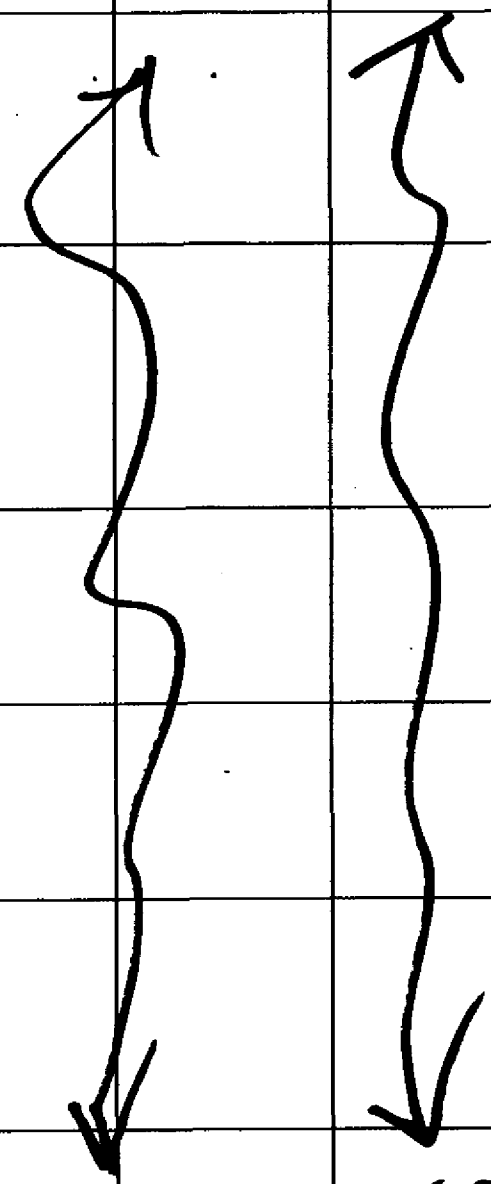


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| 707 | RMI Delivery Ticket 475316 - RMI000815 | | | |
| 708 | RMI Delivery Ticket 475315 - RMI000816 | | | |
| 709 | RMI Delivery Ticket 475314 - RMI000817 | | | |
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| 713 | RMI Delivery Ticket 475358 - RMI000821 | | | |
| 714 | RMI Delivery Ticket 475355 - RMI000822 | | | |
| 715 | RMI Delivery Ticket 475354 - RMI000823 | NOT USED | | |

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| 716 | RMI Delivery Ticket 475349 - RMI000824 | NOT USED | | |
| 717 | RMI Delivery Ticket 475348 - RMI000825 | | | |
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| 728 | RMI Delivery Ticket 475332 - RMI000836 | | | |
| 729 | RMI Delivery Ticket 475331 - RMI000837 | | | |
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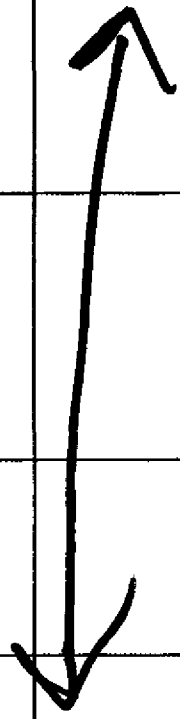
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| 751 | RMI Delivery Ticket 475771 - RMI000859 | NOT USED | | |

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| 752 | RMI Delivery Ticket 475770 - RMI000860 | NOT USED | | |
| 753 | RMI Delivery Ticket 475769 - RMI000861 |  | | |
| 754 | RMI Delivery Ticket 475768 - RMI000862 | | | |
| 755 | RMI Delivery Ticket 475767 - RMI000863 | | | |
| 756 | RMI Delivery Ticket 475765 - RMI000864 | | | |
| 757 | RMI Delivery Ticket 475764 - RMI000865 | | | |
| 758 | RMI Delivery Ticket 475763 - RMI000866 | | | |
| 759 | RMI Delivery Ticket 475762 - RMI000867 | | | |
| 760 | RMI Delivery Ticket 475761 - RMI000868 | | | |
| 761 | RMI Delivery Ticket 475836 - RMI000869 | | | |
| 762 | RMI Delivery Ticket 475841 - RMI000870 | | | |
| 763 | RMI Delivery Ticket 475840 - RMI000871 | | | |
| 764 | RMI Delivery Ticket 475839 - RMI000872 | | | |
| 765 | RMI Delivery Ticket 475838 - RMI000873 | | | |
| 766 | RMI Delivery Ticket 475837 - RMI000874 | | | |
| 767 | Otis Elevator, Ahern Rentals, Inquipco Certified Mail Receipts -RMI000875 | NOT USED | | |

| | | | | | |
|-----|-------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--|--|--|
| 768 | Thyssen Krupp elevator, Gemstone Development, Apco Construction Certified Mail Receipts - RMI000876 | NOT USED | | | |
| 769 | Accuracy Glass & Mirror, Paramount Scaffold, Steel Structures Certified Mail Receipts - RMI000877 |  | | | |
| 770 | Nevada Prefab Engineers, The Pressure Grout Company, Noorda Sheet Metal Certified Mail Receipts - RMI000878 | | | | |
| 771 | Apco Construction, Interstate Plumbing & Air, Carpet-N-More Certified Mail Receipts- RMI000879 | | | | |
| 772 | Viking Supply, Fast Glass, John Deere Landscapes Certified Mail Receipt - RMI000880 | | | | |
| 773 | Creative Home Theater, Graybar Electric, Camco Pacific Certified Mail Receipts - RMI000881 | | | | |
| 774 | Concrete Visions, Able Body Labor, Helix Electric Certified Mail Receipts - RMI000882 | NOT USED | | | |

| | | | | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| 775 | Nevada Power Company, White Cap Industries, HD Supply Waterworks Certified Mail Receipts - RMI000883 | | | | |
| 776 | WRG Design, Arch Aluminum & Glass, Dave Peterson Framing Certified Mail Receipts - RMI000884 | | | | |
| 777 | Zitting Brothers Construction, Atlas Construction Supply, Gale Building Products Certified Mail Receipts- RMI000885 | | | | |
| 778 | Northstar Concrete, Nedco Supply, Executive Plastering Certified Mail Receipts - RMI000886 | | | | |
| 779 | SelectBuild of Nevada, Eastridge Personnel, Tower Equipment Certified Mail Receipts - RMI000887 | | | | |
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NOT USED



NOT USED

PEEL BRIMLEY LIEN CLAIMANTS'

EXHIBIT LIST – A571228

March 1, 2013 Evidentiary Hearing – Dept 29, Judge Scann

| | | Offered | Objection | Admitted |
|-------------|-------------------------------------------------|---------|-----------|----------|
| Exhibit 1: | Executed Purchase and Sale Agreement | 3/1/13 | NO | 3/1/12 |
| Exhibit 2: | First Amendment to Purchase and Sale Agreement | | | |
| Exhibit 3: | Second Amendment to Purchase and Sale Agreement | | | |
| Exhibit 4: | Emails dated August 23, 2012 | | | |
| Exhibit 5: | Emails dated September 7, 2012 | | | |
| Exhibit 6: | Emails dated September 10, 2012 | | | |
| Exhibit 7: | Emails dated September 14, 2012 | | | |
| Exhibit 8: | Emails dated September 25, 2012 | | | |
| Exhibit 9: | Emails dated October 8, 2012 | | | |
| Exhibit 10: | Emails dated October 11, 2012 | | | |
| Exhibit 11: | Emails dated October 12, 2012 | | | |
| Exhibit 12: | Emails dated October 15, 2012 | | | |
| Exhibit 13: | Emails dated October 22, 2012 | | | |
| Exhibit 14: | Emails dated November 9, 2012 | | | |
| Exhibit 15: | Emails dated December 6, 2012 | | | |
| Exhibit 16: | Emails dated December 11, 2012 | | | |
| Exhibit 17: | Emails dated December 12, 2012 | | | |
| Exhibit 18: | Emails dated December 13, 2012 | | | |
| Exhibit 19: | Hearing Transcript dated July 18, 2012 | | | |
| Exhibit 20: | Hearing Transcript dated July 31, 2012 | | | |
| Exhibit 21: | Hearing Transcript dated August 16, 2012 | | | |
| Exhibit 22: | Hearing Transcript dated August 21, 2012 | | | |
| Exhibit 23: | Hearing Transcript dated September 26, 2012 | | | |
| Exhibit 24: | Hearing Transcript dated October 9, 2012 | | | |
| Exhibit 25: | Hearing Transcript dated October 16, 2012 | | | |
| Exhibit 26: | Hearing Transcript dated October 23, 2012 | | | |
| Exhibit 27: | Hearing Transcript dated December 6, 2012 | 3/1/12 | NO | 3/1/12 |
| EXHIBIT 28: | COPY OF E-MAIL AND PROPOSED ORDER | 3/7/13 | NO | 3/7/13 |

Grubb & Ellis

Non-Party

VAULT EXHIBIT FORM

| | |
|-----------------------------------------|----------------------------------------|
| CASE NO: 8A571228 | HEARING DATE: 3/1/13 |
| DEPT. NO. 29 | JUDGE: Susan Scann |
| | CLERK: YING PAN |
| | REPORTER: Angie Calvillo |
| PLAINTIFF Apco Construction | JURY FEES: |
| | |
| | COUNSEL FOR PLAINTIFF: Wade Frochnauer |
| DEFENDANT: Gemstone Development West | |
| | COUNSEL FOR DEFENDANT: Matthew Carter |
| | et. al. |

Date Offered Objection Date Admitted

| | | | |
|----------------------------------------------------|--------|----|--------|
| • A. Purchase & Sale Agreement | 3/1/13 | NO | 3/1/13 |
| • B. First Amendment to Purchase & Sale Agreement | | | |
| • C. Second Amendment to Purchase & Sale Agreement | | | |
| • D. Transcript of Hearing 8/16/12 | | | |
| • E. Transcript of Hearing 8/21/12 | | | |
| • F. Transcript of Hearing 9/26/12 | | | |
| • G. Transcript of Hearing 10/9/12 | | | |
| • H. Transcript of Hearing 10/16/12 | | | |
| • I. Transcript of Hearing 11/16/12 | | | |
| • J. Transcript of Hearing 12/6/12 | | | |
| • K. Affidavit of Brad Scott | | | |
| • L. Grubb & Ellis Agreement | 3/1/13 | NO | 3/1/13 |
| | | | |
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EXHIBITS

CASE NO. 08A5 / 1208

[illegible]

EXHIBIT LIST

CASE NO. A571228

TRIAL DATE: JANUARY 17, 2018

[CONSOLIDATED WITH A574391; A574792; A577623;
A583289; A587168; A58088L; A584730; A589195;
A595552; A597089; A592826; A589677; A596924;
A584960; A608717; A608718; AND A590319]

DEPT. NO.: XIII

JUDGE: MARK R. DENTON

COURT CLERK: MARWANDA KNIGHT

REPORTER: JENNIFER GEROLD

Plaintiff: APCO Construction

vs.

Defendant: Gemstone Development West, Inc., et al.

Counsel: Cody S. Mounter;

J. Randall Jeffries

Counsel: Unrepresented.

Related Cases:

Plaintiff-in-Intervention: National Wood Products, Inc.

Counsel: Richard L. Tobler; John B. Taylor;
S. Judy Hirahara

Defendant-in-Intervention: APCO Construction

Counsel: Cody Mounter; J. Randall Jeffries

Defendant-in-Intervention: Camco Pacific Construction
Company, Inc.

Counsel: Steven L. Morris

Counter Claimant: Camco Pacific Construction
Company, Inc.

vs.

Counter Defendant: National Wood Products, Inc.

TRIAL BEFORE COURT

PLAINTIFF APCO CONSTRUCTION'S EXHIBITS¹

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted |
|-------------|----------|---------------------------------------------|---------------------------|--------------|-----------|---------------|
| | | APCO GENERAL | | | | |
| 1 | 04/17/07 | Grading Agreement between Gemstone and Apco | APCO033494- APCO033515 | 01.17.18 | No | 01.17.18 WA |

¹ APCO reserves the right to use any exhibits it lists against any party, regardless of the party headings in the document.

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------|-----------|---------------|----|
| 2 | 09/06/07 | Apco/Gemstone General Construction | ZBCI002099-002141 | 01.17.18 | No | 01.17.18 | WA |
| 3 | 10/15/07 | Nevada/Gemstone Cost Plus/GMP Contract Disbursement Agreement | APCO033539-APCO033553 | " | " | " | WA |
| 4 | 06/30/08 | Apco Pay Application No. 9 Submitted to Gemstone | APCO034867-APCO034954 | " | " | " | WA |
| 5 | 07/18/08 | Letter from J. Barker to A. Edelstein re: Apco's Notice of Intent to Stop Work | ZBCI001151-ZBCI001154 | " | " | " | WA |
| 6 | 07/28/08 | Letter from J. Barker to A. Edelstein re: Apco's Notice of Intent to Terminate Contract | SIERRA000128-SIERRA000129 | 01/17/18 | No | 01/17/18 | WA |
| 7 | 07/30/08 | Letter from Scott Financial to Apco re: loan status | CAMCO-MW00042 | 01/18/18 | Stip | 01/18/18 | WA |
| 8 | 07/31/08 | Apco Pay Application No. 10 as submitted to Owner | APCO035144-APCO035179 | " | " | " | WA |
| 9 | 07/31/08 | Apco Pay Application No. 10 - NCS/Owner Approved with NCS Report for bank | 04215-04313 | 01/18/18 | Stip | 01/18/18 | WA |
| 10 | 08/11/08 | Letter from J. Barker to A. Edelstein re: Notice of Intent to Stop Work | NVPE000241-NVPE000246 | 01/17/18 | No | 01/17/18 | WA |
| 11 | 08/11/08 | Email from a. Bergman to J. Olivares, et al. re: Pay Application No. 9 - NCS-Owner Approved with NCS Report for Bank | 04333-04423 | 01/18/18 | Stip | 01/18/18 | WA |
| 12 | 08/12/08 | Email from C. Colligan to subcontractors re: Gemstone's financing | NVPE000247-NVPE000248 | " | " | " | WA |
| 13 | 08/15/08 | Letter from A. Edelstein to R. Nickerl re: Termination for Cause | 12418-12431 | 01/17/18 | No | 01/17/18 | WA |
| 14 | 08/15/08 | Letter from W. Gochnour to Sean Thueson re: response to Termination for Cause | APCO106381-APCO106388 | " | " | " | WA |
| 15 | 08/19/08 | Letter from R. Nickerl to A. Edelstein re: 48 hour notice | APCO106389-APCO106391 | " | " | " | WA |
| 16 | 08/19/08 | Email from J. Horning to A. Berman and J. Olivares re: joint cheks | 12342 | 01/17/18 | No | 01/17/18 | WA |
| 17 | 08/20/08 | Video - Roof Top/Common Corridor/Unit 455 (3:40-7:08 clip) -Drywall not complete (not even put on walls - shows bare framing and insulation) -Still needs clean up from framing sub | APCO0104410 | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------|-----------|---------------|----|
| 18 | 08/20/08 | Video – Unit 462 (2:36 minutes) -Drywall not complete (taping of drywall not complete) -Lighting trim & fixtures not installed | APCO104416 | 01/18/18 | Stip | 01/18/18 | WA |
| 19 | 08/20/08 | Video – 2 nd Floor/Common Corridor (2:56 minutes) -Drywall not complete (not even put on walls – shows bare framing and insulation exposed) | APCO104468 | | | | WA |
| 20 | 08/20/08 | Video – Unit 165 (2:44 minutes) -Drywall not complete -Lighting trim & fixtures not installed -No cabinets installed (APCO was billed and paid for installation of this unit) | APCO104471 | | | | WA |
| 21 | 08/20/08 | Video – Unit 161 (2:12 minutes) -Drywall not complete -Lighting trim & fixtures not installed -No cabinets installed (APCO billed and paid for installation of this unit) | APCO104478 | | | | WA |
| 22 | 08/20/08 | Video – Common Corridor (3:00) -Drywall not complete (not even put on walls-shows bare framing and insulation exposed) | APCO104490 | 01/18/18 | Stip | 01/18/18 | WA |
| 23 | 08/21/08 | Apco Subcontractor Notice of Stopping Work and Letter from J. Barker to A. Edelstein re: Notice of Stopping Work & Notice of Intent to Terminate Contract | APCO106287-102288 | 01/17/18 | No | 01/17/18 | WA |
| 24 | 08/22/08 | Letter from R. Nickerl to Clark County re: notification of APCO's withdrawal as General Contractor of Record | 03932-03938 | " | " | " | WA |
| 25 | 08/25/08 | Amended and Restated General Construction Agreement between Gemstone and Camco | CAMCO-MW01320-CAMCO-MW01361 | 01/18/18 | Stip | 01/18/18 | WA |
| 26 | 08/28/08 | Email from J. Gisondo to subcontractors re: June checks | NVPE000254 | 01/17/18 | No | 01/17/18 | WA |
| 27 | 08/28/08 | Letter from A. Edelstein to R. Nickerl re: June progress payment | 12357-12412 | 01/17/18 | No | 01/17/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|-----------------------------------------------------------------------------------------------------------------------|-----------------------|--------------|-----------|---------------|----|
| 28 | 09/05/08 | Letter from J. Barker to A. Edelstein re: Termination of Agreement for GMP | NVPE000255 | 01/17/18 | No | 01/17/18 | WA |
| 29 | 09/05/08 | Email from J. Robbins to Subcontractors re: billing cut-off for August billing | NVPE000256 | 01/18/18 | Stip | 01/18/18 | WA |
| 30 | 10/20/08 | Camco Pay Application No. 11 NCS-Owner Approved with NCS Draw Request | 00372-00396 | " | " | " | WA |
| 31 | 10/30/08 | Transmission of Apco's Pay Application No. 11 as Submitted to Owner | APCO035436-APCO035473 | 01/17/18 | No | 01/17/18 | WA |
| 32 | 11/20/08 | Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixture installed | APCO0102299 | 01/18/18 | Stip | 01/18/18 | WA |
| 33 | 11/20/08 | Photo re: Building 8 & 9, Interior - Showing drywall still not completed | APCO0102300 | | | | WA |
| 34 | 11/20/08 | Photo re: Building 8 & 9, Interior - Showing drywall still not completed | APCO0102321 | | | | WA |
| 35 | 11/20/08 | Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixtures installed | APCO0102328 | | | | WA |
| 36 | 11/20/08 | Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixtures installed | APCO0102341 | | | | WA |
| 37 | 11/20/08 | Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixtures installed | APCO0102345 | | | | WA |
| 38 | 11/20/08 | Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixtures installed | APCO0102346 | | | | WA |
| 39 | 12/15/08 | Email from K. Costen to Subcontractors informing that Manhattan West Project no longer open | ZBCI001117 | | | | WA |
| 40 | 12/22/08 | Letter from D. Parry to Subcontractors re: funding withdrawn | APCO106398 | | | | WA |
| | | *HELIX | | | | | |
| 41 | | Demonstrative: Billing and Payments Status Summary | NONE | | | | WA |
| 42 | | Demonstrative: Materials Stored Billing Status Summary Sheet | NONE | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|-------------------------------------------------------------------------------------------------------------|-----------------------|--------------|-----------|---------------|----|
| 43 | | Demonstrative: Payments and Releases through August 2008 (Pay Applications No. 1-12) | VARIOUS | 01/18/18 | Stip | 01/18/18 | WA |
| 44 | | Demonstrative: Helix Billing/Payment Chart for APCO for Manhattan West Phase 1 with Helix Correction | HELIX00400 | " | " | " | WA |
| 45 | 04/17/07 | Subcontract Agreement between Apco and Helix | APCO039520-APCO039547 | 01/17/18 | NO | 01/17/18 | WA |
| 46 | 05/31/08 | Helix Pay Application No. 16713-008R1 with Proof of Payment | APCO039611-APCO039624 | 01/18/18 | Stip | 01/18/18 | WA |
| 47 | 06/30/08 | Helix Pay Application No. 16713-009R1 with Proof of Payment | VARIOUS | | | | WA |
| 48 | 07/29/08 | Email from R. Nickler to B. Johnson re: Work Suspension Directive | HELIX00588 | | | | WA |
| 49 | 07/31/08 | Helix Pay Application No. 16713-010R2 with Proof of Payment | HELIX00339-HELIX00343 | | | | WA |
| 50 | 07/31/08 | Unconditional Waiver and Release re: Pay Application No. 8 w/copy of payment | HELIX00232-00233 | | | | WA |
| 51 | 08/20/08 | Photo re: Building 8 & 9, South – No exterior fixtures installed. Helix billed out at 90%. | APCO0102495 | | | | WA |
| 52 | 08/20/08 | Photo re: Building 8 & 9, North – No exterior fixtures installed. Helix billed out at 90%. | APCO0102498 | | | | WA |
| 53 | 08/20/08 | Photo re: Building 2 & 3, West – No exterior fixtures installed. Helix billed out at 90%. | APCO0102502 | | | | WA |
| 54 | 08/20/08 | Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%. | APCO0102504 | | | | WA |
| 55 | 08/20/08 | Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%. | APCO0102506 | | | | WA |
| 56 | 08/20/08 | Photo re: Building 8 & 9, North – No exterior fixtures installed. Helix billed out at 90%. | APCO0102507 | | | | WA |
| 57 | 08/20/08 | Photo re: Building 2 & 3, and 8 & 9, North – No exterior fixtures installed. Helix billed out at 90% | APCO0102508 | | | | WA |
| 58 | 08/31/08 | Helix Pay Application No. 16713-011R1 submitted to Owner | APCO035513-APCO035521 | | | | WA |
| 59 | 08/31/08 | Helix Pay Application No. 16713-011R1 given to Camco with Proof of Payment | VARIOUS | | | | WA |
| 60 | 08/31/08 | Helix Retention Rolled to Camco | VARIOUS | | | | WA |
| 61 | 09/03/08 | Unconditional Waiver and Release | HELIX00282- | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------|-----------|---------------|----|
| | | re: all invoices through 06/30/08 w/proof of payment | HELIX00284 | 01/18/18 | Stip | 01/18/18 | WA |
| 62 | 09/05/08 | Photo re: Building 8 & 9, South – No exterior fixtures installed. Helix billed out at 90%. | APCO0102516 | | | | WA |
| 63 | 09/05/08 | Photo re: Building 2 & 3, West – No exterior fixtures installed. Helix billed out at 90%. | APCO0102517 | | | | WA |
| 64 | 09/05/08 | Photo re: Building 2 & 3, West – No exterior fixtures installed. Helix billed out at 90%. Drywall not complete. | APCO102531 | | | | WA |
| 65 | 09/05/08 | Photo re: Building 2 & 3, South – No exterior fixtures installed. Helix billed out at 90%. Drywall not complete. | APCO0102532 | | | | WA |
| 66 | 09/29/08 | Letter of transmittal from Helix to Apco re: Helix Pay Application No. 16713-011R1 | VARIOUS | | | | WA |
| 67 | 10/01/08 | Photo re: Building 8 & 9, West – No exterior fixtures installed. Helix billed out at 90%. | APCO0102578 | | | | WA |
| 68 | 10/01/08 | Photo re: Building 8 & 9, West – No exterior fixtures installed. Helix billed out at 90%. | APCO0102579 | | | | WA |
| 69 | 10/01/08 | Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%. | APCO0102594 | | | | WA |
| 70 | 10/01/08 | Photo re: Building 8 & 9, South – No exterior fixtures installed. Helix billed out at 90%. | APCO0102625 | | | | WA |
| 71 | 10/10/08 | Photo re: Building 8 & 9, West – No exterior fixtures installed. Helix billed out at 90%. | APCO102627 | | | | WA |
| 72 | 10/10/08 | Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%. | APCO0102642 | | | | WA |
| 73 | 10/17/08 | Photo re: Building 8 & 9, West – No exterior fixtures installed. Helix billed out at 90%. | APCO0102655 | | | | WA |
| 74 | 10/17/08 | Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%. | APCO0102671 | | | | WA |
| 75 | 10/27/08 | Unconditional Release re: Pay Application No. 16713-011R1 w/proof of payment | HELIX00372- HELIX00377 | | | | WA |
| 76 | 01/29/09 | Amended Notice of Lien | APCO0103562- APCO0103576 | | | | WA |
| 77 | 04/14/09 | Helix Statement of Facts Constituting Notice of Lien and | NONE | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|-------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------|--------------|-----------|---------------|----|
| | | Third-Party Complaint | | | | | WA |
| 78 | 03/24/14 | Helix Contract with Martin Harris re: Building 2 & 3 | MHC3457-MHC3473 | 01/18/18 | Stip | 01/18/18 | WA |
| 79 | 04/16/14 | Helix Contract with Martin Harris re: Building 8 & 9 | MHC3401-MHC3418 | | | | WA |
| 80 | 04/29/15 | Martin Harris Subcontractor Change Order No. 00042 | MHC5321 | | | | WA |
| 81 | 08/31/16 | Helix Initial Disclosure Statement | NONE | | | | WA |
| | | *ZITTING BROTHERS | | | | | |
| 82 | | Contract Terms re: Retention | APCO044592-044608; APCO044620-044621 | | | | WA |
| 83 | | Change Orders initialed | ZBCI002059-ZBCI002077 | | | | WA |
| 84 | 04/17/07 | Subcontract Agreement between Apco and Zitting; and Exhibit "B" to subcontract | APCO044592-APCO044624 | | | | WA |
| 85 | 11/30/07-04/04/08 | Lumber Entries | NONE | | | | WA |
| 86 | 12/12/07-04/11/08 | Roy Zitting Daily Reports | VARIOUS | | | | WA |
| 87 | 03/26/08 | Apco Change Order No. 00037 | APCO035926 | | | | WA |
| 88 | 04/18/08 | Letter from J. Pelan to Zitting re: change order | APCO044771 | | | | WA |
| 89 | 04/29/08 | Apco Change Order No. 00001 | APCO044588 | | | | WA |
| 90 | 05/12/08 | Email from R. Zitting to L. Lynn re: extras and work orders | APCO106337 | | | | WA |
| 91 | 05/21/08 | Email from J. Griffith to R. Nicklerl, et al. re: structural change order comments and dispositions | APCO106338-APCO106343 | | | | WA |
| 92 | 05/30/08 | Zitting Change Order with \$30 hourly rate | APCO106344-APCO106351 | | | | WA |
| 93 | 05/30/08 | Zitting Pay Application No. 503 | VARIOUS | | | | WA |
| 94 | 05/31/08 | Zitting Supplier Releases | APCO044637-APCO044642 | | | | WA |
| 95 | 06/13/08 | Check No. 13956 payable to Zitting (\$156,574.60) - Progress Payment No. 6 | APCO044667-APCO044668 | | | | WA |
| 96 | 06/24/08 | Unconditional Lien Release re: Zitting | APCO044651 | | | | WA |
| 97 | 06/25/08 | Zitting Pay Application with Change Order billing re: Change Order No. 1-4 | APCO035128-APCO035136 | | | | WA |
| 98 | 07/01/08-10/11/08 | Zitting Job Costing | VARIOUS | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|-------------------|--------------------------------------------------------------------------------------------------------------|----------------------------|--------------|-----------|---------------|----|
| 99 | 07/01/08-02/28/09 | Zitting Job Costing After Billing 100%; and Zitting Change Orders | APCO106352-APCO106355 | 01/18/18 | Stip | 01/18/18 | WA |
| 100 | 07/28/08 | Check No. 14392 payable to Zitting (\$27,973.80); – Progress Payment No. 7 | APCO044643; and APCO044644 | | | | WA |
| 101 | 07/30/08 | Email from R. Nickerl to R. Zitting re: change orders | APCO106356-APCO106357 | | | | WA |
| 102 | 08/07/08 | Email from L. Lynn to J. Griffith, et al. re: Change Order No. 00011 “pending” | APCO106358-APCO106359 | | | | WA |
| 103 | 08/08/08 | Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour | APCO106360 | | | | WA |
| 104 | 08/08/08 | Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour with copies of change orders | APCO106361-APCO106380 | | | | WA |
| 105 | 08/08/08 | Ex. C to the Ratification – Zitting Quotes | ZBCI002098 | | | | WA |
| 106 | 08/08/08 | Unconditional Lien Release – Zitting (\$27,973.80) | APCO044636 | | | | WA |
| 107 | 08/12/08 | Email from C. Colligan to Subcontractors re: subcontractor concerns | NVPE000247-NVPE000248 | | | | WA |
| 108 | 08/20/08 | Photo of Video that contradicts claim for retention language | APCO0104410 (01) | | | | WA |
| 109 | 08/20/08 | Photo of Video that contradicts claim for retention language | APCO0104410 (02) | | | | WA |
| 110 | 08/20/08 | Photo of Video that contradicts claim for retention language | APCO0104412 | | | | WA |
| 111 | 08/20/08 | Photo of Video that contradicts claim for retention language | APCO0104441 | | | | WA |
| 112 | 08/20/08 | Photo of Video that contradicts claim for retention language | APCO0104490 (01) | | | | WA |
| 113 | 08/20/08 | Photo of Video that contradicts claim for retention language | APCO0104490 (02) | | | | WA |
| 114 | 08/20/08 | Photo of Video that contradicts claim for retention language | APCO0104490 (03) | | | | WA |
| 115 | 08/22/08 | Progress Payment No. 9 Remitted to Zitting | APCO106189 | | | | WA |
| 116 | 08/26/08 | Ratification and Amendment of Subcontract Agreement between Buchele and Camco | 09714-09717 | | | | WA |
| 117 | 08/26/08 | Exhibit C to the Ratification | ZBCI002098 | | | | WA |
| 118 | 08/26/08 | Q&A from Gemstone to subcontracts | APCO106392-APCO106394 | | | | WA |
| 119 | 08/28/08 | Check No. 528388 payable to Apco (\$33,847.55) – Progress Payment No. 8.1 and 8.2 | APCO044625-APCO044627 | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|-------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------|-----------|---------------|----|
| 120 | 08/31/08 | Tri-City Drywall Pay Application No. 7 to Apco as submitted to Owner. Show percentage complete for Zitting. | APCO035649- APCO035651 | 01/18/18 | Stip | 01/18/18 | WA |
| 121 | 09/15/08 | Field Change Directive | ZBCI002082- ZBCI002086 | | | | WA |
| 122 | 09/18/08 | Conditional Lien Release – Zitting (\$33,847.55) | 07930 | | | | WA |
| 123 | 09/22/08 | Email from N. Zitting to J. Olivares re: release from Wojan | 07905 | | | | WA |
| 124 | 10/09/08 | Email from L. Lynn to R. Zitting, et al. re: Final Project Summary Statement | APCO106395- APCO106397 | | | | WA |
| 125 | 11/20/08 | Photo of Video that contradicts claim for retention language | APCO0102299 | | | | WA |
| 126 | 11/20/08 | Photo of Video that contradicts claim for retention language | ACPO0102300 | | | | WA |
| 127 | 11/20/08 | Photo of Video that contradicts claim for retention language | APCO0102301 | | | | WA |
| 128 | 11/20/08 | Photo of Video that contradicts claim for retention language | APCO0102321 | | | | WA |
| 129 | 11/20/08 | Photo of Video that contradicts claim for retention language | APCO0102329 | | | | WA |
| 130 | 11/20/08 | Photo of Video that contradicts claim for retention language | APCO0102341 | | | | WA |
| 131 | 11/20/08 | Photo of Video that contradicts claim for retention language | APCO0102345 | | | | WA |
| 132 | 11/20/08 | Photo of Video that contradicts claim for retention language | APCO0102346 | | | | WA |
| 133 | 12/15/08 | Zitting Change Request Log – Outstanding | ZBCI001178 | | | | WA |
| 134 | 12/22/08 | Letter from D. Parry to G. Hall re: project suspension | CAMCO- MW01979- CAMCO- MW01980 | | | | WA |
| 135 | 12/23/08 | Notice of Lien filed by Zitting against Apco | ZBCI001965- ZBCI001972 | | | | WA |
| 136 | 01/30/09 | Fax from Zitting to Apco re: remaining contract work with change orders | ZBCI002030- ZBCI002041 | | | | WA |
| 137 | 03/09/09 | Zitting Accounting Sheet - JC Entries by Job | ZBCI001734 | | | | WA |
| 138 | 04/28/09 | Memo from Scott Financial to Nevada State Contractor's Board re: explanation of project payment process | CAMCO- MW00029- CAMCO- MW00037 | | | | WA |
| 139 | 04/30/09 | Zitting's Complaint re: Foreclosure | NONE | | | | WA |
| 140 | 04/06/10 | Zitting Aging Detail by Contract | ZBCI000120- ZBCI000121 | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|-------------------------------------------------------------------------------------|------------------------------|--------------|-----------|---------------|----|
| 141 | 04/06/10 | Statement of Account as of April 6, 2010 | ZBCI000117-ZBCI000121 | 01/18/18 | Stip | 01/18/18 | WA |
| 142 | 04/07/10 | Zitting Amended Notice of Lien | ZBCI001976-ZBCI001986 | | | | WA |
| 143 | 09/01/16 | Zitting's Initial Disclosure Statement | NONE | | | | WA |
| 144 | 02/08/17 | Zitting's First Supplemental Disclosure | NONE | | | | WA |
| 145 | 06/30/17 | Zitting's Second Supplemental Disclosure | NONE | | | | WA |
| 146 | 10/23/17 | Apco's Second Amended Notice of Deposition re: PMK for Zitting | NONE | | | | WA |
| | | *NATIONAL WOOD/CABINETEC | | | | | |
| 147 | | Demonstrative: Payments & Releases | VARIOUS | | | | WA |
| 148 | | Invoices from CabineTec to Apco | NWP00001-NWP00002 | | | | WA |
| 149 | 04/17/07 | Subcontract Agreement between Apco and CabineTec | APCO036976-APCO036992 | | | | WA |
| 150 | 08/05/08 | CabineTec delivery ticket and invoices (signed by Apco) | NWP00133; NWP00235; NWP00214 | | | | WA |
| 151 | 08/08/08 | CabineTec Pay Application to Apco with proof of payment | VARIOUS | | | | WA |
| 152 | 08/11/08 | Terms & Conditions modified by Apco, invoices and check payment | NWP00721-NWP00726 | | | | WA |
| 153 | 08/31/08 | Contract Agreement Progress Payment No. 2 | APCO104865-104866 | | | | WA |
| 154 | 09/22/08 | Check No. 529407 (\$161,262) from NCS to Apco | APCO104867 | | | | WA |
| 155 | 02/02/09 | CabineTec Notice of Lien against Apco and Camco | APCO103366-APCO103368 | | | | WA |
| 156 | 02/06/09 | CabineTec' Statement of Facts Constituting Lien Claim and Complaint in Intervention | NONE | | | | WA |
| 157 | 09/30/16 | National Wood's initial disclosure statement | NONE | | | | WA |
| 158 | 03/03/17 | National Wood's first supplemental disclosure | NONE | | | | WA |
| 159 | 11/13/17 | National Wood's second supplemental disclosure | NONE | 01.18.18 | Stip | 01.18.18 | WA |
| 160 | | Documents provided for settlement | VARIOUS | 01.18.18 | Stip | 01.18.18 | WA |
| | | *CAMCO | | | | | |
| 161 | | Camco Buildings 8 & 9 Schedule Start Date 08/29/08 | APCO104561-APCO104562 | 01/18/18 | Stip | 01/18/18 | WA |
| 162 | 08/25/08 | Amended and Restated General Construction Agreement between | CAMCO-MW01320- | 01/17/18 | NO | 01/17/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------|-----------|---------------|----|
| | | Gemstone and Camco | CAMCO-MW01361 | | | | |
| 163 | 09/30/08 | Camco Pay Application No. 12 to Gemstone | CAMCO-MW01249- CAMCO-MW01286 | 01/18/18 | Stip | 01/18/18 | WA |
| 164 | 12/16/08 | Email from B. Scott to J. Olivares re: no further draws being approved | CAMCO-MW00036 | | | | WA |
| 165 | 12/19/08 | Letter from D. Parry to A. Edelstein re: Gemstone loosing funding for project | CAMCO-MW02699 | | | | WA |
| 166 | 12/22/08 | Letter from D. Parry to G. Hall re: withdrawal of funding | CAMCO-MW01979- CAMCO-MW01980 | | | | WA |
| 167 | 12/31/08 | Camco Pay Application No. 15 to Gemston | CAMCO-MW01249- CAMCO-MW01288 | 01/18/18 | Stip | 01/18/18 | WA |
| 168 | 04/28/09 | Memo from Scott Financial to Nevada State Contractor's Board re: payment process for project | CAMCO-MW02702- CAMCO-MW02704 | 01/17/18 | No | 01/17/18 | WA |
| | | **HELIX | | | | | |
| 169 | | Helix Exhibit to Standard Subcontract Agreement with Camco | HELIX00882- HELIX00892 | 01/18/18 | Stip | 01/18/18 | WA |
| 170 | 08/26/08 | Subcontract Agreement between Helix and Camco (unsigned) | HELIX00837- HELIX00892 | | | | WA |
| 171 | 08/26/08 | Work Order No. 100 | HELIX00689- HELIX00692 | | | | WA |
| 172 | 09/04/08 | Letter from J. Griffith to Victor Fuchs re: Gemstone's intention to continue retention of Helix w/copy of Ratification and Amendment of Subcontract Agreement | HELIX00893- HELIX00903 | | | | WA |
| 173 | 09/30/08 | Helix Pay Application No. 16713-012 to Camco with proof of payment | 01933-01941; HELIX00657- HELIX00661 | | | | WA |
| 174 | 10/06/08 | Helix Change Order Request No. 28 | HELIX00761 | | | | WA |
| 175 | 10/29/08 | Change Notice No. 41 | HELIX00710- HELIX00712 | | | | WA |
| 176 | 10/31/08 | Helix Pay Application No. 16713-013 to Camco | 01391-01399; HELIX00597- HELIX00606 | | | | WA |
| 177 | 12/04/08 | Helix Pay Application No. 16713-014 to Camco | HELIX00631- HELIX00640 | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|-----------------------|----------------------------------------------------------------------------------------------------------|---------------------------------|--------------|-----------|---------------|----|
| 178 | 12/15/08 | Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application | HELIX00643- HELIX00656 | 01/18/18 | Stip | 01/18/18 | WA |
| | | **ZITTING BROTHERS | | | | | |
| 179 | | Camco Schedule reflecting framing inspection not complete | CAMCO-MW02190- CAMCO-MW02194 | | | | WA |
| 180 | 09/04/08- 10/08/08 | Zitting's Change Order Requests and Field Change Directives to Camco | ZBCI002078- ZBCI002097 | | | | WA |
| 181 | 11/18/08 | Change Order No. 3 re: options at buildings 8 and 9 | ZBCI000046 | | | | WA |
| | | **NATIONAL WOOD/ CABINETEC | | | | | |
| 182 | | Invoices from CabineTec to Camco | NWP00003- NWP00030 | | | | WA |
| 183 | 08/26/08 | Ratification and Amendment of Subcontract Agreement between CabineTec and Camco | NWP00609- NWP00612 | | | | WA |
| 184 | 08/26/08 | Ratification and Amendment of Subcontract Agreement between CabineTec and Camco (fully executed copy) | CAMCO-MW01648- CAMCO-MW01674 | | | | WA |
| 185 | 10/24/08 | CabineTec Pay Application No. 1024411-IN to Camco with NCS approved amount | 01172-01213 | | | | WA |
| 186 | 11/11/08 | Email from A. Edelstein to L. Duckstein, et al. re: payment | NWP00705- NWP00708 | | | | WA |
| 187 | 11/21/08 | Email from A. Edelstein to J. Robbins, et al. re: CabineTec comfort letter/difference in billing amounts | NWP00700- NWP00703 | | | | WA |
| 188 | 12/01/08 | Email from A. Edelstein to R. Trickett re: December 5 th payment | NWP00699 | | | | WA |
| 189 | 12/01/08 | Letter from Scott Financial to L. Duckstein re: October Payment Application | CAMCO-MW00034 | | | | WA |
| 190 | 12/15/08 | Email from A. Adelstein to L. Duckstein re: funding cut-off | NWP00692- NWP00696 | | | | WA |
| | | *BUCHELE | | | | | |
| 191 | | Buchele Business License | APCO106322 | | | | WA |
| 192 | | Buchele Contractor's License (reflecting out of business, prior to death) | APCO106323 | | | | WA |
| 193 | | Buchele Obituary information | APCO106324 | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|-------------------------------------------------------------------------------|-----------------------|--------------|-----------|---------------|----|
| 194 | | Payment information from NV Construction Services on behalf of Camco | APCO106325-APCO106336 | 01/18/18 | Stip | 01/18/18 | WA |
| 195 | 06/05/08 | Subcontract Agreement between Apco and Buchele | APCO036938-APCO036954 | | | | WA |
| 196 | 06/30/08 | Buchele Pay Application No. 1 to Apco with proof of payment | VARIOUS | | | | WA |
| 197 | 08/18/08 | Buchele Pay Application No. 2 to Apco with proof of payment | VARIOUS | | | | WA |
| 198 | 08/26/08 | Ratification and Amendment of Subcontract Agreement between Buchele and Camco | 09714-09717 | | | | WA |
| 199 | 09/29/08 | Camco transmittal cover sheet to Buchele re: contract | CAMCO-MW01559 | | | | WA |
| 200 | 09/30/08 | Buchele Payment Request No. 2 to Camco with proof of payment | 01682-01683; 01692 | | | | WA |
| 201 | 10/21/08 | Buchele Billing Statement No. 3 to Camco | BUCH0084-BUCH0086 | | | | WA |
| 202 | 10/21/08 | Buchle Pay Application No. 3 to Camco | 01167-01171 | | | | WA |
| 203 | 11/08/17 | Buchele Billing Statement No. 4 to Camco | BUCH00104-BUCH00112 | | | | WA |
| 204 | 12/22/08 | Letter from D. Parry to T. Buchele re: funding withdrawn | BUCH00117-BUCH00118 | | | | WA |
| 205 | 12/30/08 | Buchele Notice of Lien | APCO106401-APCO106402 | | | | WA |
| 206 | 06/01/09 | Statement of Facts Constituting Lien on Behalf of Buchele | NONE | | | | WA |
| 207 | 05/03/10 | Declaration of Thomas Buchele | BUCH00141-BUCH00143 | | | | WA |
| 208 | 08/31/16 | Buchele Initial Disclosure Statement | NONE | | | | WA |
| | | *GENERAL | | | | | |
| 209 | 05/31/08 | InsulPro Progress Payment No. 12 | APCO103135-APCO103138 | | | | WA |
| 210 | 06/30/08 | Zitting Invoice NO. 73828 | APCO104233-APCO | | | | WA |
| 211 | 06/30/08 | Zitting Pay Application No. 509 | ZBCI002037-ZBCI002038 | 01/18/18 | Stip | 01/18/18 | WA |
| 212 | 07/02/08 | Letter from Edelstein to R. Nickert re: NRS 624 Notic | 04592-04595 | 01 17 18 | NO | 01 17 18 | WA |
| 213 | 07/08/08 | Letter from J. Barker to A. Edelstein re: NRS 624 Notice | 04596-04599 | " | " | " | WA |
| 214 | 07/31/08 | InsulPro Progress Payment No. 3.1 | APCO10139-APCO103141 | 01/18/18 | Stip | 01/18/18 | WA |
| 215 | 08/15/08 | Email from C. Colligan to subcontractors re: 48 hour termination notice | NONE | 01 17 18 | NO | 01 17 18 | WA |
| 216 | 08/18/08 | Email from C. Colligan re: | NONE | 01.17.18 | NO | 01.17.18 | WA |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted | |
|-------------|----------|----------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------|--------------------------------|---------------|----|
| | | meeting with subcontractors | | | | | |
| 217 | 08/21/08 | InsulPro Invoice No. 0008927P5 | APCO103142- APCO103146 | 01/18/18 | Stip | 01/18/18 | WA |
| 218 | 08/31/08 | Camco/Owner Pay Application No. 11 w/backup | CAMCO- MW00045- CAMCO-MW | 01/17/18 | NO | 01/17/18 | WA |
| 219 | 09/09/08 | APCO Complaint against Gemstone | NONE | | Improper use of pleading | | |
| 220 | 09/30/08 | Camco/Owner Pay Application No. 12 w/backup | CAMCO- MW00249- CAMCO- MW00552 | 01/18/18 | Stip | 01/18/18 | WA |
| 221 | 10/31/08 | Camco/Owner Pay Application No. 13 w/backup | CAMCO- MW00553- CAMCO- MW01005 | " | " | " | WA |
| 222 | 11/30/08 | Camco/Owner Pay Application No. 14 w/backup | CAMCO- MW01006- CAMCO- MW01248 | 01/18/18 | Stip | 01/18/18 | WA |
| 223 | 12/08/08 | APCO's First Amended Complaint | NONE | Returned | Improper use of pleading | Counsel | |
| 224 | 12/24/08 | MASCO 15 day Notice of Intent to Lien | APCO103147- APCO103150 | 01/18/18 | Stip | 01/18/18 | WA |
| 225 | 12/31/08 | Camco/Owner Pay Application No. 15 | CAMCO- MW01249- CAMCO- MW01288 | 01/18/18 | Stip | 01/18/18 | WA |
| 226 | 01/15/09 | Gemstone's Answer to APCO Complaint and Counterclaim | NONE | Returned | Improper use of pleading | Counsel | |
| 227 | 02/04/09 | APCO's Reply to Gemstone's Counterclaim | NONE | " | Improper use of pleading | " | |
| 228 | 03/16/09 | APCO's Answer to Cabinetec's Statement of Facts | NONE | 1/19/18 | Improper use of pleading | 1/19/18 | WA |
| 229 | 06/10/09 | APCO's Answer to Zitting's Complaint | NONE | Returned | Improper use of pleading | Counsel | |
| 230 | 06/22/09 | Gemstone's Answer to APCO's Cross-Claim Contained in its Answer to Steel's Amended Statement of Facts | NONE | " | Improper use of pleading | " | |
| 231 | 06/24/09 | Helix's Amended Statement of Facts | NONE | 1/19/18 | Improper use of pleading | 1/19/18 | WA |
| 232 | 08/05/09 | APCO's Answer to Helix's | NONE | | Improper | | |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted |
|-------------|----------|----------------------------------------------------------------------------|-----------|--------------|---------------------------|---------------|
| | | Amended Statement of Facts | | | use of pleading | |
| 233 | 01/26/10 | Case Management Order | NONE | | Improper use of pleading | |
| 234 | 03/17/10 | APCO's Initial Disclosure Statement | NONE | | Improper use of discovery | |
| 235 | 03/25/10 | APCO's First Supplemental Disclosure Statement | NONE | | Improper use of discovery | |
| 236 | 04/12/10 | APCO's Response to Zitting's Request for Admissions | NONE | | Improper use of discovery | |
| 237 | 04/29/10 | APCO's Response to Zitting's Interrogatories | NONE | | Improper use of discovery | |
| 238 | 07/29/10 | APCO's Third Supplemental Disclosure Statement | NONE | | Improper use of discovery | |
| 239 | 07/29/10 | InsulPro's Response to APCO's Request for Admissions | NONE | | Improper use of discovery | |
| 240 | 09/27/10 | APCO's Fourth Supplemental Disclosure Statement | NONE | | Improper use of discovery | |
| 241 | 12/14/10 | Notice of Entry of Order Granting Scott Financial's Motion to Stay | NONE | | Improper use of pleading | |
| 242 | 11/30/12 | Notice of Entry of Order Staying Case, Except for the Sale of the Property | NONE | | Improper use of pleading | |
| 243 | 04/23/13 | Order Approving Sale of Property | NONE | | Improper use of pleading | |
| 244 | 11/24/15 | Order Denying Rehearing | NONE | | Improper use of pleading | |
| 245 | 02/19/16 | Order Denying En Banc Reconsideration | NONE | | Improper use of pleading | |
| 246 | 04/14/16 | Order Releasing Sale Proceeds | NONE | | Improper use of pleading | |
| 247 | 06/06/16 | APCO's Fifth Supplemental Disclosure Statement | NONE | | Improper use of discovery | |
| 248 | 08/08/16 | Special Master Report, Recommendation and Order | NONE | | Improper use of discovery | |

Returned to Counsel

Returned to Counsel

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted |
|-------------|----------|--------------------------------------------------------------------------------------|-----------|---------------------|---------------------------|---------------|
| 249 | 08/31/16 | APCO's Sixth Supplemental Disclosure Statement | NONE | Returned to Counsel | Improper use of discovery | Counsel |
| 250 | 09/22/16 | Utah Special Master Questionnaire | NONE | | Improper use of discovery | |
| 251 | 09/23/16 | National Wood's Response to Special Master Questionnaire | NONE | | Improper use of discovery | |
| 252 | 02/14/17 | Zitting Verification to Responses to APCO's First Set of Interrogatories | NONE | | Improper use of discovery | |
| 253 | 03/03/17 | APCO's Answers to National Wood's Requests for Interrogatories | NONE | | Improper use of discovery | |
| 254 | 03/03/17 | APCO's Answers to National Wood's Requests for Admissions | NONE | | Improper use of discovery | |
| 255 | 03/03/17 | National Wood's Responses to APCO's First Set of Interrogatories | NONE | | Improper use of discovery | |
| 256 | 03/03/17 | National Wood's Responses to APCO's First Set of Request for Production of Documents | NONE | Returned to Counsel | Improper use of discovery | Counsel |
| 257 | 03/14/17 | Nevada State Contractor's Board Search re: Uintah Investments | NONE | 01.18.18 | Stip | 01.18.18 WA |
| 258 | 03/14/17 | Nevada Secretary of State's Search re: Uintah Investments | NONE | 01.18.18 | Stip | 01.18.18 WA |
| 259 | 03/29/17 | Helix PMK - Notice of Deposition | NONE | Returned to Counsel | Improper use of discovery | Counsel |
| 260 | 03/29/17 | National Wood PMK - Notice of Deposition | NONE | | Improper use of discovery | |
| 261 | 03/29/17 | Zitting PMK Notice of Deposition | NONE | | Improper use of discovery | |
| 262 | 05/08/17 | Special Master Report Regarding Discovery Status | NONE | | Improper use of discovery | |
| 263 | 05/11/17 | Amended Notice of Deposition re: APCO, and Request for Production of Documents | NONE | | Improper use of discovery | |
| 264 | 05/12/17 | APCO's Answer to Zitting's First Requests for Interrogatories | NONE | | Improper use of discovery | |
| 265 | 05/12/17 | APCO's Answer to Zitting's First Requests for Admissions | NONE | Returned to Counsel | Improper use of discovery | Counsel |

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted |
|-------------|----------|--------------------------------------------------------------------|-----------|--------------|---------------------------|---------------|
| 266 | 05/15/17 | APCO's Answer to Helix's First Requests for Interrogatories | NONE | | Improper use of discovery | |
| 267 | 05/15/17 | APCO's Response to Helix's First Set of Requests for Admissions | NONE | | Improper use of discovery | |
| 268 | 05/16/17 | Helix PMK - Notice of Deposition | NONE | | Improper use of discovery | |
| 269 | 05/23/17 | National Wood PMK - Notice of Deposition | NONE | | Improper use of discovery | |
| 270 | 06/02/17 | APCO's Seventh Supplemental Disclosure Statement | NONE | | Improper use of discovery | |
| 271 | 06/05/17 | APCO's Eighth Supplemental Disclosure Statement | NONE | | Improper use of discovery | |
| 272 | 06/05/17 | APCO's PMK Deposition Transcript | NONE | | Improper use of discovery | |
| 273 | 06/07/17 | Helix PMK - Amended Notice of Deposition | NONE | | Improper use of discovery | |
| 274 | 06/26/17 | APCO's Motion for Summary Judgment re: NRS 108 Claim | NONE | | Improper use of pleading | |
| 275 | 06/30/17 | APCO's Ninth Supplemental Disclosure Statement | NONE | | Improper use of discovery | |
| 276 | 07/17/17 | APCO PMK Notice of Deposition | NONE | | Improper use of discovery | |
| 277 | 07/18/17 | APCO PMK Deposition Transcript | NONE | | Improper use of discovery | |
| 278 | 07/19/17 | APCO PMK Deposition Transcript | NONE | | Improper use of discovery | |
| 279 | 07/20/17 | Helix PMK Deposition Transcript | NONE | | Improper use of discovery | |
| 280 | 07/31/17 | Zitting Motion for Partial Summary Judgment Against APCO | NONE | | Improper use of pleading | |
| 281 | 08/21/17 | APCO's Opposition to Zitting's Motion for Partial Summary Judgment | NONE | | Improper use of pleading | |
| 282 | 08/21/17 | Mary Jo Allen Declaration in Support of APCO's Opposition to | NONE | | Improper use of pleading | |

Returned to Counsel

Returned to Counsel

| Exhibit No. | Date | Exhibit Description | Bates No. | Date Offered | Objection | Date Admitted |
|-------------|----------|---------------------------------------------------------------------------------|-----------|--------------|---------------------------|---------------|
| | | Zitting's Motion for Partial Summary Judgment | | | pleading | |
| 283 | 08/30/17 | APCO's Tenth Supplemental Disclosure Statement | NONE | | Improper use of discovery | |
| 284 | 10/05/17 | Transcript of Hearing re: All Pending Motions | NONE | | Improper use of pleading | |
| 285 | 10/16/17 | M. Bacon email to E. Zimbelman | NONE | 01.18.18 | Stip | 01.18.18 |
| 286 | 10/17/17 | E. Zimbelman email to M. Bacon | NONE | " | " | " |
| 287 | 10/17/17 | M. Bacon email to E. Zimbelman | NONE | 01.18.18 | Stip | 01.18.18 |
| 288 | 10/18/17 | National Wood PMK - Amended Notice of Deposition | NONE | | Improper use of discovery | |
| 289 | 10/18/17 | Zitting PMK - Amended Notice of Deposition | NONE | | Improper use of discovery | |
| 290 | 10/20/17 | National Wood PMK - Second Amended Notice of Deposition | NONE | | Improper use of discovery | |
| 291 | 10/23/17 | Zitting PMK - Second Amended Notice of Deposition | NONE | | Improper use of discovery | |
| 292 | 10/26/17 | Buchele PMK - Notice of Deposition | NONE | | Improper use of discovery | |
| 293 | 10/26/17 | Order Reopening Discovery | NONE | | Improper use of pleading | |
| 294 | 10/27/17 | National Wood PMK - Notice of Continued Notice of Deposition | NONE | | Improper use of discovery | |
| 295 | 10/30/17 | Notice of Entry of Order re: Peel Brimley's Motion for Partial Summary Judgment | NONE | | Improper use of pleading | |
| 296 | 11/03/17 | National Wood PMK - Third Amended Notice of Deposition | NONE | | Improper use of discovery | |
| 297 | 11/06/17 | National Wood PMK - Notice of Vacating Notice of Deposition | NONE | | Improper use of discovery | |
| 298 | 11/07/17 | APCO's Supplemental Answers to Helix's First Requests for Interrogatories | NONE | | Improper use of discovery | |
| 299 | 11/07/17 | APCO's Supplemental Answers to Zitting's First Requests for Admissions | NONE | | Improper use of discovery | |
| 300 | 11/07/17 | APCO's Supplemental Answers to | NONE | | Improper use of discovery | |

EXHIBIT LIST

CASE NO. A571228

TRIAL DATE: JANUARY 9, 2018

[Consolidated with A574391; A574792; A577623;
A583289; A587168; A580881; A584730; A589195;
A595552; A597089; A592826; A589677; A596924;
A584960; A608717; A608718; and A590319]

DEPT. NO.: XIII

JUDGE: MARK R. DENTON
COURT CLERK: MARWANDA KNIGHT
REPORTER: JENNIFER GEROLD

PLAINTIFF: APCO Construction
vs.
DEFENDANT: Gemstone Development West, Inc., et al.

COUNSEL: Cody S. Munteer;
J. Randall Jeffries
COUNSEL: Unrepresented.

RELATED CASES:

PLAINTIFF-IN-INTERVENTION: National Wood Products, Inc.
vs.

Defendant-in-Intervention: APCO Construction
Defendant-in-Intervention: Camco Pacific Construction
Company, Inc.

COUNSEL: Richard L. Tobler; John B. Taylor;
S. Judy Hirahara
COUNSEL: Cody Munteer; J. Randall Jeffries
COUNSEL: Steven L. Morris

COUNTER CLAIMANT: Camco Pacific Construction
Company, Inc.
vs.
COUNTER DEFENDANT: National Wood Products, Inc.

TRIAL BEFORE COURT

PLAINTIFF IN INTERVENTION, NATIONAL WOOD PRODUCTS, INC.'S EXHIBITS

| EXHIBIT NO. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
|----------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|------------------|
| 3001 | 09/06/07 | Manhattan West General Construction Agreement for GMP between Gemstone Development West, Inc. and Asphalt Products Corporation dba APCO Construction | 01/18/18 | Stip | 01/18/18 |

| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
|----------------|----------|----------------------------------------------------------------------------------------|-----------------|-----------|------------------|
| 3002 | 04/28/08 | Subcontract Agreement between APCO Construction and Cabinetec, Inc. | 01/18/18 | Stip | 01/18/18 |
| 3003 | 07/31/08 | Cabinetec's Invoice No. 1023635-IN to APCO for Building 8 Unit 152 Plan P-B4A | | | |
| 3004 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023635 | | | |
| 3005 | 07/31/08 | Cabinetec's Invoice No. 1023636-IN to APCO for Building 8 Unit 153 Plan P-B3 | | | |
| 3006 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023636 | | | |
| 3007 | 07/31/08 | Cabinetec's Invoice No. 1023637-IN to APCO for Building 8 Unit 154 Plan P-B1 | | | |
| 3008 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023637 | | | |
| 3009 | 07/31/08 | Cabinetec's Invoice No. 1023638-IN to APCO for Building 8 Unit 155 Plan P-B5 | | | |
| 3010 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023638 | | | |
| 3011 | 07/31/08 | Cabinetec's Invoice No. 1023639-IN to APCO for Building 8 Unit 156 Plan P-B6 | | | |
| 3012 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023639 | 01/18/18 | Stip | 01/18/18 |

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| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3013 | 07/31/08 | Cabinetec's Invoice No. 1023640-IN to APCO for Building 8 Unit 158 Plan P-A1 | 01/18/18 | Stip | 01/18/18 |
| 3014 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023640 | | | |
| 3015 | 07/31/08 | Cabinetec's Invoice No. 1023641-IN to APCO for Building 8 Unit 160 Plan P-B4B | | | |
| 3016 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023641 | | | |
| 3017 | 07/31/08 | Cabinetec's Invoice No. 1023642-IN to APCO for Building 8 Unit 161 Plan P-B3 | | | |
| 3018 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023642 | | | |
| 3019 | 07/31/08 | Cabinetec's Invoice No. 1023643-IN to APCO for Building 8 Unit 162 Plan P-B4B | | | |
| 3020 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023643 | | | |
| 3021 | 07/31/08 | Cabinetec's Invoice No. 1023644-IN to APCO for Building 8 Unit 164 Plan P-B4ANSI | | | |
| 3022 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023644 | | | |
| 3023 | 07/31/08 | Cabinetec's Invoice No. 1023645-IN to APCO for Building 8 Unit 166 Plan P-B6 | 01/18/18 | Stip | 01/18/18 |

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| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3024 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023645 | 01/18/18 | Stip | 01/18/18 |
| 3025 | 07/31/08 | Cabinetec's Invoice No. 1023646-IN to APCO for Building 8 Unit 167 Plan P-B5 | | | |
| 3026 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023646 | | | |
| 3027 | 07/31/08 | Cabinetec's Invoice No. 1023647-IN to APCO for Building 8 Unit 168 Plan P-B1 | | | |
| 3028 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023647 | | | |
| 3029 | 07/31/08 | Cabinetec's Invoice No. 1023648-IN to APCO for Building 8 Unit 168 Plan P-B3 | | | |
| 3030 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023648 | | | |
| 3031 | 07/31/08 | Cabinetec's Invoice No. 1023649-IN to APCO for Building 9 Unit 152 Plan P-B4S | | | |
| 3032 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023649 | | | |
| 3033 | 07/31/08 | Cabinetec's Invoice No. 1023650-IN to APCO for Building 9 Unit 153 Plan P-B3 | | | |
| 3034 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023650 | 01/18/18 | Stip | 01/18/18 |

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| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3035 | 07/31/08 | Cabinetec's Invoice No. 1023651-IN to APCO for Building 9 Unit 154 Plan P-B1 | 01/18/18 | Stip | 01/18/18 |
| 3036 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023651 | | | |
| 3037 | 07/31/08 | Cabinetec's Invoice No. 1023652-IN to APCO for Building 9 Unit 155 Plan P-B5 | | | |
| 3038 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023652 | | | |
| 3039 | 07/31/08 | Cabinetec's Invoice No. 1023653-IN to APCO for Building 9 Unit 156 Plan P-B6 | | | |
| 3040 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023653 | | | |
| 3041 | 07/31/08 | Cabinetec's Invoice No. 1023654-IN to APCO for Building 9 Unit 158 Plan P-A1 | | | |
| 3042 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023654 | | | |
| 3043 | 07/31/08 | Cabinetec's Invoice No. 1023655-IN to APCO for Building 9 Unit 160 Plan P-B4P | | | |
| 3044 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023655 | | | |
| 3045 | 07/31/08 | Cabinetec's Invoice No. 1023656-IN to APCO for Building 9 Unit 161 Plan P-B3 | 01/18/18 | Stip | 01/18/18 |

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| EXHIBIT NO. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3046 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023656 | 01/18/18 | Stip | 01/18/18 |
| 3047 | 07/31/08 | Cabinetec's Invoice No. 1023657-IN to APCO for Building 9 Unit 162 Plan P-B4B | | | |
| 3048 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023657 | | | |
| 3049 | 07/31/08 | Cabinetec's Invoice No. 1023658-IN to APCO for Building 9 Unit 164 Plan P-B4A | | | |
| 3050 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023658 | | | |
| 3051 | 07/31/08 | Cabinetec's Invoice No. 1023659-IN to APCO for Building 9 Unit 166 Plan P-B6 | | | |
| 3052 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023659 | | | |
| 3053 | 07/31/08 | Cabinetec's Invoice No. 1023660-IN to APCO for Building 9 Unit 167 Plan P-B5 | | | |
| 3054 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023660 | | | |
| 3055 | 07/31/08 | Cabinetec's Invoice No. 1023661-IN to APCO for Building 9 Unit 168 Plan P-B1 | | | |
| 3056 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023661 | 01/18/18 | Stip | 01/18/18 |

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| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3057 | 07/31/08 | Cabinetec's Invoice No. 1023662-IN to APCO for Building 9 Unit 169 Plan P-B3 | 01/18/18 | Stip | 01/18/18 |
| 3058 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023662 | | | |
| 3059 | 07/31/08 | Cabinetec's Invoice No. 1023663-IN to APCO for Building 8 Unit 151 Plan P-S | | | |
| 3060 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023663 | | | |
| 3061 | 07/31/08 | Cabinetec's Invoice No. 1023664-IN to APCO for Building 8 Unit 159 Plan P-C1 | | | |
| 3062 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023664 | | | |
| 3063 | 07/31/08 | Cabinetec's Invoice No. 1023665-IN to APCO for Building 8 Unit 163 Plan P-C1 | | | |
| 3064 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023665 | | | |
| 3065 | 07/31/08 | Cabinetec's Invoice No. 1023666-IN to APCO for Building 8 Unit 165 Plan P-C2 | | | |
| 3066 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023666 | | | |
| 3067 | 07/31/08 | Cabinetec's Invoice No. 1023667-IN to APCO for Building 8 Unit 177 Plan P-C2A | 01/18/18 | Stip | 01/18/18 |

| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3068 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023667 | 01/18/18 | Stip | 01/18/18 |
| 3069 | 07/31/08 | Cabinetec's Invoice No. 1023668-IN to APCO for Building 8 Unit 187 Plan P-C2B | | | |
| 3070 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023668 | | | |
| 3071 | 07/31/08 | Cabinetec's Invoice No. 1023669-IN to APCO for Building 9 Unit 151 Plan P-S | | | |
| 3072 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023669 | | | |
| 3073 | 07/31/08 | Cabinetec's Invoice No. 1023670-IN to APCO for Building 9 Unit 159 Plan P-C1 | | | |
| 3074 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023670 | | | |
| 3075 | 07/31/08 | Cabinetec's Invoice No. 1023671-IN to APCO for Building 9 Unit 163 Plan P-C1 | | | |
| 3076 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023671 | | | |
| 3077 | 07/31/08 | Cabinetec's Invoice No. 1023672-IN to APCO for Building 9 Unit 165 Plan P-C2 | | | |
| 3078 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023672 | 01/18/18 | Stip | 01/18/18 |

| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3079 | 07/31/08 | Cabinetec's Invoice No. 1023673-IN to APCO for Building 9 Unit 177 Plan P-C2A | 01/18/18 | Stip | 01/18/18 |
| 3080 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023673 | | | |
| 3081 | 07/31/08 | Cabinetec's Invoice No. 1023674-IN to APCO for Building 9 Unit 187 Plan P-C2B | | | |
| 3082 | 07/31/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023674 | | | |
| 3083 | 07/31/08 | APCO worksheet of work performed by Cabinetec through 7/31/2008 | | | |
| 3084 | | APCO Subcontractor Summary July 2008 Application #10 | | | |
| 3085 | | APCO Line Item Consolidation July 2008 Application #10 | | | |
| 3086 | | APCO Subcontractor Payment Summary July 2008 Application #10 | | | |
| 3087 | 08/05/08 | Gemstone's acknowledgement of receipt of cabinet delivery for Floor One of Building 8 and 9 to Manhattan West Job site and invoices on 08/01/08 | | | |
| 3088 | 08/05/08 | APCO's acknowledgement of receipt of cabinet delivery for Floor One of Building 8 and 9 to Manhattan West Job site and invoices on 08/01/08 | 01/18/18 | Stip | 01/18/18 |

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| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3089 | 08/06/08 | Letter Agreement between APCO and Cabinetec for storage of cabinets at Manhattan West job site. | 01/18/18 | Stip | 01/18/18 |
| 3090 | 08/08/08 | Cabinetec's Statement of Account to APCO | | | |
| 3091 | | Cabinetec's Statement of Invoices to APCO in the sum of \$88,545.00 for cabinets delivered on 08/01/08 | | | |
| 3092 | | Cabinetec's Statement of Invoices to APCO in the sum of \$90,675.00 for cabinets delivered on 08/01/08 | | | |
| 3093 | 08/21/08 | Notice to all Manhattan (sic) West Subcontractors from APCO regarding APCO's Notice of Stopping Work and Notice of Intent to Terminate Contract for nonpayment | | | |
| 3094 | 08/21/08 | Letter to Alexander Edelstein, CEO, Gemstone Development, from James M. Barker, Corporate Counsel for APCO | | | |
| 3095 | 08/25/08 | Amended and Restated Manhattan West General Construction Agreement | | | |
| 3096 | 08/26/08 | Ratification and Amendment of Subcontract Agreement Cabinetec | | | |
| 3097 | 09/11/08 | Transmittal Coversheet from Gemstone to Cabinetec attaching Ratification to Subcontract Agreement revised 9/10/08 | | | |
| 3098 | 09/23/08 | Email from Jennifer Olivares of Nevada Construction Services to Audrie Bergman, cc: Jim Horning; Jill Gisondo; Craig Colligan; Jennifer Griffith; Yfarren; Mary Jo Allen; Randy Nicklerl Subject: Manhattan West July Checks | 01/18/18 | Stip | 01/18/18 |

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| EXHIBIT NO. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED | |
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| 3099 | 09/23/08 | Joint check from Nevada Construction Services to APCO and Cabinetec | 01/18/18 | Stip | 01/18/18 | YB |
| 3100 | | Nevada Construction Services Progress Payment #1 summary sheet | | | | YB |
| 3101 | | Manhattan West Contractor Pay Application #12 for September 2008 | | | | YB |
| 3102 | 10/15/08 | Nevada Construction Services Construction Progress Report for Manhattan West Condominiums | | | | YB |
| 3103 | 10/17/08 | Cabinetec's Invoice No. 1023635RT to Camco for unpaid retention | | | | YB |
| 3104 | 10/17/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023635RT to Camco for unpaid retention | | | | YB |
| 3105 | 10/24/08 | Cabinetec's Invoice No. 1024411-IN to Camco for Building 7 Floor 2 All Units | | | | YB |
| 3106 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024411 | | | | YB |
| 3107 | 10/24/08 | Cabinetec's Invoice No. 1024412-IN to Camco for Building 7 Floor 2 | | | | YB |
| 3108 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024412 | | | | YB |
| 3109 | 10/24/08 | Cabinetec's Invoice No. 1024413-IN to Camco for Building 7 Floor 3 All Units | | | | YB |
| 3110 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024413 | 01/18/18 | Stip | 01/18/18 | YB |

| EXHIBIT NO. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3111 | 10/24/08 | Cabinetec's Invoice No. 1024414-IN to Camco for Building 7 Floor 3 | 01/18/18 | Stip | 01/18/18 |
| 3112 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024414 | | | |
| 3113 | 10/24/08 | Cabinetec's Invoice No. 1024415-IN to Camco for Building 7 Floor 4 | | | |
| 3114 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024415 | | | |
| 3115 | 10/24/08 | Cabinetec's Invoice No. 1024416-IN to Camco for Building 7 Floor 4 | | | |
| 3116 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024416 | | | |
| 3117 | 10/24/08 | Cabinetec's Invoice No. 1024417-IN to Camco for Building 8 Floor 4 | | | |
| 3118 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024417 | | | |
| 3119 | 10/24/08 | Cabinetec's Invoice No. 1024418-IN to Camco for Building 8 Floor 4 | | | |
| 3120 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024418 | | | |
| 3121 | 10/24/08 | Cabinetec's Invoice No. 1024419-IN to Camco for Building 9 Floor 4 All Units | | | |
| 3122 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024419 | 01/18/18 | Stip | 01/18/18 |

| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3123 | 10/24/08 | Cabinetec's Invoice No. 1024420-IN to Camco for Building 9 Floor 4 | 01/18/18 | Stip | 01/18/18 |
| 3124 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024420 | | | |
| 3125 | 10/24/08 | Cabinetec's Invoice No. 1024421-IN to Camco for Building 8 Floor 2 All Units | | | |
| 3126 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024421 | | | |
| 3127 | 10/24/08 | Cabinetec's Invoice No. 1024422-IN to Camco for Building 8 Floor 2 | | | |
| 3128 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024422 | | | |
| 3129 | 10/24/08 | Cabinetec's Invoice No. 1024423-IN to Camco for Building 8 Floor 2 | | | |
| 3130 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024423 | | | |
| 3131 | 10/24/08 | Cabinetec's Invoice No. 1024424-IN to Camco for Building 8 Floor 3 | | | |
| 3132 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024424 | | | |
| 3133 | 10/24/08 | Cabinetec's Invoice No. 1024425-IN to Camco for Building 9 Floor 3 | | | |
| 3134 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024425 | 01/18/18 | Stip | 01/18/18 |

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| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3135 | 10/24/08 | Cabinetec's Invoice No. 1024426-IN to Camco for Building 9 Floor 2 | 01/18/18 | Stip | 01/18/18 |
| 3136 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024426 | | | |
| 3137 | 10/24/08 | Cabinetec's Invoice No. 1024427-IN to Camco for Building 8 Floor 3 | | | |
| 3138 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024427 | | | |
| 3139 | 10/24/08 | Cabinetec's Invoice No. 1024428-IN to Camco for Building 9 Floor 3 | | | |
| 3140 | 10/24/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024428 | | | |
| 3141 | 10/27/08 | Email from Janice Robbins of Gemstone to subcontractors, Camco representatives and Gemstone representatives Subject: Red Tag Alert | | | |
| 3142 | 10/28/08 | Email from Yvonne Farren of Camco to Jill Gisondo and Jennifer Griffith, cc: Janice Robbins, Craig Colligan and Audrie Bergman Subject: Oct Application 13 10 31 08 | | | |
| 3143 | 10/31/08 | Contractor Pay Application #13 | | | |
| 3144 | 11/11/08 | Email from Craig Colligan to Janice Robbins and Jennifer Griffith | | | |
| 3145 | 11/11/08 | Email from Janice Robbins of Gemstone to Craig Colligan and Jennifer Griffith | 01/18/18 | Stip | 01/18/18 |

| EXHIBIT No. | DATE | EXHIBIT DESCRIPTION | DATE OFFERED | OBJECTION | DATE ADMITTED |
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| 3146 | 11/11/08 | Email from Alex Edelstein, CEO of Gemstone, to Leo Duckstein and Rob Trickett of Cabinetec, cc: Jennifer Griffith, Janice Robbins, Craig Colligan Re: Cabinetec payment | 01/18/18 | Stip | 01/18/18 |
| 3147 | 11/12/08 | Cabinetec's Invoice No. 1024529-IN to Camco for Building 7 Floor 5 | | | |
| 3148 | 11/12/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024529 | | | |
| 3149 | 11/12/08 | Cabinetec's Invoice No. 1024530-IN to Camco for Building 7 Floor 6 | | | |
| 3150 | 11/12/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024530 | | | |
| 3151 | 11/12/08 | Cabinetec's Invoice No. 1024532-IN to Camco for Building 7 Floor 6 | | | |
| 3152 | 11/12/08 | Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024532 | | | |
| 3153 | 11/18/08 | Email from Alex Edelstein, CEO of Gemstone, to Craig Colligan and Jennifer Griffith cc: Leo Duckstein Subject: Cabinetec Comfort Letter | | | |
| 3154 | 11/18/08 | Email from Craig Colligan to Alex Edelstein and Jennifer Griffith, cc: Leo Duckstein Subject: Cabinetec Comfort Letter | | | |
| 3155 | 11/20/08 | Email from Leo Duckstein to Alex Edelstein Subject: Cabinetec Comfort Letter | 01/18/18 | Stip | 01/18/18 |

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| 3156 | 11/20/08 | Email from Alex Edelstein to Leo Duckstein and Janice Robbins cc: Craig Colligan Subject: Cabinetec Comfort Letter | 01/18/18 | Stip | 01/18/18 |
| 3157 | 11/21/08 | Email from Janice Robbins to Alex Edelstein and Leo Duckstein, cc: Craig Colligan and Yvonne Farren Subject: Cabinetec Comfort Letter | | | |
| 3158 | 11/21/08 | Email from Alex Edelstein to Janice Robbins and Leo Duckstein cc: Craig Colligan and Yvonne Farren Subject: Cabinetec Comfort Letter | | | |
| 3159 | 11/21/08 | Email from Leo Duckstein to Alex Edelstein Subject: Cabinetec Comfort Letter | | | |
| 3160 | 12/01/08 | Email from Rob Trickett to Alex Edelstein cc: Leo Duckstein Subject: Cabinetec Dec 5th Payment | | | |
| 3161 | 12/01/08 | Email from Alex Edelstein to Rob Trickett cc: Leo Duckstein Subject RE: Cabinetec DEC 5th Payment | | | |
| 3162 | 12/01/08 | Letter from Brad J. Scott, President, Scott Financial Corporation to Leo Duckstein, Cabinetec, Inc. | | | |
| 3163 | 12/03/08 | Nevada Construction Services Construction Progress Report for Manhattan West Condominiums | | | |
| 3164 | 12/08/08 | Transmittal of one fully executed copy of Ratification and Amendment of Subcontract Agreement Cabinetec from Yvonne Farren of Camco to Laura Cox of Cabinetec | 01/18/18 | Stip | 01/18/18 |

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| 3165 | 12/15/08 | Email from Alex Edelstein to Leo Duckstein Subject: RE: Cabinetec Comfort Letter | 01/18/18 | Stip | 01/18/18 |
| 3166 | 12/15/08 | Email from Janice Robbins of Gemstone to subcontractors, Camco representatives and Gemstone representatives Subject: Building Department Remaining Red Tag Notices Lifted | | | |
| 3167 | 12/15/08 | Email from Kenner Costen, Camco Pacific Site Safety Director, Subject: Closure Manhattan West Project | | | |
| 3168 | 12/15/08 | Email from Brad Scott to Anne Dwyer and Jennifer Olivares, cc: Alex Edelstein, Peter Smith, Jim Horning, parry@camcopacific.com Subject: FW: Manhattan West | | | |
| 3169 | 12/16/08 | Email from Brad Scott to Jennifer Olivares, cc: Margo Scott, Jason Ulmer, Patricia Curtis, Tim James Subject: Manhattan West Status | | | |
| 3170 | 12/18/08 | Letter from Woodbury, Morris & Brown to Alexander Edelstein cc: Peter Smith and David Parry | | | |
| 3171 | 01/12/09 | Notice of Intent to Lien to Gemstone, APCO and Camco from Cabinetec | | | |
| 3172 | 02/02/09 | Notice of Lien Recorded with Clark County Recorder | | | |
| 3173 | 02/06/09 | Cabinetec, Inc.'s Statement of Facts Constituting Lien Claim and Complaint in Intervention | | | |
| 3174 | 03/02/09 | Letter from Woodbury, Morris & Brown to Alexander Edelstein cc: Gregory S. Gilbert, David Parry and Patricia Petersen | 01/18/18 | Stip | 01/18/18 |

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| 3175 | 04/28/09 | Letter from Brad Scott, President, Scott Financial Corporation to Nevada State Contractor's Board, with attachments | 01/18/18 | Stip | 01/18/18 |

3176 11/6/08 Certified Notice of Lien 1/19/18 1/19/08 m

3177 Assignment Claim 01/24/18 Yes 01/24/18 m

EXHIBIT(S) LIST**Case No.:** 08A571228**Trial Date:** February 6, 2018

*Consolidated with: 08A574391; 08A574792; 08A577623;
 09A583289; 09A587168; 09A580889; 09A584730; A-09-
 589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
 589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
 608718-C; A-09-590319-C; and A-09-606730-C*

Dept. No.: 13**Judge:** Mark R. Denton**Court Clerk:** Marwanda Knight**Reporter:** Jennifer Gerold**Plaintiff:** APCO Construction**Counsel for Plaintiff:** Cody S. Mounteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Mounteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
v. Company, Inc.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler, John B. Taylor
and S. Judy Hirahara**Counter-Defendants:** Fast Glass, Helix, Heinaman,
Cactus Rose, SWPPP**Counsel:** Eric B. Zimbelman**Counter-Defendants** United Subcontractors, Inc. dba
Skyline Insulation**Counsel:** Brad Slighting**Counter-Defendants** E&E Fire Protection**Counsel:** Tracy Truman**HEARING / TRIAL BEFORE THE COURT****CAMCO EXHIBITS**

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|-------------|--------------------------------------------------------------------------|-------------------------|--------------|-----------|--------------------|
| 5001 | Amended and Restated Manhattan West General Construction Agreement | CAMCO-MW 01320-01356 | 02/06/18 | No | 02-06-18 <i>MS</i> |

EXHIBIT(S) LIST**Case No.: 08A571228****Trial Date: January 17, 2018**

*Consolidated with: 08A574391; 08A574792; 08A577623;
09A583289; 09A587168; 09A580889; 09A584730; A-09-
589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
608718-C; A-09-590319-C; and A-09-606730-C*

Dept. No.: 13**Judge: Mark R. Denton****Court Clerk: Marwanda Knight****Reporter: Jennifer Gerold****Plaintiff:** APCO Construction**Counsel for Plaintiff:** Cody S. Munteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Munteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
Company, Inc.
v.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler, John B. Taylor
and S. Judy Hirahara**Lien Claimant:** Helix Electric of Nevada**Counsel:** Eric B. Zimbelman**HEARING / TRIAL BEFORE THE COURT****HELIX ELECTRIC OF NEVADA EXHIBITS**

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|-----------------|-----------------------------|--------------------------|--------------|-----------|---------------|
| HELIX-TR-EX-501 | Payment Records - APCO | HELIX00008 HELIX00400 | 01/18/18 | Stip | 01/18/18 WA |
| HELIX-TR-EX-502 | Change Order Records - APCO | HELIX00401 HELIX00463 | 01/18/18 | Stip | 01/18/18 WA |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted | |
|--------------------------------|-----------------------------------------------------------|------------------------------|--------------|-----------|---------------|----|
| ✓ HELIX-TR-EX-503 | Change Order No. 1 | HELIX00568 HELIX000569 | 01/18/18 | Stip | 01/18/18 | WA |
| ✓ HELIX-TR-EX-504 | Electrical Design Proposal | HELIX00528 HELIX00530 | " | " | " | WA |
| ✓ HELIX-TR-EX-505 APCO's 45 | Subcontract Agreement document (APCO) | APCO104915 APCO104940 | 01/18/18 | Stip | 01/18/18 | WA |
| ✓ HELIX-TR-EX-506 | July 7, 2011 Email and Contract revisions | HELIX00579 HELIX00587 | 01/17/18 | NO | 01/17/18 | WA |
| ✓ HELIX-TR-EX-507 | July 29, 2008 correspondence re: work suspension | HELIX00588 HELIX00589 | 01/18/18 | Stip | 01/18/18 | WA |
| ✓ HELIX-TR-EX-508 | Payment Application and Payment Records - Camco | HELIX00596 HELIX00674 | | | | WA |
| ✓ HELIX-TR-EX-509 | Work Directives, Change Notices and Change Order Requests | HELIX00675 HELIX00791 | | | | WA |
| ✓ HELIX-TR-EX-510 | Contract documents - Camco | HELIX00792 HELIX00903 | | | | WA |
| ✓ HELIX-TR-EX-511 | Helix First Day/Last Day records | HELIX00904 HELIX00907 | | | | WA |
| ✓ HELIX-TR-EX-512 | Helix Lien Notice and Perfection Documents | HELIX00908 HELIX00983 | | | | WA |
| ✓ HELIX-TR-EX-513 | Payment Application Records | APCO00034154 APCO00035521 | | | | WA |
| ✓ HELIX-TR-EX-514 | Various Documents produced by APCO | APCO00039494 APCO39839 | | | | WA |
| ✓ HELIX-TR-EX-515 | Progress Photos produced by APCO | APCO104492 APCO104562 | | | | WA |
| ✓ HELIX-TR-EX-516 | Progress Photos and other documents produced by APCO | APCO106289 APCO106314 | | | | WA |
| ✓ HELIX-TR-EX-517 | December 15, 2008 email from Edelstein | CAMCO-MW 00001 | | | | WA |
| ✓ HELIX-TR-EX-518 | 8 December 18, 2008 letter from Camco counsel | CAMCO-MW 00002 | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted | |
|-----------------|-----------------------------------------------------|----------------------------------|--------------|-----------|---------------|----|
| HELIX-TR-EX-519 | March 2, 2009 letter from Camco counsel | CAMCO-MW 00003 CAMCO-MW 00004 | 01/18/18 | Stip | 01/18/18 | WA |
| HELIX-TR-EX-520 | May 8, 2009 letter from Camco counsel | CAMCO-MW 00038 CAMCO-MW 00039 | | | | WA |
| HELIX-TR-EX-521 | June 9, 2008 letter from Scott Financial | CAMCO-MW 00041 | | | | WA |
| HELIX-TR-EX-522 | Camco billing records | CAMCO-MW 00045 CAMCO-MW 01288 | | | | WA |
| HELIX-TR-EX-523 | Misc. Camco-produced billing documents re: Helix | CAMCO-MW 02068 CAMCO-MW02083 | | | | WA |
| HELIX-TR-EX-524 | Martin Harris Contract 5 documents | MHC 3457 MHC 3462 | | | | WA |
| HELIX-TR-EX-525 | Martin Harris Contract 6 documents | MHC 3401 MHC 3407 | | | | WA |
| HELIX-TR-EX-526 | Deposition Transcript of Mary Jo Allen and Exhibits | N/A | | | | WA |
| HELIX-TR-EX-527 | Deposition Transcript of Brian Benson and Exhibits | N/A | | | | WA |
| HELIX-TR-EX-528 | Deposition Transcript of Dave Parry and Exhibits | N/A | | | | WA |
| HELIX-TR-EX-529 | APCO Responses to Helix's Interrogatories | N/A | | | | WA |
| HELIX-TR-EX-530 | APCO Responses to Helix's Requests for Production | N/A | | | | WA |
| HELIX-TR-EX-531 | APCO Responses to Helix's Requests for Admission | N/A | | | | WA |
| HELIX-TR-EX-532 | Camco Responses to Helix's Interrogatories | N/A | | | | WA |
| HELIX-TR-EX-533 | Camco Responses to Helix's Requests for Production | N/A | | | | WA |
| HELIX-TR-EX-534 | Camco Responses to Helix's Requests for Admission | N/A | 01/18/18 | Stip | 01/18/18 | WA |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|-----------------|-----------------------------------------------------|------------|--------------|-----------|---------------|
| HELIX-TR-EX-535 | Deposition Transcript of Andrew Rivera and Exhibits | N/A | 01/18/18 | Stip | 01/18/18 |
| HELIX-TR-EX-536 | RESERVED <i>Calculation</i> | | 1/19/18 | NO | 1/19/18 |
| HELIX-TR-EX-537 | RESERVED | | | | |
| HELIX-TR-EX-538 | RESERVED | | | | |

wa

wa

EXHIBIT(S) LIST**Case No.:** 08A571228**Trial Date:** January 17, 2018

*Consolidated with: 08A574391; 08A574792; 08A577623;
 09A583289; 09A587168; 09A580889; 09A584730; A-09-
 589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
 589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
 608718-C; A-09-590319-C; and A-09-606730-C*

Dept. No.: 13**Judge:** Mark R. Denton**Court Clerk:** Marwanda Knight**Reporter:** Jennifer Gerold**Plaintiff:** APCO Construction**Counsel for Plaintiff:** Cody S. Munteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Munteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
Company, Inc.
v.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler, John B. Taylor
and S. Judy Hirahara**Lien Claimant:** Cactus Rose**Counsel:** Eric B. Zimbelman**HEARING / TRIAL BEFORE THE COURT****CACTUS ROSE EXHIBITS**

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|------------------|-------------------------------|----------------------------|--------------|-----------|---------------|
| CATCUS-TR-EX-601 | Time & Material Authorization | CACTUS00001 | 01.23.18 | No | 01.23.18 |
| CATCUS-TR-EX-602 | Notice of Lien | CACTUS00002 CACTUS00004 | " | " | " |
| CATCUS-TR-EX-603 | Notice of <i>Lis Pendens</i> | CACTUS00005 CACTUS00010 | 01.23.18 | No | 01.23.18 |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|------------------|------------------------------------------------------|----------------------------------------|---------------------|-----------|---------------|
| CATCUS-TR-EX-604 | Declaration of D. Hofelich and Exhibits | CACTUS00011 CACTUS00052 | 012318 | No | 012318 |
| CATCUS-TR-EX-605 | Amended Notice of Lis Pendens | CACTUS00053 CACTUS00055 | | | |
| CATCUS-TR-EX-606 | Notices of Intent to Lien | CACTUS00056 CACTUS00062 | | | |
| CATCUS-TR-EX-607 | Additional Lien Perfection Documents | CACTUS00063 CACTUS00119 | 012318 | No | 012318 |
| CATCUS-TR-EX-608 | Progress Photos produced by APCO | APCO104492 APCO104562 | Returned to Counsel | | |
| CATCUS-TR-EX-609 | Progress Photos and other documents produced by APCO | APCO106289 APCO106314 | | | |
| CATCUS-TR-EX-610 | December 15, 2008 email from Edelstein | CAMCO-MW 00001 | | | |
| CATCUS-TR-EX-611 | December 18, 2008 letter from Camco counsel | CAMCO-MW 00002 | | | |
| CATCUS-TR-EX-612 | March 2, 2009 letter from Camco counsel | CAMCO-MW 00003 CAMCO-MW 00004 | | | |
| CATCUS-TR-EX-613 | May 8, 2009 letter from Camco counsel | CAMCO-MW 00038 CAMCO-MW 00039 | | | |
| CATCUS-TR-EX-614 | June 9, 2008 letter from Scott Financial | CAMCO-MW 00041 | | | |
| CATCUS-TR-EX-615 | Camco billing records | CAMCO-MW 00045 CAMCO-MW 01288 | | | |
| CATCUS-TR-EX-616 | Deposition Transcript of Mary Jo Allen and Exhibits | N/A | | | |
| CATCUS-TR-EX-617 | Deposition Transcript of Brian Benson and Exhibits | N/A | Returned to Counsel | | |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted | |
|------------------|--------------------------------------------------------|------------|----------------------------|-----------|-----------------|-----------|
| CATCUS-TR-EX-618 | Deposition Transcript of Dave Parry and Exhibits | N/A | <i>Returned to Counsel</i> | | | |
| CATCUS-TR-EX-619 | Camco Responses to Fast Glass' Interrogatories | N/A | <i>01.23.18</i> | <i>No</i> | <i>01.23.18</i> | <i>BS</i> |
| CATCUS-TR-EX-620 | Camco Responses to Fast Glass' Requests for Production | N/A | | | | <i>BS</i> |
| CATCUS-TR-EX-621 | Camco Responses to Fast Glass' Requests for Admission | N/A | | | | <i>BS</i> |
| CATCUS-TR-EX-622 | Order Authorizing Trustee to Employ Special Counsel | N/A | <i>01.23.18</i> | <i>No</i> | <i>01.23.18</i> | <i>BS</i> |
| CATCUS-TR-EX-623 | RESERVED | | | | | |
| CATCUS-TR-EX-624 | RESERVED | | | | | |
| CATCUS-TR-EX-625 | RESERVED | | | | | |
| CATCUS-TR-EX-626 | RESERVED | | | | | |
| CATCUS-TR-EX-627 | RESERVED | | | | | |

EXHIBIT(S) LIST

Case No.: 08A571228

Trial Date: January 17, 2018

Consolidated with: 08A574391; 08A574792; 08A577623;
09A583289; 09A587168; 09A580889; 09A584730; A-09-
589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
608718-C; A-09-590319-C; and A-09-606730-C

Dept. No.: 13

Judge: Mark R. Denton

Court Clerk: Marwanda Knight

Reporter: Jennifer Gerold

Plaintiff: APCO Construction

Counsel for Plaintiff: Cody S. Munteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.*

Counsel for Defendant: Unrepresented

Related Cases:

Plaintiff-in Intervention: National Wood Products, Inc.
v.

Counsel: Richard L. Tobler; John B. Taylor
and S. Judy Hirahara

Defendant-in-Intervention: APCO Construction

Counsel: Cody Munteer; J. Randall
Jeffries

Defendant-in-Intervention: Camco Pacific Construction
Company, Inc.

Counsel: Steven L. Morris

Counter-Claimant: Camco Pacific Construction
v. Company, Inc.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.

Counsel: Richard L. Tobler, John B. Taylor
and S. Judy Hirahara

Lien Claimant: Heinaman Contract Glazing

Counsel: Eric B. Zimbelman

HEARING / TRIAL BEFORE THE COURT

HEINAMAN CONTRACT GLAZING EXHIBITS

701

Letter of Intent

01.23.17 No 01.23.17 th

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|----------------|-----------------------|-------------------------|--------------|-----------|---------------|
| HEIN-TR-EX-702 | Invoices and Payments | HCG000003 HCG0000012 | 01.23.18 | NO | 01.23.18 th |
| HEIN-TR-EX-703 | Lien documents | HCG000013 HCG000081 | " | " | " th |
| HEIN-TR-EX-704 | RFIs 00103 | HCG000082 HCG0 | 01.23.18 | NO | 01.23.18 th |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted | |
|----------------|------------------------------------------------------|----------------------------------|----------------------------|-----------|---------------|----|
| HEIN-TR-EX-705 | Proposals | HCG000104 HCG000167 | 01.23.18 | No | 01.23.18 | WS |
| HEIN-TR-EX-706 | Billings and Vendor Correspondence | HCG000168 HCG000273 | 01.23.18 | No | 01.23.18 | WS |
| HEIN-TR-EX-707 | Drawings and Shipping Manifests | HCG000274 HCG001513 | <u>Returned to Counsel</u> | | | WS |
| HEIN-TR-EX-708 | Field Reports and Minutes | HCG001514 HCG001686 | 01.23.18 | No | 01.23.18 | WS |
| HEIN-TR-EX-709 | Lien Documents | HCG001687 HCG001813 | 01.23.18 | No | 01.23.18 | WS |
| HEIN-TR-EX-710 | Progress Photos produced by APCO | APCO104492 APCO104562 | <u>Returned to Counsel</u> | | | |
| HEIN-TR-EX-711 | Progress Photos and other documents produced by APCO | APCO106289 APCO106314 | | | | |
| HEIN-TR-EX-712 | December 15, 2008 email from Edelstein | CAMCO-MW 00001 | | | | |
| HEIN-TR-EX-713 | December 18, 2008 letter from Camco counsel | CAMCO-MW 00002 | | | | |
| HEIN-TR-EX-714 | March 2, 2009 letter from Camco counsel | CAMCO-MW 00003 CAMCO-MW 00004 | | | | |
| HEIN-TR-EX-715 | May 8, 2009 letter from Camco counsel | CAMCO-MW 00038 CAMCO-MW 00039 | | | | |
| HEIN-TR-EX-716 | June 9, 2008 letter from Scott Financial | CAMCO-MW 00041 | | | | |
| HEIN-TR-EX-717 | Camco billing records | CAMCO-MW 00045 CAMCO-MW 01288 | <u>Returned to Counsel</u> | | | |
| HEIN-TR-EX-718 | Misc. Camco-produced billing documents re: Heinaman | CAMCO-MW 02064 CAMCO-MW 02067 | 2.6.18 | Ship | 2.6.18 | WA |
| HEIN-TR-EX-719 | Deposition Transcript of Mary Jo Allen and Exhibits | N/A | <u>Returned to Counsel</u> | | | |
| HEIN-TR-EX-720 | Deposition Transcript of Brian Benson and Exhibits | N/A | | | | |
| HEIN-TR-EX-721 | Deposition Transcript of Dave Parry and Exhibits | N/A | <u>Returned to Counsel</u> | | | |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|----------------|-------------------------------------------------------|------------|---------------------|-----------|---------------|
| HEIN-TR-EX-722 | Camco Responses to Heinaman's Interrogatories | N/A | Returned to Counsel | | |
| HEIN-TR-EX-723 | Camco Responses to Heinaman's Requests for Production | N/A | | | |
| HEIN-TR-EX-724 | Camco Responses to Heinaman's Requests for Admission | N/A | | | |
| HEIN-TR-EX-725 | RESERVED | N/A | | | |
| HEIN-TR-EX-726 | RESERVED | N/A | | | |
| HEIN-TR-EX-727 | RESERVED | N/A | Returned to Counsel | | |

EXHIBIT(S) LIST**Case No.:** 08A571228**Trial Date:** January 17, 2018

Consolidated with: 08A574391; 08A574792; 08A577623;
 09A583289; 09A587168; 09A580889; 09A584730; A-09-
 589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
 589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
 608718-C; A-09-590319-C; and A-09-606730-C

Dept. No.: 13**Judge:** Mark R. Denton**Court Clerk:** Marwanda Knight**Reporter:** Jennifer Gerold**Plaintiff:** APCO Construction**Counsel for Plaintiff:** Cody S. Mounteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Mounteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
Company, Inc.
v.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Lien Claimant:** Fast Glass**Counsel:** Eric B. Zimbelman**HEARING / TRIAL BEFORE THE COURT****FAST GLASS EXHIBITS**

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|--------------|----------------------------|-------------------|--------------|-----------|---------------|
| FG-TR-EX-801 | Subcontract Documents | FG 00001 FG 00040 | 1/19/18 | STIP | 1/19/18 |
| FG-TR-EX-802 | Preliminary Lien Documents | FG 00041 FG 00047 | | STIP | 1/19/18 |
| FG-TR-EX-803 | Invoices and Quotes | FG 00048 FG 00098 | | STIP | 1/19/18 |
| FG-TR-EX-804 | Camco Correspondence | FG 00099 FG 00105 | | STIP | 1/19/18 |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|--------------|---------------------------------------------------------|----------------------------------|---------------------|-----------------|---------------|
| FG-TR-EX-805 | Notice of lien and Perfection Documents | FG 00106 FG 00111 | | Stip | 1/19/18 |
| FG-TR-EX-806 | Correspondence re: Demand for Payment | FG 00112 FG 00119 | | Stip | 1/19/18 |
| FG-TR-EX-807 | Fast Glass Job File re: Labor | FG 00120 FG 00167 | | Stip | 1/19/18 |
| FG-TR-EX-808 | Fast Glass Job File re: Materials, specifications, etc. | FG 00168 FG 00733 | 1/19/18 | Stip | 1/19/18 |
| FG-TR-EX-809 | Progress Photos produced by APCO | APCO104492 APCO104562 | Returned to Counsel | | |
| FG-TR-EX-810 | Progress Photos and other documents produced by APCO | APCO106289 APCO106314 | | | |
| FG-TR-EX-811 | December 15, 2008 email from Edelstein | CAMCO-MW 00001 | | | |
| FG-TR-EX-812 | December 18, 2008 letter from Camco counsel | CAMCO-MW 00002 | | | |
| FG-TR-EX-813 | March 2, 2009 letter from Camco counsel | CAMCO-MW 00003 CAMCO-MW 00004 | | | |
| FG-TR-EX-814 | May 8, 2009 letter from Camco counsel | CAMCO-MW 00038 CAMCO-MW 00039 | | | |
| FG-TR-EX-815 | June 9, 2008 letter from Scott Financial | CAMCO-MW 00041 | | | |
| FG-TR-EX-816 | Camco billing records | CAMCO-MW 00045 CAMCO-MW 01288 | | | |
| FG-TR-EX-817 | Misc. Camco-produced billing documents re: Fast Glass | CAMCO-MW 01982 CAMCO-MW 02063 | | | |
| FG-TR-EX-818 | Deposition Transcript of Mary Jo Allen and Exhibits | N/A | | | |
| FG-TR-EX-819 | Deposition Transcript of Brian Benson and Exhibits | N/A | | | |
| FG-TR-EX-820 | Deposition Transcript of Dave Parry and Exhibits | N/A | | | |
| FG-TR-EX-821 | Camco Responses to Fast Glass' Interrogatories | N/A | Returned to Counsel | | |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|--------------|--------------------------------------------------------|------------|---------------------|-----------|---------------|
| FG-TR-EX-822 | Camco Responses to Fast Glass' Requests for Production | N/A | Returned to Counsel | | |
| FG-TR-EX-823 | Camco Responses to Fast Glass' Requests for Admission | N/A | | | |
| FG-TR-EX-824 | RESERVED | | | | |
| FG-TR-EX-825 | RESERVED | | | | |
| FG-TR-EX-826 | RESERVED | | | | |
| FG-TR-EX-827 | RESERVED | | | | |
| FG-TR-EX-828 | RESERVED | | | | |
| FG-TR-EX-829 | RESERVED | | Returned to Counsel | | |
| | | | | | |

EXHIBIT(S) LIST**Case No.:** 08A571228**Trial Date:** January 17, 2018

*Consolidated with: 08A574391; 08A574792; 08A577623;
 09A583289; 09A587168; 09A580889; 09A584730; A-09-
 589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
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 608718-C; A-09-590319-C; and A-09-606730-C*

Dept. No.: 13**Judge:** Mark R. Denton**Court Clerk:** Marwanda Knight**Reporter:** Jennifer Gerold**Plaintiff:** APCO Construction**Counsel for Plaintiff:** Cody S. Munteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Munteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
Company, Inc.
v.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler, John B. Taylor
and S. Judy Hirahara**Lien Claimant:** SWPPP**Counsel:** Eric B. Zimbelman**HEARING / TRIAL BEFORE THE COURT****SWPPP EXHIBITS**

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|-----------------|------------------------|----------------------------|--------------|-----------|---------------|
| SWPPP-TR-EX-901 | Billing pre-11/04/2008 | SWPPP 00001 SWPPP 00007 | 01.23.18 | No | 01.23.18 |
| SWPPP-TR-EX-902 | Billing pre-12/16/2008 | SWPPP 00008 SWPPP 00035 | 01.23.18 | No | 01.23.18 |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted | |
|-----------------|------------------------------------------------------|----------------------------------|---------------------|-----------|---------------|----|
| SWPPP-TR-EX-903 | Bid Proposal | SWPPP 00036 SWPPP 00039 | 01-23-18 | No | 01-23-18 | 13 |
| SWPPP-TR-EX-904 | Invoices | SWPPP 00039 SWPPP 00074 | | | | 13 |
| SWPPP-TR-EX-905 | Lien Documents | SWPPP 00075 SWPPP 00082 | | | | 13 |
| SWPPP-TR-EX-906 | Statement | SWPPP 00083 SWPPP 00084 | 01-23-18 | No | 01-23-18 | 13 |
| SWPPP-TR-EX-907 | Progress Photos produced by APCO | APCO104492 APCO104562 | Returned to Counsel | | | |
| SWPPP-TR-EX-908 | Progress Photos and other documents produced by APCO | APCO106289 APCO106314 | | | | |
| SWPPP-TR-EX-909 | December 15, 2008 email from Edelstein | CAMCO-MW 00001 | | | | |
| SWPPP-TR-EX-910 | December 18, 2008 letter from Camco counsel | CAMCO-MW 00002 | | | | |
| SWPPP-TR-EX-911 | March 2, 2009 letter from Camco counsel | CAMCO-MW 00003 CAMCO-MW 00004 | | | | |
| SWPPP-TR-EX-912 | May 8, 2009 letter from Camco counsel | CAMCO-MW 00038 CAMCO-MW 00039 | | | | |
| SWPPP-TR-EX-913 | June 9, 2008 letter from Scott Financial | CAMCO-MW 00041 | | | | |
| SWPPP-TR-EX-914 | Camco billing records | CAMCO-MW 00045 CAMCO-MW 01288 | | | | |
| SWPPP-TR-EX-915 | Deposition Transcript of Mary Jo Allen and Exhibits | N/A | | | | |
| SWPPP-TR-EX-916 | Deposition Transcript of Brian Benson and Exhibits | N/A | | | | |
| SWPPP-TR-EX-917 | Deposition Transcript of Dave Parry and Exhibits | N/A | | | | |
| SWPPP-TR-EX-918 | RESERVED | | | | | |
| SWPPP-TR-EX-919 | RESERVED | | Returned to Counsel | | | |

| Exhibit No. | Exhibit Description | Bates Nos. | Date Offered | Objection | Date Admitted |
|-----------------|---------------------|------------|----------------------------|-----------|---------------|
| SWPPP-TR-EX-920 | RESERVED | | <i>Returned to Counsel</i> | | |
| SWPPP-TR-EX-921 | RESERVED | | | | |

A571228

JAN 17 2018

APCO

vs.
Gemstone

for Plaintiff: Tracy
Truman

Defendant: Steve
Morris -CAMCO-

EFFvne EXHIBITS

Rev. 03/2016

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF CROSS-APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER: (1) GRANTING APCO CONSTRUCTION, INC. MOTION FOR ATTORNEYS FEES AND COSTS (2) GRANTING APCO CONSTRUCTION, INC.'S MEMORANDUM OF COSTS IN PART (3) GRANTING HELIX ELECTRIC OF NEVADA LLC'S MOTION TO RETAX IN PART AND DENYING IN PART (4) GRANTING PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS LLC'S MOTION TO RETAX IN PART AND DENYING IN PART -AND- (5) GRANTING NATIONAL WOOD PRODUCTS, INC.'S MOTION TO FILE A SURREPLY; NOTICE OF ENTRY OF ORDER (1) GRANTING APCO CONSTRUCTION, INC. MOTION FOR ATTORNEYS FEES AND COSTS (2) GRANTING APCO CONSTRUCTION, INC.'S MEMORANDUM OF COSTS IN PART (3) GRANTING HELIX ELECTRIC OF NEVADA LLC'S MOTION TO RETAX IN PART AND DENYING IN PART (4) GRANTING PLAINTIFF INTERVENTION NATIONAL WOOD PRODUCTS LLC'S MOTION TO RETAX IN PART AND DENYING IN PART AND (5) GRANTING NATIONAL WOOD PRODUCTS, INC.'S MOTION TO FILE A SURREPLY; DISTRICT COURT MINUTES; EXHIBITS LIST

APCO CONSTRUCTION,

Plaintiff(s),

vs.

GEMSTONE DEVELOPMENT WEST, INC.;
SCOTT FINANCIAL CORPORATION;
COMMONWEALTH LAND TITLE
INSURANCE COMPANY; FIRST AMERICAN
TITLE INSURANCE COMPANY,

Defendant(s),

Case No: 08C571228

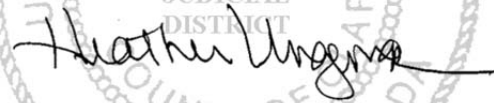
*Consolidated with 08A574391,
08A574792, 08A577623, 09A580889,
09A583289, 09A584730, 09A587168,
A-09-589195-C, A-09-589677-C,
A-09-590319-C, A-09-592826-C,
A-09-596924-C, A-09-597089-C,
A-09-606730-C, A-10-608717-C,
A-10-608718-C*

Dept No: XIII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 30 day of October 2018.

Steven D. Grierson, Clerk of the Court

A handwritten signature in black ink, appearing to read "Heather Ungermann", is written over a faint, circular court seal. The seal contains the text "UNITED STATES DISTRICT COURT OF THE JUDICIAL DISTRICT OF CLATSOP COUNTY, OREGON".

Heather Ungermann, Deputy Clerk
08A571228

JM

Clerk of the Supreme Court

10/29/2018

125318
\$250.00

| | | |
|------------|-------------|---------------------|
| Inv.Date | Inv.No. | Invoice Description |
| 10-29-2018 | TWS5161-19. | |

Amount
250.00

125318

Total:**\$250.00**

THIS DOCUMENT HAS A MULTI-COLORED PAPER THAT CHANGES COLOR GRADUALLY

SEE LIST OF SECURITY FEATURES ON THE BACK. DO NOT CASH UNLESS ALL ARE PRESENT.



**MARQUIS AURBACH
COFFING**
maclaw.com

10001 PARK RUN DRIVE • LAS VEGAS, NEVADA 89145
TELEPHONE (702) 382-0711 • FACSIMILE (702) 382-5816

NEVADA STATE BANK
A Subsidiary of Zions Utah Bancorporation
Main Office - P.O. Box 990
Las Vegas, Nevada 89125

94-77/1224

125318
125318**Two Hundred Fifty and No/100 Dollars**

DATE

AMOUNT

10/29/2018

\$250.00

**PAY
TO THE
ORDER
OF**

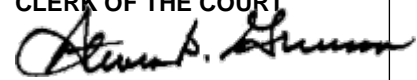
08A571228

Clerk of the Supreme Court

201 S. Carson St., Ste. # 201
Carson City, NV 89701



⑈ 125318 ⑈ ⑆ 122400779⑆0002100543⑈



Electronically Filed
Nov 05 2018 09:09 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

**NOAS
SPENCER FANE LLP**
John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
400 S. Fourth Street, Suite 500
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com
RJJefferies@spencerfane.com
MBacon@spencerfane.com

-and-

MARQUIS AURBACH COFFING
Jack Chen Min Juan, Esq. (NV Bar No. 6367)
Micah Echols, Esq. (NV Bar No. 8437)
Cody S. Mounteer, Esq. (NV Bar No. 11220)
10001 Park Run Drive
Las Vegas, NV 89145
Telephone: 702.207.6089
Email: JJuan@maclaw.com
MEchols@maclaw.com
CMounteer@maclaw.com

Attorneys for Apco Construction, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

v.

GEMSTONE DEVELOPMENT WEST,
INC., A Nevada corporation,

Defendant.

AND ALL RELATED MATTERS

Case No.: A571228

Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718;
and A590319

NOTICE OF CROSS-APPEAL

NOTICE IS HEREBY GIVEN that APCO Construction, Inc. (“APCO”) by and through its undersigned counsel of record, the law firms of SPENCER FANE LLP and MARQUIS AURBACH COFFING, appeals to the Supreme Court of Nevada from the Order Granting APCO Construction, Inc.’s Motion for Attorney’s Fees and Costs, (2) Granting APCO Construction, Inc.’s Memorandum of Costs in Part, (3) Granting Helix Electric of Nevada LLC’s Motion to Retax in Part, (4) Granting Plaintiff in Intervention National Wood Products, LLC’s Motion to Retax in Part and Denying in Part and (5) Granting National Wood Product, Inc.’s Motion to File a Surreply, entered on September 28, 2018, attached as **Exhibit A**.

Dated this 26th day of October, 2018.

MARQUIS AURBACH COFFING

By: /s/ Cody S. Mounteer
 Jack Chen Min Juan, Esq. (NV Bar No. 6367)
 Micah Echols, Esq. (NV Bar No. 8437)
 Cody S. Mounteer, Esq. (NV Bar No. 11220)
 10001 Park Run Drive
 Las Vegas, NV 89145
 Telephone: 702.207.6089
 Email: JJuan@maclaw.com
MEchols@maclaw.com
CMounteer@maclaw.com

Attorneys for Apco Construction, Inc.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
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- 18
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- 20
- 21
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- 23
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- 25
- 26
- 27
- 28

Counter Claimant: Camco Pacific Construction Co Inc
Steven L. Morris (steve@gmdlegal.com)

Intervenor Plaintiff: Cactus Rose Construction Inc
Eric B. Zimbelman (ezimbelman@peelbrimley.com)

Intervenor Plaintiff: Interstate Plumbing & Air Conditioning Inc
Jonathan S. Dabbieri (dabbieri@sullivanhill.com)

Intervenor: National Wood Products, Inc.'s
Dana Y Kim (dkim@caddenfuller.com)
Richard L Tobler (rltldck@hotmail.com)
Richard Reincke (rreincke@caddenfuller.com)
S. Judy Hirahara (jhirahara@caddenfuller.com)
Tammy Cortez (tcortez@caddenfuller.com)

Other: Chapter 7 Trustee
Elizabeth Stephens (stephens@sullivanhill.com)
Gianna Garcia (ggarcia@sullivanhill.com)
Jennifer Saurer (Saurer@sullivanhill.com)
Jonathan Dabbieri (dabbieri@sullivanhill.com)

Plaintiff: Apco Construction
Rosie Wesp (rwesp@maclaw.com)

Third Party Plaintiff: E & E Fire Protection LLC
TRACY JAMES TRUMAN (DISTRICT@TRUMANLEGAL.COM)

Other Service Contacts

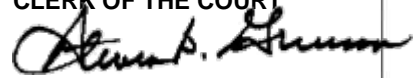
"Caleb Langsdale, Esq." . (caleb@langsdalelaw.com)
"Cody Mounteer, Esq." . (cmounteer@marquisaurbach.com)
"Cori Mandy, Legal Secretary" . (cori.mandy@procopio.com)
"Donald H. Williams, Esq." . (dwilliams@dhwlawlv.com)
"Marisa L. Maskas, Esq." . (mmaskas@pezzillolloyd.com)
"Martin A. Little, Esq." . (mal@juww.com)
"Martin A. Little, Esq." . (mal@juww.com)
Aaron D. Lancaster . (alancaster@gerrard-cox.com)
Agnes Wong . (aw@juww.com)
Amanda Armstrong . (aarmstrong@peelbrimley.com)
Andrew J. Kessler . (andrew.kessler@procopio.com)
Becky Pintar . (bpintar@gglt.com)
Benjamin D. Johnson . (ben.johnson@btjd.com)
Beverly Roberts . (broberts@trumanlegal.com)
Brad Slighting . (bslighting@djplaw.com)
Caleb Langsdale . (Caleb@Langsdalelaw.com)
Calendar . (calendar@litigationervices.com)
Cheri Vandermeulen . (cvandermeulen@dickinsonwright.com)
Christine Spencer . (cspencer@dickinsonwright.com)
Christine Taradash . (CTaradash@maazlaw.com)
Cindy Simmons . (csimmons@djplaw.com)
Courtney Peterson . (cpeterson@maclaw.com)
Cynthia Kelley . (ckelley@nevadafirm.com)
Dana Y. Kim . (dkim@caddenfuller.com)
David J. Merrill . (david@djmerrillpc.com)
David R. Johnson . (djohnson@watttieder.com)
Debbie Holloman . (dholloman@jamsadr.com)
Debbie Rosewall . (dr@juww.com)
Debra Hitchens . (dhitchens@maazlaw.com)
Depository . (Depository@litigationervices.com)
District filings . (district@trumanlegal.com)
Donna Wolfbrandt . (dwolfbrandt@dickinsonwright.com)

1 Douglas D. Gerrard . (dgerrard@gerrard-cox.com)
2 E-File Desk . (EfileLasVegas@wilsonelser.com)
3 Elizabeth Martin (em@juww.com)
4 Eric Dobberstein . (edobberstein@dickinsonwright.com)
5 Eric Zimbelman . (ezimbelman@peelbrimley.com)
6 Erica Bennett . (e.bennett@kempjones.com)
7 Floyd Hale . (fhale@floydhale.com)
8 George Robinson . (grobinson@pezzillolloyd.com)
9 Glenn F. Meier . (gmeier@nevadafirm.com)
10 Gwen Rutar Mullins . (grm@h2law.com)
11 Hrustyk Nicole . (Nicole.Hrustyk@wilsonelser.com)
12 I-Che Lai . (I-Che.Lai@wilsonelser.com)
13 Jack Juan . (jjuan@marquisaubach.com)
14 Jennifer Case . (jcase@maclaw.com)
15 Jennifer MacDonald . (jmacdonald@watttieder.com)
16 Jennifer R. Lloyd . (Jlloyd@pezzillolloyd.com)
17 Jineen DeAngelis . (jdeangelis@foxrothschild.com)
18 Jorge Ramirez . (Jorge.Ramirez@wilsonelser.com)
19 Kathleen Morris . (kmorris@mcdonaldcarano.com)
20 Kaytlyn Bassett . (kbassett@gerrard-cox.com)
21 Kelly McGee . (kom@juww.com)
22 Kenzie Dunn . (kdunn@btjd.com)
23 Lani Maile . (Lani.Maile@wilsonelser.com)
24 Legal Assistant . (rrlegalassistant@rookerlaw.com)
25 Linda Compton . (lcompton@gglts.com)
26 Marie Ogella . (mogella@gordonrees.com)
27 Michael R. Ernst . (mre@juww.com)
28 Michael Rawlins . (mrawlins@rookerlaw.com)
Pamela Montgomery . (pym@kempjones.com)
Phillip Aurbach . (paurbach@maclaw.com)
Rachel E. Donn . (rdonn@nevadafirm.com)
Rebecca Chapman . (rebecca.chapman@procopio.com)
Receptionist . (Reception@nvbusinesslawyers.com)

1 Renee Hoban . (rhoban@nevadafirm.com)
2 Richard I. Dreitzer . (rdreitzer@foxrothschild.com)
3 Richard Tobler . (rltldck@hotmail.com)
4 Rosey Jeffrey . (rjeffrey@peelbrimley.com)
5 Ryan Bellows . (rbellows@mcdonaldcarano.com)
6 S. Judy Hirahara . (jhirahara@caddenfuller.com)
7 Sarah A. Mead . (sam@juww.com)
8 Steven Morris . (steve@gmdlegal.com)
9 Tammy Cortez . (tcortez@caddenfuller.com)
10 Taylor Fong . (tfong@marquisaurbach.com)
11 Terri Hansen . (thansen@peelbrimley.com)
12 Timother E. Salter . (tim.salter@procopio.com)
13 Wade B. Gochmour . (wbg@h2law.com)
14

/s/ Taylor Fong
an employee of Marquis Aurbach Coffing

Exhibit A



SPENCER FANE LLP

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com
RJJefferies@spencerfane.com
MBacon@spencerfane.com

-and-

MARQUIS AURBACH COFFING

Jack Chen Min Juan, Esq. (Bar No. 6367)
Cody S. Munteer, Esq. (Bar No. 11220)
10001 Park Run Drive
Las Vegas, NV 89145
Telephone: 702.207.6089
Email: jjuan@maclaw.com
cmunteer@maclaw.com

Attorneys for Apco Construction, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

v.

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Defendant.

Case No.: A571228

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A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718;
and A590319

NOTICE OF ENTRY OF ORDER (1)
GRANTING APCO CONSTRUCTION,
INC. MOTION FOR ATTORNEYS FEES
AND COSTS (2) GRANTING APCO
CONSTRUCTION, INC.'S
MEMORANDUM OF COSTS IN PART
(3) GRANTING HELIX ELECTRIC OF
NEVADA LLC'S MOTION TO RETAX
IN PART AND DENYING IN PART (4)
GRANTING PLAINTIFF

**INTERVENTION NATIONAL WOOD
PRODUCTS LLC'S MOTION TO
RETAX IN PART AND DENYING IN
PART AND (5) GRANTING NATIONAL
WOOD PRODUCTS, INC.'S MOTION
TO FILE A SURREPLY**

AND ALL RELATED MATTERS

TO: All parties herein and their respective counsel:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that on the 27th day of September, 2018, a **ORDER (1) GRANTING APCO CONSTRUCTION, INC. MOTION FOR ATTORNEYS FEES AND COSTS (2) GRANTING APCO CONSTRUCTION, INC.'S MEMORANDUM OF COSTS IN PART (3) GRANTING HELIX ELECTRIC OF NEVADA LLC'S MOTION TO RETAX IN PART AND DENYING IN PART (4) GRANTING PLAINTIFF INTERVENTION NATIONAL WOOD PRODUCTS LLC'S MOTION TO RETAX IN PART AND DENYING IN PART AND (5) GRANTING NATIONAL WOOD PRODUCTS, INC.'S MOTION TO FILE A SURREPLY** was entered in the above case. A copy is attached.

DATED: September 28, 2018.

SPENCER FANE LLP

By: /s/ Mary E. Bacon

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
Attorneys for Apco Construction, Inc.

- 1
- 2
- 3
- 4
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Plaintiff: Apco Construction

Rosie Wesp (rwesp@maclaw.com)

Third Party Plaintiff: E & E Fire Protection LLC

TRACY JAMES TRUMAN (DISTRICT@TRUMANLEGAL.COM)

Other Service Contacts

"Caleb Langsdale, Esq." . (caleb@langsdalelaw.com)

"Cody Mounteer, Esq." . (cmounteer@marquisaurbach.com)

"Cori Mandy, Legal Secretary" . (cori.mandy@procopio.com)

"Donald H. Williams, Esq." . (dwilliams@dhwilawlv.com)

"Marisa L. Maskas, Esq." . (mmaskas@pezzilloloyd.com)

"Martin A. Little, Esq." . (mal@juww.com)

"Martin A. Little, Esq." . (mal@juww.com)

Aaron D. Lancaster . (alancaster@gerrard-cox.com)

Agnes Wong . (aw@juww.com)

Amanda Armstrong . (aarmstrong@peelbrimley.com)

Andrew J. Kessler . (andrew.kessler@procopio.com)

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Benjamin D. Johnson . (ben.johnson@btjd.com)

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Brad Slighting . (bslighting@djplaw.com)

1 Caleb Langsdale . (Caleb@Langsdalelaw.com)
2 Calendar . (calendar@litigationservices.com)
3 Cheri Vandermeulen . (cvandermeulen@dickinsonwright.com)
4 Christine Spencer . (cspencer@dickinsonwright.com)
5 Christine Taradash . (CTaradash@maazlaw.com)
6 Cindy Simmons . (csimmons@djplaw.com)
7 Courtney Peterson . (cpeterson@maclaw.com)
8 Cynthia Kelley . (ckelley@nevadafirm.com)
9 Dana Y. Kim . (dkim@caddenfuller.com)
10 David J. Merrill . (david@djmerrillpc.com)
11 David R. Johnson . (djohnson@watttieder.com)
12 Debbie Holloman . (dholloman@jamsadr.com)
13 Debbie Rosewall . (dr@juww.com)
14 Debra Hitchens . (dhitchens@maazlaw.com)
15 Depository . (Depository@litigationservices.com)
16 District filings . (district@trumanlegal.com)
17 Donna Wolfbrandt . (dwolfbrandt@dickinsonwright.com)
18 Douglas D. Gerrard . (dgerrard@gerrard-cox.com)
19 E-File Desk . (EfileLasVegas@wilsonelser.com)
20 Elizabeth Martin (em@juww.com)
21 Eric Dobberstein . (edobberstein@dickinsonwright.com)
22 Eric Zimbelman . (ezimbelman@peelbrimley.com)
23 Erica Bennett . (e.bennett@kempjones.com)
24 Floyd Hale . (fhale@floydhale.com)
25 George Robinson . (grobinson@pezzillolloyd.com)
26 Glenn F. Meier . (gmeier@nevadafirm.com)
27 Gwen Rutar Mullins . (grm@h2law.com)
28 Hrustyk Nicole . (Nicole.Hrustyk@wilsonelser.com)
I-Che Lai . (I-Che.Lai@wilsonelser.com)
Jack Juan . (jjuan@marquisaurbach.com)
Jennifer Case . (jcase@maclaw.com)
Jennifer MacDonald . (jmacdonald@watttieder.com)
Jennifer R. Lloyd . (Jlloyd@pezzillolloyd.com)
Jineen DeAngelis . (jdeangelis@foxrothschild.com)

1 Jorge Ramirez . (Jorge.Ramirez@wilsonelser.com)
2 Kathleen Morris . (kmorris@mcdonaldcarano.com)
3 Kaytlyn Bassett . (kbassett@gerrard-cox.com)
4 Kelly McGee . (kom@juww.com)
5 Kenzie Dunn . (kdunn@btjd.com)
6 Lani Maile . (Lani.Maile@wilsonelser.com)
7 Legal Assistant . (rrlegalassistant@rookerlaw.com)
8 Linda Compton . (lcompton@ggits.com)
9 Marie Ogella . (mogella@gordonrees.com)
10 Michael R. Ernst . (mre@juww.com)
11 Michael Rawlins . (mrawlins@rookerlaw.com)
12 Pamela Montgomery . (pym@kempjones.com)
13 Phillip Aurbach . (paurbach@maclaw.com)
14 Rachel E. Donn . (rdonn@nevadafirm.com)
15 Rebecca Chapman . (rebecca.chapman@procopio.com)
16 Receptionist . (Reception@nvbusinesslawyers.com)
17
18 Renee Hoban . (rhoban@nevadafirm.com)
19 Richard I. Dreitzer . (rdreitzer@foxrothschild.com)
20 Richard Tobler . (rltldck@hotmail.com)
21 Rosey Jeffrey . (rjeffrey@peelbrimley.com)
22 Ryan Bellows . (rbellows@mcdonaldcarano.com)
23 S. Judy Hirahara . (jhirahara@caddenfuller.com)
24 Sarah A. Mead . (sam@juww.com)
25 Steven Morris . (steve@gmdlegal.com)
26 Tammy Cortez . (tcortez@caddenfuller.com)
27 Taylor Fong . (tfong@marquisaurbach.com)
28 Terri Hansen . (thansen@peelbrimley.com)
Timothy E. Salter . (tim.salter@procopio.com)
Wade B. Gochmour . (wbg@h2law.com)

/s/ Elizabeth Kuchman
An employee of Spencer Fane LLP



ODR

Spencer Fane LLP

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com
RJefferies@spencerfane.com
MBacon@spencerfane.com

-and-

Marquis Aurbach Coffing

Jack Chen Min Juan, Esq. (Bar No. 6367)
Cody S. Mounteer, Esq. (Bar No. 11220)
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
jjuan@maclaw.com
cmounteer@maclaw.com

Attorneys for APCO Construction

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

vs.

GEMSTONE DEVELOPMENT WEST, INC., A
Nevada corporation,

Defendant.

Case No.: A571228
Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718 and
A590319

ORDER:

**(1) GRANTING APCO CONSTRUCTION,
INC. MOTION FOR ATTORNEYS FEES
AND COSTS**

**(2) GRANTING APCO CONSTRUCTION,
INC.'S MEMORANDUM OF COSTS IN
PART**

**(3) GRANTING HELIX ELECTRIC OF
NEVADA LLC'S MOTION TO RETAX IN
PART AND DENYING IN PART**

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DISTRICT COURT DEPT#13

**(4) GRANTING PLAINTIFF IN
INTERVENTION NATIONAL WOOD
PRODUCTS LLC'S MOTION TO RETAX
IN PART AND DENYING IN PART**

-AND-

**(5) GRANTING NATIONAL WOOD
PRODUCTS, INC.'S MOTION TO FILE A
SURREPLY**

AND ALL RELATED MATTERS

On July 19, 2018, the Court heard the following motions: (1) APCO Construction Inc.'s Motion for Attorneys Fees and Costs; (2) APCO Construction, Inc.'s Memorandum of Costs [Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.]; (3) Plaintiff in Intervention National Wood Products, Inc.'s Motion to Retax Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and Disbursements Against Plaintiff in Intervention National Wood Products, Inc. with Joinder by Helix Electric of Nevada, LLC, (4) Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and Disbursements with Joinder by Plaintiff in Intervention National Wood Products, Inc., and (5) National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.

John Randall Jefferies, Esq. and Mary Bacon, Esq. of the law firm of Spencer Fane appeared on behalf of APCO Construction, Inc. ("APCO"); Eric Zimbleman, Esq. of the law firm of Peel Brimley appeared on behalf of Helix Electric of Nevada, LLC ("Helix"), and John Taylor, Esq. and S. Judy Hirahara, Esq. of the law firm of Cadden Fuller and Richard Tobler, Esq. of the law firm Richard Tobler, Ltd. appeared on behalf of Plaintiff in Intervention National Wood Products, Inc. ("National Wood"), the Court having heard oral argument and examined the records and documents on file in the above-entitled matter and being fully advised on the premises, hereby ORDERS as follows, having rendered its Decision filed on August 8, 2018:

1 **1. APCO Construction, Inc.'s Motion for Attorneys Fees and Costs Against**
2 **Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.**
3 **and APCO Construction, Inc.'s Memorandum of Costs and Disbursements [Against Helix**
4 **Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.].**

5 APCO requested attorney's fees from Helix and National Wood pursuant to the
6 subcontracts at issue and pursuant to APCO's November 13, 2018 offers of judgment. APCO
7 also sought an award of attorney's fees against Helix pursuant to NRS 108.237(3). The Court
8 finds that although there are certainly viable bases supporting APCO's contention that
9 contractual provisions in the repesective subcontracts and equitable estoppel can support an
10 award of attorney's fees going back in time to a point long before making of the November 13,
11 2018 offers of judgment, the Court determines, in the context of this complex case, involving
12 multiple parties and claims and consolidation of cases and periodic party alignments and
13 realignments and contractual reconfigurations, that the best basis for attorney fee awards is
14 NRCP 68.

15 NRCP 68 provides in part that at "any time more than 10 days before trial, any party may
16 serve an offer in writing to allow judgment to be taken in accordance with its terms and
17 conditions."¹ "If the offer is not accepted within 10 days after service, it shall be considered
18 rejected by the offeree and deemed withdrawn by the offeror."² And "[i]f the offeree rejects an
19 offer and fails to obtain a more favorable judgment, (1) the offeree cannot recover any costs or
20 attorney's fees and shall not recover interest for the period after the service of the offer and
21 before the judgment; and (2) the offeree shall pay the offeror's post-offer costs, applicable
22 interest on the judgment from the time of the offer to the time of entry of the judgment and
23 reasonable attorney's fees, if any be allowed, actually incurred by the offeror from the time of
24 the offer."³

25 The purpose of NRCP 68 is to promote and encourage settlement and save time and
26 money for the court system, the parties, and the taxpayers.⁴ It rewards a party who makes a

27 ¹ NRCP 68(a).

28 ² NRCP 68(e).

29 ³ NRCP 68(f).

30 ⁴ *Muije v. A N. Las Vegas Cab Co.*, 106 Nev. 664, 667, 799 P.2d 559, 561 (1990).

1 reasonable offer to settle a lawsuit and punishes the party who refuses to accept such an offer.⁵
2 “NRCP 68 encourages the settlement of lawsuits by raising the stakes for a litigant who receives
3 an offer of judgment. An offeree must balance the uncertainty of receiving a more favorable
4 judgment against the risk of receiving a less favorable judgment and being forced to pay the
5 offeror's costs and attorney's fees.”⁶ In reviewing an application for an award of attorney's fee
6 pursuant to NRCP 68, “the trial court must carefully evaluate the following factors: (1) whether
7 the plaintiff's claim was brought in good faith; (2) whether the defendants' offer of judgment was
8 reasonable and in good faith in both its timing and amount; (3) whether the plaintiff's decision to
9 reject the offer and proceed to trial was grossly unreasonable or in bad faith; and (4) whether the
10 fees sought by the offeror are reasonable and justified in amount.”⁷ “After weighing the
11 foregoing factors, the district judge may, where warranted, award up to the full amount of fees
12 requested.”⁸ An award will not be disturbed if the record is clear that the district court
13 considered the factors and the court's award is not arbitrary or capricious.⁹ No single factor
14 under *Beattie* is determinative. The district court has broad discretion to grant the request as long
15 as all appropriate factors are at least considered.¹⁰

16 On November 13, 2018, APCO made an offer of judgment to Helix for \$25,000 and an
17 offer of judgment to National Wood for \$35,000. Neither party accepted APCO's offer.

18 Preliminarily, APCO's offers were timely.¹¹ Helix and National Wood argued that the
19 November 13, 2018 offers of judgment were untimely because (i) in 2012 the Court (per Judge
20 Susan Scann) issued an Order, which was prepared and submitted by and at the behest of APCO,
21 by and through its then-attorneys, that “[t]rial of this consolidated matter commenced on October
22 30, 2012,” and (ii) this action has never been bifurcated or de-consolidated. However, the Court
23

24 ⁵ *Dillard Dep't Stores, Inc. v. Beckwith*, 115 Nev. 372, 382, 989 P.2d 882, 888 (1999).

25 ⁶ *Bergmann v. Boyce*, 109 Nev. 670, 678, 856 P.2d 560, 565 (1993).

26 ⁷ *Beattie v. Thomas*, 99 Nev. 579, 588–89, 668 P.2d 268, 274 (1983)

27 ⁸ *Beattie v. Thomas*, 99 Nev. 579, 588–89, 668 P.2d 268, 274 (1983)

28 ⁹ *Uniroyal Goodrich Tire Co. v. Mercer*, 111 Nev.

29 318, 324, 890 P.2d 785, 789 (1995), superseded by statute on other grounds as stated in *RTTC*
30 *Comm'n's, LLC v. Saratoga Flier, Inc.*, 121 Nev. 34, 41–42 & n. 20, 110 P.3d 24, 29 & n. 20 (2005).

31 ¹⁰ *Arnoult*, 114 Nev. at 252 n.16, 955 P.2d at 673 n.16.

32 ¹¹ *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 994–95, 860 P.2d 720, 724 (1993).

1 is persuaded by APCO's contention that its offers of judgment were timely relative to the
2 applicability of NRCP 68 and *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 994–95, 860 P.2d 720,
3 724 (1993).

4 The Court assesses the *Beattie* factors as follows:

- 5 • Helix's and National Wood's (CabineTec's) claims were brought in good faith.
- 6 • APCO's offers were reasonable and in good faith in both timing and amount.
- 7 • Helix's and National Wood's decisions to reject the offers and proceed to trial against
8 APCO were not grossly unreasonable or in bad faith.
- 9 • The fees sought by APCO are reasonable,¹² *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev.
10 345, 349, 455 P.2d 31, 33 (1969), but an order that Helix and National Wood pay them in
11 their entirety would not be justified given the balancing of the *Beattie* factors.

12 Accordingly, APCO's Motion for Attorney's Fees and Costs is GRANTED pursuant to
13 NRCP 68 with an award of attorneys' fees against Helix in the sum of \$85,000.00, and an award
14 of attorneys' fees against National Wood in the sum of \$60,000.00.

15 APCO requested \$57,228.89 in costs, the Court GRANTS APCO's Motion for Costs and
16 Memorandum for Costs subject to the following deductions: \$3,942.38 for travel and lodging,
17 \$6,013.42 for photocopies¹³ and \$10,500 related to an accounting audit.¹⁴ In total, APCO is
18 awarded a total of \$36,615.08 in costs; \$18,307.54 due from Helix and \$18,307.54 due from
19 National Wood.

20 In total, APCO is awarded a total of \$103,307.54 in fees and costs against Helix and a total
21 of \$78,307.54 in fees and costs against National Wood.

22
23
24 ¹² APCO's post-offer fees attributable to Helix total \$130,933.73 and APCO's post-offer fees attributable
25 to National Wood total \$106,882.23.

26 ¹³ Spencer Fane initially asked for \$15,013.42 for photocopies and reproductions for trial. With the \$6,013.42
27 deduction, APCO is awarded \$9,000 for photocopies and reproductions for trial.

28 ¹⁴ For the sake of judicial efficiency, the Court incorporates APCO's briefing on its costs from its 05/26/2018 *APCO*
Construction, Inc.'s Supplement to its of its Motion for Attorneys' Fees, APCO Construction, Inc. 06/29/2018 Reply
in Support of its Motion for Attorney's Fees and related briefing.

1 **2. Plaintiff in Intervention National Wood Products, Inc.'s Motion to Retax**
2 **Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and**
3 **Disbursements Against Plaintiff in Intervention National Wood Products, Inc. with Joinder**
4 **by Helix Electric of Nevada, LLC**

5 National Wood asserted various reasons for retaxing certain costs. National Wood's
6 Motion to Retax is granted in part as follows: First, the Court retaxes and reduces \$3,942.38 of
7 APCO's expenses related travel and lodging since these amounts were not incurred for
8 depositions. Since only half of the total travel costs were initially allocated to National Wood,
9 the Court retaxes and reduces the \$1,971.19 that APCO initially attributed to National Wood to
10 \$0.00 (zero dollars). Next, the court retaxes \$6,013.42 of the \$15,013.42 APCO requested for
11 photocopies and reduces the same to \$9,000.00. Again, because APCO only asked for half of the
12 total \$15,013.42 in photocopies against National Wood, the Court retaxes and reduces these
13 amounts as to National Wood to \$4,500.00

14 In total, APCO is awarded \$18,307.54 in costs against National Wood.

15 **3. Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO**
16 **Construction, Inc.'s Memorandum of Costs and Disbursements with Joinder by Plaintiff in**
17 **Intervention National Wood Products, Inc.**

18 Helix's Motion to Retax Costs is also granted in part. First, Helix is entitled to the same
19 deductions awarded to National Wood such that (i) the Court retaxes and reduces the \$1,971.19
20 that APCO initially attributed to Helix to \$0.00 (zero dollars) and (ii) the court retaxes \$6,013.42
21 of the \$15,013.42 APCO requested for photocopies and reduces Helix's portion of the same to
22 \$4,500.00. In addition, the Court will retax \$10,500 of accounting costs.

23 APCO is awarded \$18,307.54 in costs against Helix.

1 4. National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to
2 Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply
3 to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.

4 APCO did not oppose National Wood's Motion for Order Shortening Time to Hear
5 Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National
6 Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs. As such, the Motion
7 is granted.


8 IT IS SO ORDERED.

9 DATED this ____ day of _____, 2018.

10
11 _____
12 DISTRICT COURT JUDGE

13 Respectfully submitted by:


14 **SPENCER FANE LLP**


15 By: 
16 John H. Mowbray, Esq. (Bar No. 1140)
17 John Randall Jefferies, Esq. (Bar No. 3512)
18 Mary E. Bacon, Esq. (Bar No. 12686)
19 300 S. Fourth Street, Suite 950
20 Las Vegas, NV 89101
21 Telephone: (702) 408-3411
22 Facsimile: (702) 408-3401
23 *Attorneys for Apco Construction, Inc.*

24 Approved as to form by:

25 **RICHARD L. TOBLER, LTD.**

26 **PEEL BRIMLEY**

27 By: 
28 Richard L. Tobler, Esq.
29 Nevada Bar No. 4070
30 3654 N. Rancho Drive, Suite 102
31 Las Vegas, Nevada 89130
32 *Attorneys for Plaintiff in Intervention,*
33 *NATIONAL WOOD PRODUCTS, INC.*

34 
35 ERIC B. ZIMBELMAN,
36 Nevada Bar No. 9407
37 RICHARD L. PEEL, ESQ.
38 Nevada Bar No. 4359
39 3333 E. Serene Avenue, Suite 200
40 Henderson, NV 89074-6571
41 *Attorneys for Helix Electric of Nevada,*
42 *LLC,*

1 **4. National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to**
2 **Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply**
3 **to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.**

4 APCO did not oppose National Wood's Motion for Order Shortening Time to Hear
5 Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National
6 Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs. As such, the Motion
7 is granted.

8 IT IS SO ORDERED.

9 DATED this 25th day of September, 2018.

10 
11 DISTRICT COURT JUDGE

12 Respectfully submitted by:

13 **SPENCER FANE LLP**

14 By:

15 John H. Mowbray, Esq. (Bar No. 1140)
16 John Randall Jefferies, Esq. (Bar No. 3512)
17 Mary E. Bacon, Esq. (Bar No. 12686)
18 300 S. Fourth Street, Suite 950
19 Las Vegas, NV 89101
20 Telephone: (702) 408-3411
21 Facsimile: (702) 408-3401
22 *Attorneys for Apco Construction, Inc.*


23 Approved as to form by:

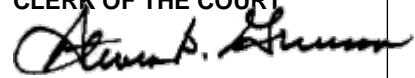
24 **RICHARD L. TOBLER, LTD.**

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26 By:

27 Richard L. Tobler, Esq.
28 Nevada Bar No. 4070
29 3654 N. Rancho Drive, Suite 102
30 Las Vegas, Nevada 89130
31 *Attorneys for Plaintiff in Intervention,*
32 *NATIONAL WOOD PRODUCTS, INC.*

33 
34 ERIC B. ZIMBELMAN,
35 Nevada Bar No. 9407
36 RICHARD L. PEEL, ESQ.
37 Nevada Bar No. 4359
38 3333 E. Serene Avenue, Suite 200
39 Henderson, NV 89074-6571
40 *Attorneys for Helix Electric of Nevada,*
41 *LLC,*



**ASTA
SPENCER FANE LLP**
John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com
RJJefferies@spencerfane.com
MBacon@spencerfane.com

-and-

MARQUIS AURBACH COFFING
Jack Chen Min Juan, Esq. (NV Bar No. 6367)
Micah Echols, Esq. (NV Bar No. 8437)
Cody S. Mounteer, Esq. (NV Bar No. 11220)
10001 Park Run Drive
Las Vegas, NV 89145
Telephone: 702.207.6089
Email: JJuan@maclaw.com
MEchols@maclaw.com
CMounteer@maclaw.com

Attorneys for Apco Construction, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

v.

GEMSTONE DEVELOPMENT WEST,
INC., A Nevada corporation,

Defendant.

AND ALL RELATED MATTERS

Case No.: A571228

Dept. No.: XIII

Consolidated with:

*A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718;
and A590319*

CASE APPEAL STATEMENT

1 Plaintiff APCO CONSTRUCTION, INC. hereby submits its Case Appeal Statement
2 pursuant to NRAP 3(f) as follows:

3 **1. Name of appellant filing this case appeal statement:**

4 APCO CONSTRUCTION, INC.

5 **2. Identify the judge issuing the decision, judgment, or order appealed**
6 **from:**

7 The Honorable Judge Mark Denton.

8 **3. Identify each appellant and the name and address of counsel for each**
9 **appellant:**

10 John H. Mowbray, Esq. (NV Bar No. 1140)
11 John Randall Jefferies, Esq. (NV Bar No. 3512)
12 Mary E. Bacon, Esq. (NV Bar No. 12686)
13 **SPENCER FANE LLP**
14 300 S. Fourth Street, Suite 950
15 Las Vegas, NV 89101
16 Telephone: (702) 408-3411
17 Facsimile: (702) 408-3401
18 E-mail: JMowbray@spencerfane.com
19 RJJefferies@spencerfane.com
20 MBacon@spencerfane.com

21 -and-

22 Jack Chen Min Juan, Esq. (NV Bar No. 6367)
23 Micah Echols, Esq. (NV Bar No. 8437)
24 Cody S. Mounteer, Esq. (NV Bar No. 11220)
25 **MARQUIS AURBACH COFFING**
26 10001 Park Run Drive
27 Las Vegas, NV 89145
28 Telephone: 702.207.6089
Email: JJuan@maclaw.com
MEchols@maclaw.com
CMounteer@maclaw.com

Attorneys for APCO Construction, Inc.

26 **4. Identify each respondent and the name and address of appellate counsel,**
27 **if known, for each respondent (if the name of a respondent's appellate counsel is**
28 **unknown, indicate as much and provide the name and address of that respondent's**

1 **trial counsel):**

2 Respondent's appellate counsel is:

3 Eric B. Zimbleman, Esq. (NV Bar No: 9407_

4 Richard L. Peel, Esq. (NV Bar No: 4359)

5 **PEEL BRIMLEY**

6 3333 E. Serene Avenue, Suite 200

7 Henderson, NV 89074-6571

8 *Attorneys for Helix Electric of Nevada, LLC*

9 **5. Indicate whether any attorney identified above in response to question 3 or 4 is**
10 **not licensed to practice law in Nevada and, if so, whether the district court granted**
11 **that attorney permission to appear under SCR 42 (attach a copy of any district court**
12 **order granting such permission):**

13 Not applicable.

14 **6. Indicate whether appellant was represented by appointed or retained**
15 **counsel in the district court:**

16 Appellant was represented by retained counsel Spencer Fane LLP and Marquis
17 Aurbach Coffing in the district court.

18 **7. Indicate whether appellant is represented by appointed or retained**
19 **counsel on appeal:**

20 Appellant is represented by retained counsel Spencer Fane LLP and Marquis
21 Aurbach Coffing on appeal.

22 **8. Indicate whether appellant was granted leave to proceed in forma**
23 **pauperis, and the date of entry of the district court order granting such leave:**

24 Appellant did not apply for and was not granted leave to proceed in forma pauperis.

25 **9. Indicate the date the proceedings commenced in the district court (e.g.,**
26 **date complaint, indictment, information, or petition was filed):**

27 The complaint in the consolidated action was filed on September 9, 2008. Helix
28 Electric of Nevada, LLC's ("Helix") Amended Statement of Facts Constituting Notice of
Lien and Third-Party Complaint was filed on June 24, 2009.

1 **10. Provide a brief description of the nature of the action and result in the**
2 **district court, including the type of judgment or order being appealed and the relief**
3 **granted by the district court:**

4 This action arises out of a construction project in Las Vegas, Nevada known as the
5 Manhattan West Condominiums Project (“the Project”) in Clark County Nevada, (the
6 “Project”). Gemstone Development West, Inc. (“Gemstone”) was the owner of the Project
7 that contracted with APCO to serve as the prime contractor. Gemstone and APCO entered
8 into the Manhattan West General Construction Agreement (the “Agreement”) on or about
9 September 6, 2007.

10 APCO entered into a subcontract with Helix to provide electrical services on the
11 Project. Gemstone did not pay APCO for its June, July or August 2008 billings,
12 terminated APCO from the Project in August 2008 and hired a replacement general
13 contractor, Camco Construction, Inc. (“Camco”). APCO ensured payment to Helix through
14 its August 2008 billings submitted to APCO before APCO left the Project. Helix continued
15 working on the Project for Camco and brought an action against APCO alleging non-
16 payment of retention when the Project shutdown several months later. The district court
17 held a trial on the merits and entered judgment in favor of APCO, finding APCO had no
18 liability to Helix. After trial, APCO filed a motion for attorney’s fees seeking fees pursuant
19 to (1) the subcontract, (2) the mechanic’s lien statute, and (3) an offer of judgment. Instead
20 of determining whether or not APCO was entitled to fees under the relevant subcontract or
21 pursuant to the mechanic’s lien statute, the District Court simply determined APCO’s “best
22 basis” for fees was pursuant to APCO’s offer of judgment.

23 APCO is appealing the Order Granting APCO Construction, Inc.’s Motion for
24 Attorney’s Fees and Costs, (2) Granting APCO Construction, Inc.’s Memorandum of Costs
25 in Part, (3) Granting Helix Electric of Nevada LLC’s Motion to Retax in Part, (4) Granting
26 Plaintiff in Intervention National Wood Products, LLC’s Motion to Retax in Part and
27 Denying in Part and (5) Granting National Wood Product, Inc.’s Motion to File a Surreply,
28 entered on September 28, 2018, attached as **Exhibit A**. APCO contends it is entitled to

attorneys fees under the relevant subcontract.

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

The case has previously been the subject of three writ proceedings, and one appeal, as summarized below.

| Case No. | Short Caption | Date Filed | Type-Subtype |
|----------|--------------------------------------------------------------------------|------------|----------------------------------|
| 61131 | APCO Construction, Inc. v. Dist. Ct. (Scott Finical) | 06/25/2012 | Civil - Mandamus/ Prohibition |
| 57784 | Club Vista Financial Services v. Dist. Ct. (Scott Finical) | 02/17/2011 | Civil - Mandamus/ Prohibition |
| 57641 | Club Vista Financial Services vs. Dist. Ct. (Scott Finical Corp.). | 01/28/2011 | Civil - Mandamus/ Prohibition |
| 75197 | APCO Construction, Inc. vs. Zitting Bros. Construction, Inc. | 02/27/2018 | General- Other |

12. Indicate whether this appeal involves child custody or visitation:

This appeal does not involve child custody or visitation.

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

APCO believes there is a possibility of settlement.

///

///

///

///

1 Dated this 26th day of October, 2018.

2 **MARQUIS AURBACH COFFING**

3
4 By: /s/ Cody S. Munteer

5 Jack Chen Min Juan, Esq. (NV Bar No. 6367)

6 Micah Echols, Esq. (NV Bar No. 8437)

7 Cody S. Munteer, Esq. (NV Bar No. 11220)

8 10001 Park Run Drive

9 Las Vegas, NV 89145

10 Telephone: 702.207.6089

11 Email: JJuan@maclaw.com

12 MEchols@maclaw.com

13 CMunteer@maclaw.com

14
15 *Attorneys for Apco Construction, Inc.*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of Marquis Aurbach Coffing and that a copy
3 of the foregoing **CASE APPEAL STATEMENT** was served by electronic transmission
4 through the E-Filing system pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26 or by
5 mailing a copy to their last known address, first class mail, postage prepaid for non-
6 registered users, on this 26th day of October, 2018, as follows:

7 **Counter Claimant: Camco Pacific Construction Co Inc**

8 Steven L. Morris (steve@gmdlegal.com)

9 **Intervenor Plaintiff: Cactus Rose Construction Inc**

10 Eric B. Zimbelman (ezimbelman@peelbrimley.com)

11 **Intervenor Plaintiff: Interstate Plumbing & Air Conditioning Inc**

12 Jonathan S. Dabbieri (dabbieri@sullivanhill.com)

13 **Intervenor: National Wood Products, Inc.'s**

14 Dana Y Kim (dkim@caddenfuller.com)

15 Richard L Tobler (rltldck@hotmail.com)

16 Richard Reincke (rreincke@caddenfuller.com)

17 S. Judy Hirahara (jhirahara@caddenfuller.com)

18 Tammy Cortez (tcortez@caddenfuller.com)

19 **Other: Chapter 7 Trustee**

20 Elizabeth Stephens (stephens@sullivanhill.com)

21 Gianna Garcia (ggarcia@sullivanhill.com)

22 Jennifer Saurer (Saurer@sullivanhill.com)

23 Jonathan Dabbieri (dabbieri@sullivanhill.com)

24 **Plaintiff: Apco Construction**

25 Rosie Wesp (rwesp@maclaw.com)

26 **Third Party Plaintiff: E & E Fire Protection LLC**

27 TRACY JAMES TRUMAN (DISTRICT@TRUMANLEGAL.COM)

Other Service Contacts

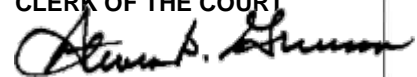
"Caleb Langsdale, Esq." . (caleb@langsdaledlaw.com)
"Cody Mounteer, Esq." . (cmounteer@marquisaurbach.com)
"Cori Mandy, Legal Secretary" . (cori.mandy@procopio.com)
"Donald H. Williams, Esq." . (dwilliams@dhwlav.com)
"Marisa L. Maskas, Esq." . (mmaskas@pezzilloloyd.com)
"Martin A. Little, Esq." . (mal@juww.com)
"Martin A. Little, Esq." . (mal@juww.com)
Aaron D. Lancaster . (alancaster@gerrard-cox.com)
Agnes Wong . (aw@juww.com)
Amanda Armstrong . (aarmstrong@peelbrimley.com)
Andrew J. Kessler . (andrew.kessler@procopio.com)
Becky Pintar . (bpintar@gglt.com)
Benjamin D. Johnson . (ben.johnson@btjd.com)
Beverly Roberts . (broberts@trumanlegal.com)
Brad Slighting . (bslighting@djplaw.com)
Caleb Langsdale . (Caleb@Langsdaledlaw.com)
Calendar . (calendar@litigationsservices.com)
Cheri Vandermeulen . (cvandermeulen@dickinsonwright.com)
Christine Spencer . (cspencer@dickinsonwright.com)
Christine Taradash . (CTaradash@maazlaw.com)
Cindy Simmons . (csimmons@djplaw.com)
Courtney Peterson . (cpeterson@maclaw.com)
Cynthia Kelley . (ckelley@nevadafirm.com)
Dana Y. Kim . (dkim@caddenfuller.com)
David J. Merrill . (david@djmerrillpc.com)
David R. Johnson . (djohnson@watttieder.com)
Debbie Holloman . (dholloman@jamsadr.com)
Debbie Rosewall . (dr@juww.com)
Debra Hitchens . (dhitchens@maazlaw.com)
Depository . (Depository@litigationsservices.com)
District filings . (district@trumanlegal.com)
Donna Wolfbrandt . (dwolfbrandt@dickinsonwright.com)

1 Douglas D. Gerrard . (dgerrard@gerrard-cox.com)
2 E-File Desk . (EfileLasVegas@wilsonelser.com)
3 Elizabeth Martin (em@juww.com)
4 Eric Dobberstein . (edobberstein@dickinsonwright.com)
5 Eric Zimbelman . (ezimbelman@peelbrimley.com)
6 Erica Bennett . (e.bennett@kempjones.com)
7 Floyd Hale . (fhale@floyd hale.com)
8 George Robinson . (grobinson@pezzillolloyd.com)
9 Glenn F. Meier . (gmeier@nevadafirm.com)
10 Gwen Rutar Mullins . (grm@h2law.com)
11 Hrustyk Nicole . (Nicole.Hrustyk@wilsonelser.com)
12 I-Che Lai . (I-Che.Lai@wilsonelser.com)
13 Jack Juan . (jjuan@marquisaubach.com)
14 Jennifer Case . (jcase@maclaw.com)
15 Jennifer MacDonald . (jmacdonald@watttieder.com)
16 Jennifer R. Lloyd . (Jlloyd@pezzillolloyd.com)
17 Jineen DeAngelis . (jdeangelis@foxrothschild.com)
18 Jorge Ramirez . (Jorge.Ramirez@wilsonelser.com)
19 Kathleen Morris . (kmorris@mcdonaldcarano.com)
20 Kaytlyn Bassett . (kbassett@gerrard-cox.com)
21 Kelly McGee . (kom@juww.com)
22 Kenzie Dunn . (kdunn@btjd.com)
23 Lani Maile . (Lani.Maile@wilsonelser.com)
24 Legal Assistant . (rrlegalassistant@rookerlaw.com)
25 Linda Compton . (lcompton@gglts.com)
26 Marie Ogella . (mogella@gordonrees.com)
27 Michael R. Ernst . (mre@juww.com)
28 Michael Rawlins . (mrawlins@rookerlaw.com)
Pamela Montgomery . (pym@kempjones.com)
Phillip Aurbach . (paurbach@maclaw.com)
Rachel E. Donn . (rdonn@nevadafirm.com)
Rebecca Chapman . (rebecca.chapman@procopio.com)
Receptionist . (Reception@nvbusinesslawyers.com)

1 Renee Hoban . (rhoban@nevadafirm.com)
2 Richard I. Dreitzer . (rdreitzer@foxrothschild.com)
3 Richard Tobler . (rltldck@hotmail.com)
4 Rosey Jeffrey . (rjeffrey@peelbrimley.com)
5 Ryan Bellows . (rbellows@mcdonaldcarano.com)
6 S. Judy Hirahara . (jhirahara@caddenfuller.com)
7 Sarah A. Mead . (sam@juww.com)
8 Steven Morris . (steve@gmdlegal.com)
9 Tammy Cortez . (tcortez@caddenfuller.com)
10 Taylor Fong . (tfong@marquisaurbach.com)
11 Terri Hansen . (thansen@peelbrimley.com)
12 Timother E. Salter . (tim.salter@procopio.com)
13 Wade B. Gochmour . (wbg@h2law.com)

13 /s/ Taylor Fong
14 an employee of Marquis Aurbach Coffing
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit A



SPENCER FANE LLP

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com

RJJefferies@spencerfane.com

MBacon@spencerfane.com

-and-

MARQUIS AURBACH COFFING

Jack Chen Min Juan, Esq. (Bar No. 6367)
Cody S. Munteer, Esq. (Bar No. 11220)
10001 Park Run Drive
Las Vegas, NV 89145
Telephone: 702.207.6089
Email: jjuan@maclaw.com
cmunteer@maclaw.com

Attorneys for Apco Construction, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

v.

GEMSTONE DEVELOPMENT WEST,
INC., A Nevada corporation,

Defendant.

Case No.: A571228

Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718;
and A590319

NOTICE OF ENTRY OF ORDER (1)
GRANTING APCO CONSTRUCTION,
INC. MOTION FOR ATTORNEYS FEES
AND COSTS (2) GRANTING APCO
CONSTRUCTION, INC.'S
MEMORANDUM OF COSTS IN PART
(3) GRANTING HELIX ELECTRIC OF
NEVADA LLC'S MOTION TO RETAX
IN PART AND DENYING IN PART (4)
GRANTING PLAINTIFF

**INTERVENTION NATIONAL WOOD
PRODUCTS LLC'S MOTION TO
RETAX IN PART AND DENYING IN
PART AND (5) GRANTING NATIONAL
WOOD PRODUCTS, INC.'S MOTION
TO FILE A SURREPLY**

AND ALL RELATED MATTERS

TO: All parties herein and their respective counsel:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that on the 27th day of September, 2018, a **ORDER (1) GRANTING APCO CONSTRUCTION, INC. MOTION FOR ATTORNEYS FEES AND COSTS (2) GRANTING APCO CONSTRUCTION, INC.'S MEMORANDUM OF COSTS IN PART (3) GRANTING HELIX ELECTRIC OF NEVADA LLC'S MOTION TO RETAX IN PART AND DENYING IN PART (4) GRANTING PLAINTIFF INTERVENTION NATIONAL WOOD PRODUCTS LLC'S MOTION TO RETAX IN PART AND DENYING IN PART AND (5) GRANTING NATIONAL WOOD PRODUCTS, INC.'S MOTION TO FILE A SURREPLY** was entered in the above case. A copy is attached.

DATED: September 28, 2018.

SPENCER FANE LLP

By: /s/ Mary E. Bacon

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
Attorneys for Apco Construction, Inc.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of SPENCER FANE LLP and that a copy of the
3 foregoing **NOTICE OF ENTRY OF ORDER (1) GRANTING APCO CONSTRUCTION,**
4 **INC. MOTION FOR ATTORNEYS FEES AND COSTS (2) GRANTING APCO**
5 **CONSTRUCTION, INC.'S MEMORANDUM OF COSTS IN PART (3) GRANTING**
6 **HELIX ELECTRIC OF NEVADA LLC'S MOTION TO RETAX IN PART AND**
7 **DENYING IN PART (4) GRANTING PLAINTIFF INTERVENTION NATIONAL WOOD**
8 **PRODUCTS LLC'S MOTION TO RETAX IN PART AND DENYING IN PART AND (5)**
9 **GRANTING NATIONAL WOOD PRODUCTS, INC.'S MOTION TO FILE A SURREPLY**
10

11 was served by electronic transmission through the E-Filing system pursuant to NEFCR 9, NRCR
12 5(b) and EDCR 7.26 or by mailing a copy to their last known address, first class mail, postage
13 prepaid for non-registered users, on this 28th day of September, 2018, as follows:

14
15 **Counter Claimant: Camco Pacific Construction Co Inc**

16 Steven L. Morris (steve@gmdlegal.com)

17 **Intervenor Plaintiff: Cactus Rose Construction Inc**

18 Eric B. Zimbelman (ezimbelman@peelbrimley.com)

19 **Intervenor Plaintiff: Interstate Plumbing & Air Conditioning Inc**

20 Jonathan S. Dabbieri (dabbieri@sullivanhill.com)

21 **Intervenor: National Wood Products, Inc.'s**

22 Dana Y Kim (dkim@caddenfuller.com)

23 Richard L Tobler (rltldck@hotmail.com)

24 Richard Reincke (rreincke@caddenfuller.com)

25 S. Judy Hirahara (jhirahara@caddenfuller.com)

26 Tammy Cortez (tcortez@caddenfuller.com)

27 **Other: Chapter 7 Trustee**

28 Elizabeth Stephens (stephens@sullivanhill.com)

Gianna Garcia (ggarcia@sullivanhill.com)

Jennifer Saurer (Saurer@sullivanhill.com)

Jonathan Dabbieri (dabbieri@sullivanhill.com)

Plaintiff: Apco Construction

Rosie Wesp (rwesp@maclaw.com)

Third Party Plaintiff: E & E Fire Protection LLC

TRACY JAMES TRUMAN (DISTRICT@TRUMANLEGAL.COM)

Other Service Contacts

"Caleb Langsdale, Esq." . (caleb@langsdalelaw.com)

"Cody Mounteer, Esq." . (cmounteer@marquisaurbach.com)

"Cori Mandy, Legal Secretary" . (cori.mandy@procopio.com)

"Donald H. Williams, Esq." . (dwilliams@dhwilawlv.com)

"Marisa L. Maskas, Esq." . (mmaskas@pezzilloloyd.com)

"Martin A. Little, Esq." . (mal@juww.com)

"Martin A. Little, Esq." . (mal@juww.com)

Aaron D. Lancaster . (alancaster@gerrard-cox.com)

Agnes Wong . (aw@juww.com)

Amanda Armstrong . (aarmstrong@peelbrimley.com)

Andrew J. Kessler . (andrew.kessler@procopio.com)

Becky Pintar . (bpintar@gglt.com)

Benjamin D. Johnson . (ben.johnson@btjd.com)

Beverly Roberts . (broberts@trumanlegal.com)

Brad Slighting . (bslighting@djplaw.com)

1 Caleb Langsdale . (Caleb@Langsdalelaw.com)
2 Calendar . (calendar@litigationservices.com)
3 Cheri Vandermeulen . (cvandermeulen@dickinsonwright.com)
4 Christine Spencer . (cspencer@dickinsonwright.com)
5 Christine Taradash . (CTaradash@maazlaw.com)
6 Cindy Simmons . (csimmons@djplaw.com)
7 Courtney Peterson . (cpeterson@maclaw.com)
8 Cynthia Kelley . (ckelley@nevadafirm.com)
9 Dana Y. Kim . (dkim@caddenfuller.com)
10 David J. Merrill . (david@djmerillpc.com)
11 David R. Johnson . (djohnson@watttieder.com)
12 Debbie Holloman . (dholloman@jamsadr.com)
13 Debbie Rosewall . (dr@juww.com)
14 Debra Hitchens . (dhitchens@maazlaw.com)
15 Depository . (Depository@litigationservices.com)
16 District filings . (district@trumanlegal.com)
17 Donna Wolfbrandt . (dwolfbrandt@dickinsonwright.com)
18 Douglas D. Gerrard . (dgerrard@gerrard-cox.com)
19 E-File Desk . (EfileLasVegas@wilsonelser.com)
20 Elizabeth Martin (em@juww.com)
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22 Eric Zimbelman . (ezimbelman@peelbrimley.com)
23 Erica Bennett . (e.bennett@kempjones.com)
24 Floyd Hale . (fhale@floydhale.com)
25 George Robinson . (grobinson@pezzillolloyd.com)
26 Glenn F. Meier . (gmeier@nevadafirm.com)
27 Gwen Rutar Mullins . (grm@h2law.com)
28 Hrustyk Nicole . (Nicole.Hrustyk@wilsonelser.com)
I-Che Lai . (I-Che.Lai@wilsonelser.com)
Jack Juan . (jjuan@marquisaurbach.com)
Jennifer Case . (jcase@maclaw.com)
Jennifer MacDonald . (jmacdonald@watttieder.com)
Jennifer R. Lloyd . (Jlloyd@pezzillolloyd.com)
Jineen DeAngelis . (jdeangelis@foxrothschild.com)

1 Jorge Ramirez . (Jorge.Ramirez@wilsonelser.com)
2 Kathleen Morris . (kmorris@mcdonaldcarano.com)
3 Kaytlyn Bassett . (kbassett@gerrard-cox.com)
4 Kelly McGee . (kom@juww.com)
5 Kenzie Dunn . (kdunn@btjd.com)
6 Lani Maile . (Lani.Maile@wilsonelser.com)
7 Legal Assistant . (rrlegalassistant@rookerlaw.com)
8 Linda Compton . (lcompton@ggllts.com)
9 Marie Ogella . (mogella@gordonrees.com)
10 Michael R. Ernst . (mre@juww.com)
11 Michael Rawlins . (mrawlins@rookerlaw.com)
12 Pamela Montgomery . (pym@kempjones.com)
13 Phillip Aurbach . (paurbach@maclaw.com)
14 Rachel E. Donn . (rdonn@nevadafirm.com)
15 Rebecca Chapman . (rebecca.chapman@procopio.com)
16 Receptionist . (Reception@nvbusinesslawyers.com)
17
18 Renee Hoban . (rhoban@nevadafirm.com)
19 Richard I. Dreitzer . (rdreitzer@foxrothschild.com)
20 Richard Tobler . (rltldck@hotmail.com)
21 Rosey Jeffrey . (rjeffrey@peelbrimley.com)
22 Ryan Bellows . (rbellows@mcdonaldcarano.com)
23 S. Judy Hirahara . (jhirahara@caddenfuller.com)
24 Sarah A. Mead . (sam@juww.com)
25 Steven Morris . (steve@gmdlegal.com)
26 Tammy Cortez . (tcortez@caddenfuller.com)
27 Taylor Fong . (tfong@marquisaurbach.com)
28 Terri Hansen . (thansen@peelbrimley.com)
Timothy E. Salter . (tim.salter@procopio.com)
Wade B. Gochmour . (wbg@h2law.com)

/s/ Elizabeth Kuchman
An employee of Spencer Fane LLP



ODR

Spencer Fane LLP

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com
RJefferies@spencerfane.com
MBacon@spencerfane.com

-and-

Marquis Aurbach Coffing

Jack Chen Min Juan, Esq. (Bar No. 6367)
Cody S. Mounteer, Esq. (Bar No. 11220)
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
jjuan@maclaw.com
cmounteer@maclaw.com

Attorneys for APCO Construction

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

vs.

GEMSTONE DEVELOPMENT WEST, INC., A
Nevada corporation,

Defendant.

Case No.: A571228
Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718 and
A590319

ORDER:

**(1) GRANTING APCO CONSTRUCTION,
INC. MOTION FOR ATTORNEYS FEES
AND COSTS**

**(2) GRANTING APCO CONSTRUCTION,
INC.'S MEMORANDUM OF COSTS IN
PART**

**(3) GRANTING HELIX ELECTRIC OF
NEVADA LLC'S MOTION TO RETAX IN
PART AND DENYING IN PART**

RECEIVED

SEP 14 2018

DISTRICT COURT DEPT#13

**(4) GRANTING PLAINTIFF IN
INTERVENTION NATIONAL WOOD
PRODUCTS LLC'S MOTION TO RETAX
IN PART AND DENYING IN PART**

-AND-

**(5) GRANTING NATIONAL WOOD
PRODUCTS, INC.'S MOTION TO FILE A
SURREPLY**

AND ALL RELATED MATTERS

On July 19, 2018, the Court heard the following motions: (1) APCO Construction Inc.'s Motion for Attorneys Fees and Costs; (2) APCO Construction, Inc.'s Memorandum of Costs [Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.]; (3) Plaintiff in Intervention National Wood Products, Inc.'s Motion to Retax Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and Disbursements Against Plaintiff in Intervention National Wood Products, Inc. with Joinder by Helix Electric of Nevada, LLC, (4) Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and Disbursements with Joinder by Plaintiff in Intervention National Wood Products, Inc., and (5) National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.

John Randall Jefferies, Esq. and Mary Bacon, Esq. of the law firm of Spencer Fane appeared on behalf of APCO Construction, Inc. ("APCO"); Eric Zimbleman, Esq. of the law firm of Peel Brimley appeared on behalf of Helix Electric of Nevada, LLC ("Helix"), and John Taylor, Esq. and S. Judy Hirahara, Esq. of the law firm of Cadden Fuller and Richard Tobler, Esq. of the law firm Richard Tobler, Ltd. appeared on behalf of Plaintiff in Intervention National Wood Products, Inc. ("National Wood"), the Court having heard oral argument and examined the records and documents on file in the above-entitled matter and being fully advised on the premises, hereby ORDERS as follows, having rendered its Decision filed on August 8, 2018:

1 **1. APCO Construction, Inc.'s Motion for Attorneys Fees and Costs Against**
2 **Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.**
3 **and APCO Construction, Inc.'s Memorandum of Costs and Disbursements [Against Helix**
4 **Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.].**

5 APCO requested attorney's fees from Helix and National Wood pursuant to the
6 subcontracts at issue and pursuant to APCO's November 13, 2018 offers of judgment. APCO
7 also sought an award of attorney's fees against Helix pursuant to NRS 108.237(3). The Court
8 finds that although there are certainly viable bases supporting APCO's contention that
9 contractual provisions in the repesective subcontracts and equitable estoppel can support an
10 award of attorney's fees going back in time to a point long before making of the November 13,
11 2018 offers of judgment, the Court determines, in the context of this complex case, involving
12 multiple parties and claims and consolidation of cases and periodic party alignments and
13 realignments and contractual reconfigurations, that the best basis for attorney fee awards is
14 NRCP 68.

15 NRCP 68 provides in part that at "any time more than 10 days before trial, any party may
16 serve an offer in writing to allow judgment to be taken in accordance with its terms and
17 conditions."¹ "If the offer is not accepted within 10 days after service, it shall be considered
18 rejected by the offeree and deemed withdrawn by the offeror."² And "[i]f the offeree rejects an
19 offer and fails to obtain a more favorable judgment, (1) the offeree cannot recover any costs or
20 attorney's fees and shall not recover interest for the period after the service of the offer and
21 before the judgment; and (2) the offeree shall pay the offeror's post-offer costs, applicable
22 interest on the judgment from the time of the offer to the time of entry of the judgment and
23 reasonable attorney's fees, if any be allowed, actually incurred by the offeror from the time of
24 the offer."³

25 The purpose of NRCP 68 is to promote and encourage settlement and save time and
26 money for the court system, the parties, and the taxpayers.⁴ It rewards a party who makes a

27 ¹ NRCP 68(a).

28 ² NRCP 68(e).

29 ³ NRCP 68(f).

30 ⁴ *Muije v. A N. Las Vegas Cab Co.*, 106 Nev. 664, 667, 799 P.2d 559, 561 (1990).

1 reasonable offer to settle a lawsuit and punishes the party who refuses to accept such an offer.⁵
2 “NRCP 68 encourages the settlement of lawsuits by raising the stakes for a litigant who receives
3 an offer of judgment. An offeree must balance the uncertainty of receiving a more favorable
4 judgment against the risk of receiving a less favorable judgment and being forced to pay the
5 offeror's costs and attorney's fees.”⁶ In reviewing an application for an award of attorney’s fee
6 pursuant to NRCP 68, “the trial court must carefully evaluate the following factors: (1) whether
7 the plaintiff's claim was brought in good faith; (2) whether the defendants' offer of judgment was
8 reasonable and in good faith in both its timing and amount; (3) whether the plaintiff's decision to
9 reject the offer and proceed to trial was grossly unreasonable or in bad faith; and (4) whether the
10 fees sought by the offeror are reasonable and justified in amount.”⁷ “After weighing the
11 foregoing factors, the district judge may, where warranted, award up to the full amount of fees
12 requested.”⁸ An award will not be disturbed if the record is clear that the district court
13 considered the factors and the court’s award is not arbitrary or capricious.⁹ No single factor
14 under *Beattie* is determinative. The district court has broad discretion to grant the request as long
15 as all appropriate factors are at least considered.¹⁰

16 On November 13, 2018, APCO made an offer of judgment to Helix for \$25,000 and an
17 offer of judgment to National Wood for \$35,000. Neither party accepted APCO’s offer.

18 Preliminarily, APCO’s offers were timely.¹¹ Helix and National Wood argued that the
19 November 13, 2018 offers of judgment were untimely because (i) in 2012 the Court (per Judge
20 Susan Scann) issued an Order, which was prepared and submitted by and at the behest of APCO,
21 by and through its then-attorneys, that “[t]rial of this consolidated matter commenced on October
22 30, 2012,” and (ii) this action has never been bifurcated or de-consolidated. However, the Court
23

24 ⁵ *Dillard Dep’t Stores, Inc. v. Beckwith*, 115 Nev. 372, 382, 989 P.2d 882, 888 (1999).

25 ⁶ *Bergmann v. Boyce*, 109 Nev. 670, 678, 856 P.2d 560, 565 (1993).

26 ⁷ *Beattie v. Thomas*, 99 Nev. 579, 588–89, 668 P.2d 268, 274 (1983)

27 ⁸ *Beattie v. Thomas*, 99 Nev. 579, 588–89, 668 P.2d 268, 274 (1983)

28 ⁹ *Uniroyal Goodrich Tire Co. v. Mercer*, 111 Nev.

29 318, 324, 890 P.2d 785, 789 (1995), superseded by statute on other grounds as stated in *RTTC*
30 *Comm’n’s, LLC v. Saratoga Flier, Inc.*, 121 Nev. 34, 41–42 & n. 20, 110 P.3d 24, 29 & n. 20 (2005).

31 ¹⁰ *Arnoult*, 114 Nev. at 252 n.16, 955 P.2d at 673 n.16.

32 ¹¹ *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 994–95, 860 P.2d 720, 724 (1993).

1 is persuaded by APCO's contention that its offers of judgment were timely relative to the
2 applicability of NRCP 68 and *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 994–95, 860 P.2d 720,
3 724 (1993).

4 The Court assesses the *Beattie* factors as follows:

- 5 • Helix's and National Wood's (CabineTec's) claims were brought in good faith.
- 6 • APCO's offers were reasonable and in good faith in both timing and amount.
- 7 • Helix's and National Wood's decisions to reject the offers and proceed to trial against
8 APCO were not grossly unreasonable or in bad faith.
- 9 • The fees sought by APCO are reasonable,¹² *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev.
10 345, 349, 455 P.2d 31, 33 (1969), but an order that Helix and National Wood pay them in
11 their entirety would not be justified given the balancing of the *Beattie* factors.

12 Accordingly, APCO's Motion for Attorney's Fees and Costs is GRANTED pursuant to
13 NRCP 68 with an award of attorneys' fees against Helix in the sum of \$85,000.00, and an award
14 of attorneys' fees against National Wood in the sum of \$60,000.00.

15 APCO requested \$57,228.89 in costs, the Court GRANTS APCO's Motion for Costs and
16 Memorandum for Costs subject to the following deductions: \$3,942.38 for travel and lodging,
17 \$6,013.42 for photocopies¹³ and \$10,500 related to an accounting audit.¹⁴ In total, APCO is
18 awarded a total of \$36,615.08 in costs; \$18,307.54 due from Helix and \$18,307.54 due from
19 National Wood.

20 In total, APCO is awarded a total of \$103,307.54 in fees and costs against Helix and a total
21 of \$78,307.54 in fees and costs against National Wood.

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24 ¹² APCO's post-offer fees attributable to Helix total \$130,933.73 and APCO's post-offer fees attributable
25 to National Wood total \$106,882.23.

26 ¹³ Spencer Fane initially asked for \$15,013.42 for photocopies and reproductions for trial. With the \$6,013.42
27 deduction, APCO is awarded \$9,000 for photocopies and reproductions for trial.

28 ¹⁴ For the sake of judicial efficiency, the Court incorporates APCO's briefing on its costs from its 05/26/2018 *APCO*
Construction, Inc.'s Supplement to its of its Motion for Attorneys' Fees, APCO Construction, Inc. 06/29/2018 Reply
in Support of its Motion for Attorney's Fees and related briefing.

1 2. Plaintiff in Intervention National Wood Products, Inc.'s Motion to Retax
2 Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and
3 Disbursements Against Plaintiff in Intervention National Wood Products, Inc. with Joinder
4 by Helix Electric of Nevada, LLC

5 National Wood asserted various reasons for retaxing certain costs. National Wood's
6 Motion to Retax is granted in part as follows: First, the Court retaxes and reduces \$3,942.38 of
7 APCO's expenses related travel and lodging since these amounts were not incurred for
8 depositions. Since only half of the total travel costs were initially allocated to National Wood,
9 the Court retaxes and reduces the \$1,971.19 that APCO initially attributed to National Wood to
10 \$0.00 (zero dollars). Next, the court retaxes \$6,013.42 of the \$15,013.42 APCO requested for
11 photocopies and reduces the same to \$9,000.00. Again, because APCO only asked for half of the
12 total \$15,013.42 in photocopies against National Wood, the Court retaxes and reduces these
13 amounts as to National Wood to \$4,500.00

14 In total, APCO is awarded \$18,307.54 in costs against National Wood.

15 3. Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO
16 Construction, Inc.'s Memorandum of Costs and Disbursements with Joinder by Plaintiff in
17 Intervention National Wood Products, Inc.

18 Helix's Motion to Retax Costs is also granted in part. First, Helix is entitled to the same
19 deductions awarded to National Wood such that (i) the Court retaxes and reduces the \$1,971.19
20 that APCO initially attributed to Helix to \$0.00 (zero dollars) and (ii) the court retaxes \$6,013.42
21 of the \$15,013.42 APCO requested for photocopies and reduces Helix's portion of the same to
22 \$4,500.00. In addition, the Court will retax \$10,500 of accounting costs.

23 APCO is awarded \$18,307.54 in costs against Helix.
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28

1 4. National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to
2 Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply
3 to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.

4 APCO did not oppose National Wood's Motion for Order Shortening Time to Hear
5 Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National
6 Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs. As such, the Motion
7 is granted.


8 IT IS SO ORDERED.

9 DATED this ____ day of _____, 2018.

10
11 _____
12 DISTRICT COURT JUDGE

13 Respectfully submitted by:


14 **SPENCER FANE LLP**


15 By: 
16 John H. Mowbray, Esq. (Bar No. 1140)
17 John Randall Jefferies, Esq. (Bar No. 3512)
18 Mary E. Bacon, Esq. (Bar No. 12686)
19 300 S. Fourth Street, Suite 950
20 Las Vegas, NV 89101
21 Telephone: (702) 408-3411
22 Facsimile: (702) 408-3401
23 *Attorneys for Apco Construction, Inc.*

24 Approved as to form by:

25 **RICHARD L. TOBLER, LTD.**

26 **PEEL BRIMLEY**

27 By: 
28 Richard L. Tobler, Esq.
29 Nevada Bar No. 4070
30 3654 N. Rancho Drive, Suite 102
31 Las Vegas, Nevada 89130
32 *Attorneys for Plaintiff in Intervention,*
33 *NATIONAL WOOD PRODUCTS, INC.*

34 
35 ERIC B. ZIMBELMAN,
36 Nevada Bar No. 9407
37 RICHARD L. PEEL, ESQ.
38 Nevada Bar No. 4359
39 3333 E. Serene Avenue, Suite 200
40 Henderson, NV 89074-6571
41 *Attorneys for Helix Electric of Nevada,*
42 *LLC,*

1 **4. National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to**
2 **Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply**
3 **to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.**

4 APCO did not oppose National Wood's Motion for Order Shortening Time to Hear
5 Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National
6 Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs. As such, the Motion
7 is granted.

8 IT IS SO ORDERED.

9 DATED this 25th day of September, 2018.

10 
11 _____
12 DISTRICT COURT JUDGE

13 Respectfully submitted by:

14 **SPENCER FANE LLP**

15 By:

16 John H. Mowbray, Esq. (Bar No. 1140)
17 John Randall Jefferies, Esq. (Bar No. 3512)
18 Mary E. Bacon, Esq. (Bar No. 12686)
19 300 S. Fourth Street, Suite 950
20 Las Vegas, NV 89101
21 Telephone: (702) 408-3411
22 Facsimile: (702) 408-3401
23 *Attorneys for Apco Construction, Inc.*


24 **Approved as to form by:**

25 **RICHARD L. TOBLER, LTD.**

26 **PEEL BRIMLEY**

27 By:

28 Richard L. Tobler, Esq.
29 Nevada Bar No. 4070
30 3654 N. Rancho Drive, Suite 102
31 Las Vegas, Nevada 89130
32 *Attorneys for Plaintiff in Intervention,*
33 **NATIONAL WOOD PRODUCTS, INC.**

34 
35 ERIC B. ZIMBELMAN,
36 Nevada Bar No. 9407
37 RICHARD L. PEEL, ESQ.
38 Nevada Bar No. 4359
39 3333 E. Serene Avenue, Suite 200
40 Henderson, NV 89074-6571
41 *Attorneys for Helix Electric of Nevada,*
42 **LLC,**

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

§
§
§
§
§
§
§

Location: **Department 13**
Judicial Officer: **Denton, Mark R.**
Filed on: **09/09/2008**
Case Number History:
Cross-Reference Case Number: **A571228**
Supreme Court No.: **75197**
76276

CASE INFORMATION

Related Cases

08A574391 (Consolidated)
08A574792 (Consolidated)
08A577623 (Consolidated)
09A580889 (Consolidated)
09A583289 (Consolidated)
09A584730 (Consolidated)
09A587168 (Consolidated)
A-09-589195-C (Consolidated)
A-09-589677-C (Consolidated)
A-09-590319-C (Consolidated)
A-09-592826-C (Consolidated)
A-09-596924-C (Consolidated)
A-09-597089-C (Consolidated)
A-09-606730-C (Consolidated)
A-10-608717-C (Consolidated)
A-10-608718-C (Consolidated)

Case Type: **Business Court**

Case Flags: **Consolidated - Lead Case**
Electronic Filing Case
01/28/10 Case Management Order
Discovery heard by Department
Appealed to Supreme Court
Business Court
Special Master Appointed
Automatically Exempt from Arbitration

Statistical Closures

09/19/2018 Judgment Reached (bench trial)

DATE

CASE ASSIGNMENT

Current Case Assignment

| | |
|------------------|-----------------|
| Case Number | 08A571228 |
| Court | Department 13 |
| Date Assigned | 03/14/2016 |
| Judicial Officer | Denton, Mark R. |

PARTY INFORMATION

Plaintiff

Apco Construction

Munteer, Cody S.
Retained
702-382-0711(W)

Defendant

Commonwealth Land Title Insurance Co

Edelstein, Alexander

Removed: 12/23/2011
Dismissed

Merrill, David J
Retained
702-566-1935(W)

First American Title Insurance Co

Gemstone Development West Inc

Nevada Construction Services

Removed: 02/12/2010
Dismissed

Aurbach, Phillip S.
Retained
7029422155(W)

Scott Financial Corporation

Meier, Glenn F
Retained

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

702-791-0308(W)

Scott, Bradley J

Jones, Jon Randall
Retained
7023856000(W)

Consolidated Case Party **HD Supply Waterworks LP**
Removed: 08/10/2009
Inactive

Conversion **No Convert Value @ 08A571228**
Extended Removed: 04/24/2009
Connection Type Converted From Blackstone

Counter Claimant **APCO Construction**

Rutar Mullins, Gwen
Retained
702-257-1483(W)

Asphalt Products Corporation

Cactus Rose Construction

Boswell, Jefferson W., ESQ
Retained
702-990-7272(W)

Camco Pacific Construction Co Inc

Camco Pacific Construction Co Inc
Removed: 12/10/2009
Data Entry Error

Camco Pacific Construction Co Inc

Camco Pacific Construction Co Inc
Removed: 06/14/2010
Data Entry Error

Camco Pacific Construction Company Inc

Parry, Zachariah
Retained
702-879-9555(W)

Camco Pacific Construction Company Inc

Camco Pacific Construction Inc
Removed: 12/09/2009
Data Entry Error

Camco Pacific Construction Inc
Removed: 12/09/2009
Data Entry Error

Club Vista Financial Sevices LLC

Ferrario, Mark E., ESQ
Retained
702-792-3773(W)

Gemstone Development West Inc

Insulpro Projects Inc

Dobberstein, Eric
Retained
702-806-6561(W)

Tharaldson Motels II Inc

Muckleroy, Martin A.
Retained
702-907-0097(W)

Tharaldson, Gary D

Muckleroy, Martin A.
Retained
702-907-0097(W)

Counter Defendant **Accuracy Glass & Mirror Company Inc**

Wayment, Dallin T.
Retained

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Ahern Rentals Inc

7029907272(W)
Clifford, D. Shane, ESQ
Retained
435-613-1010(W)

APCO Construction
Removed: 12/09/2009
Data Entry Error

Rutar Mullins, Gwen
Retained
702-257-1483(W)

APCO Construction

Rutar Mullins, Gwen
Retained
702-257-1483(W)

Arch Aluminum and Glass Co

Albregts, Jeffrey R.
Retained
702-483-5026(W)

Atlas Construction Supply Inc

Bank of Oklahoma NA

Bruin Painting Corporation

Wayment, Dallin T.
Retained
7029907272(W)

Buchele Inc

Wayment, Dallin T.
Retained
7029907272(W)

Cabinetec Inc
Removed: 12/09/2009
Data Entry Error

Cabinetec Inc

Camco Pacific Construction Co Inc

Camco Pacific Construction Inc

Cellcrete Fireproofing of Nevada Inc

Reade, Robert C.
Retained
702-794-4411(W)

Concrete Visions Inc

Creative Home Theatre LLC

Dave Peterson Framing Inc

Dixon, Stephen M.
Retained
702-329-4911(W)

E & E Fire Protection LLC

Dixon, Stephen M.
Retained
702-329-4911(W)

Executive Plastering Inc

EZA P.C.

Williams, Donald H
Retained
7023207755(W)

Fast Glass Inc

Gebhart, Michael T.
Retained
702-324-8341(W)

Fast Glass Inc

Gebhart, Michael T.
Retained
702-324-8341(W)

DISTRICT COURT
CASE SUMMARY

CASE NO. 08A571228

Ferguson Fire and Fabrication Inc

Rycraft Jr., Dale B.
Retained
702-796-5555(W)

Gemstone Development West Inc

Gerdau Reinforcing Steel
Removed: 05/25/2018
Dismissed

Urga, William R.
Retained
7026997500(W)

Granite Construction Company

Johnson, David R.
Retained
702-789-3100(W)

Harsco Corporation

HD Supply Waterworks LP

Wayment, Dallin T.
Retained
7029907272(W)

Heinaman Contract Glazing

Wayment, Dallin T.
Retained
7029907272(W)

Helix Electric of Nevada LLC

Wayment, Dallin T.
Retained
7029907272(W)

Hydropressure Cleaning Inc

Inquipco

Lloyd-Robinson, Jennifer R.
Retained
702-257-1483(W)

Insulpro Projects Inc

Dobberstein, Eric
Retained
702-806-6561(W)

Interstate Plumbing & Air Conditioning

John Deere Landscape Inc

Las Vegas Pipeline LLC

Pro Se

Masonry Group Nevada Inc

Pintar, Becky
Retained
702-685-5255(W)

Nevada Construction Services

Vlasic, Charles
Retained
702-551-1178(W)

Nevada Prefab Engineers

Fisher, Mindy C.
Retained
7026997500(W)

Nevada Prefab Engineers Inc

Craft, Christopher
Retained
702-869-8801(W)

Noord Sheet Metal Company

Truman, T. James
Retained
702-256-0156(W)

Noorda Sheet Metal Company

Dixon, Stephen M.
Retained
702-329-4911(W)

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Northstar Concrete Inc

Northstar Concrete Inc

Northstar Concrete Inc
Removed: 12/09/2009
Data Entry Error

Pape Materials Handling

Craft, Christopher
Retained
702-869-8801(W)

Patent Construction Systems

Williams, Donald H
Retained
7023207755(W)

Professional Door and Mill Works LLC

Dixon, Stephen M.
Retained
702-329-4911(W)

Professional Doors And Millworks LLC

Ready Mix Inc

Berman, Brian Keith
Retained
7023820702(W)

Renaissance Pools & Spas Inc

Scow, Steven B.
Retained
702-318-5040(W)

Republic Crane Service LLC

Scott Financial Corporation

Meier, Glenn F
Retained
702-791-0308(W)

Scott, Bradley J

Carter, Matthew S.
Retained
7023856000(W)

Selectbuild Nevada Inc

Schumacher, Robert E.
Retained
702-577-9300(W)

Selectbuild Nevada Inc
Removed: 06/14/2010
Data Entry Error

Schumacher, Robert E.
Retained
702-577-9300(W)

Selectbuild Nevada Inc
Removed: 12/09/2009
Data Entry Error

Walters, Brian K.
Retained
7022571997(W)

Steel Structures Inc

Craft, Christopher
Retained
702-869-8801(W)

Supply Network Inc

Varricchio, Philip T.
Retained
702-724-8300(W)

The Pressure Grout Company

Tri City Drywall Inc

Lloyd-Robinson, Jennifer R.
Retained
702-257-1483(W)

Uintah Investments LLC
Removed: 08/01/2017
Inactive

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

| | | |
|------------------------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| WRG Design Inc | | Wayment, Dallin T. <i>Retained</i> 7029907272(W) |
| Zitting Brothers Construction Inc | | Cawley, Reuben <i>Retained</i> 702-727-1400(W) |
| Cross Claimant | APCO Construction | Rutar Mullins, Gwen <i>Retained</i> 702-257-1483(W) |
| Cross Defendant | Gemstone Development West Inc | |
| Doing Business As | Apco Construction | |
| | Helix Electric | Boswell, Jefferson W., ESQ <i>Retained</i> 702-990-7272(W) |
| | Oz Architecture of Nevada Inc | Williams, Donald H <i>Retained</i> 7023207755(W) |
| | Oz Architecture Of Nevada Inc Removed: 12/09/2009 Data Entry Error | Williams, Donald H <i>Retained</i> 7023207755(W) |
| | Pape Rents | Craft, Christopher <i>Retained</i> 702-869-8801(W) |
| | Pape Rents | Urga, William R. <i>Retained</i> 7026997500(W) |
| | Pape Rents Removed: 05/29/2009 Inactive | |
| | Power Plus! | |
| | Viking Supplynet | |
| Interpleader | Hydropressure Cleaning Inc | Rutar Mullins, Gwen <i>Retained</i> 702-257-1483(W) |
| Intervenor | Cell Crete Fireproofing Of NV Inc | Reade, Robert C. <i>Retained</i> 702-794-4411(W) |
| | Custom Select Billing Inc | Rutar Mullins, Gwen <i>Retained</i> 702-257-1483(W) |
| | Dave Peterson Framing Inc | |
| | E & E Fire Protectiong LLC | Truman, T. James <i>Retained</i> 702-256-0156(W) |
| | EZA P C | Williams, Donald H <i>Retained</i> 7023207755(W) |
| | Granite Construction Company | Johnson, David R. <i>Retained</i> 702-789-3100(W) |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Insulpro Projects Inc

Dobberstein, Eric
Retained
702-806-6561(W)

National Wood Products, Inc.'s

Tobler, Richard L
Retained
702-256-6000(W)

Nevada Prefab Engineers Inc
Removed: 05/25/2018
Dismissed

Little, Martin A.
Retained
7026997500(W)

Nevada Prefab Engineers Inc
Removed: 12/09/2009
Data Entry Error

Little, Martin A.
Retained
7026997500(W)

Noord Sheet Metal Company

Truman, T. James
Retained
702-256-0156(W)

Patent Construction Systems

Williams, Donald H
Retained
7023207755(W)

Pressure Grout Co

Truman, T. James
Retained
702-256-0156(W)

Professional Doors & Millworks LLC

Truman, T. James
Retained
702-256-0156(W)

Steel Structures Inc
Removed: 12/09/2009
Data Entry Error

Little, Martin A.
Retained
7026997500(W)

Steel Structures Inc
Removed: 05/25/2018
Dismissed

Little, Martin A.
Retained
7026997500(W)

Tri-City Drywall Inc

Lloyd-Robinson, Jennifer R.
Retained
702-257-1483(W)

**Intervenor
Defendant**

Accuracy Glas & Mirror Company Inc
Removed: 01/11/2010
Dismissed

Accuracy Glass and Mirror Company Inc
Removed: 04/29/2010
Dismissed

APCO Construction
Removed: 11/05/2012
Dismissed

Rutar Mullins, Gwen
Retained
702-257-1483(W)

APCO Construction
Removed: 12/09/2009
Data Entry Error

Rutar Mullins, Gwen
Retained
702-257-1483(W)

APCO Construction
Removed: 12/09/2009
Data Entry Error

Rutar Mullins, Gwen
Retained
702-257-1483(W)

APCO Construction
Removed: 12/09/2009
Data Entry Error

Rutar Mullins, Gwen
Retained
702-257-1483(W)

APCO Construction

Rutar Mullins, Gwen

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

| | |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Removed: 12/09/2009 Data Entry Error | <i>Retained</i> 702-257-1483(W) |
| APCO Construction Removed: 12/09/2009 Data Entry Error | Rutar Mullins, Gwen <i>Retained</i> 702-257-1483(W) |
| APCO Construction Removed: 11/05/2012 Dismissed | |
| Camco Pacific Construction Co Inc | |
| Camco Pacific Construction Co Inc | |
| Camco Pacific Construction Co Inc Removed: 12/09/2009 Data Entry Error | |
| Camco Pacific Construction Co Inc Removed: 12/10/2009 Data Entry Error | |
| Camco Pacific Construction Co Inc Removed: 12/09/2009 Data Entry Error | |
| Camco Pacific Construction Co Inc Removed: 12/09/2009 Data Entry Error | Blake, David <i>Retained</i> 702-476-5900(W) |
| Club Vista Financial Services LLC | Muckleroy, Martin A. <i>Retained</i> 702-907-0097(W) |
| Club Vista Financial Services LLC | Muckleroy, Martin A. <i>Retained</i> 702-907-0097(W) |
| Commonwealth Land Title Ins Co | |
| Commonwealth Land Title Ins Co | |
| Commonwealth Land Title Ins Co Removed: 12/09/2009 Data Entry Error | |
| Concrete Visions Inc | |
| E & E Fire Protection LLC | Dixon, Stephen M. <i>Retained</i> 702-329-4911(W) |
| Edelstein, Alex Removed: 05/04/2010 Judgment Against | Smith, P. Kyle <i>Retained</i> 702-385-6000(W) |
| Edelstein, Alex Removed: 03/07/2012 Dismissed | Smith, P. Kyle <i>Retained</i> 702-385-6000(W) |
| Employers Mutual Casualty Co Removed: 01/11/2010 Dismissed | |
| Employers Mutual Casualty Company Removed: 04/29/2010 Dismissed | |
| Fidelity & Deposit Co Of Maryland | Morris, Steven L. |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Removed: 12/09/2009
Data Entry Error

Retained
702-938-2244(W)

Fidelity & Deposit Company Of Maryland

Faux, Kurt C.
Retained
7024585790(W)

Fidelity & Deposit Company Of Maryland

Removed: 12/09/2009
Data Entry Error

Fidelity and Deposit Company of Maryland

Removed: 07/18/2018
Dismissed

Faux, Kurt C.
Retained
7024585790(W)

First American Title Insurance Co

First American Title Insurance Co

First American Title Insurance Co

Removed: 12/09/2009
Data Entry Error

Gemstone Development Inc

Removed: 12/09/2009
Dismissed

Gemstone Development West Inc

Gemstone Development West Inc

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gilbert, Greg S.
Retained
702-669-4600(W)

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 01/11/2010
Dismissed

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Gemstone Development West Inc

Gemstone Development West Inc

Gemstone Development West Inc

Gemstone Development West Inc
Removed: 12/09/2009
Data Entry Error

Jeff Heit Plumbing Co LLC

Gregory, Keith E.
Retained
7023823636(W)

Marshall, Kelly

Nevada Construction Services
Removed: 02/12/2010
Dismissed

Aurbach, Phillip S.
Retained
7029422155(W)

Nevada Construction Services

Aurbach, Phillip S.
Retained
7029422155(W)

Nevada Construction Services
Removed: 12/10/2009
Data Entry Error

Old Republic Surety

Gregory, Keith E.
Retained
7023823636(W)

Platte River Insurance Co
Removed: 04/05/2010
Dismissed

Platte River Insurance Company
Removed: 07/15/2009
Dismissed

Scott Financial Corp
Removed: 02/14/2013
Dismissed

Meier, Glenn F
Retained
702-791-0308(W)

Scott Financial Corporation
Removed: 12/09/2009
Data Entry Error

Jones, Mark Merrill
Retained
7023856000(W)

Scott Financial Corporation
Removed: 02/14/2013
Dismissed

Meier, Glenn F
Retained
702-791-0308(W)

Scott Financial Corporation

Meier, Glenn F
Retained
702-791-0308(W)

Scott Financial Corporation
Removed: 02/14/2013
Dismissed

Meier, Glenn F
Retained
702-791-0308(W)

Tharaldson Motels II Inc

Muckleroy, Martin A.
Retained
702-907-0097(W)

Tharaldson Motels II Inc

Muckleroy, Martin A.
Retained
702-907-0097(W)

Intervenor

Ahern Rental Inc

Clifford, D. Shane, ESQ

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Plaintiff

Removed: 01/24/2013
Dismissed

Retained
435-613-1010(W)

Arch Aluminum And Glass Co

Albregts, Jeffrey R.
Retained
702-483-5026(W)

Cabinetec Inc

Cactus Rose Construction Inc

Wayment, Dallin T.
Retained
7029907272(W)

Camco Pacific Construction Co Inc

Harsco Corporation

Inquipco
Removed: 01/11/2010
Dismissed

Lloyd-Robinson, Jennifer R.
Retained
702-257-1483(W)

Interstate Plumbing & Air Conditioning Inc

Gebhart, Michael T.
Retained
702-324-8341(W)

Las Vegas Pipeline LLC

Northstar Concrete, Inc.

Pape Material Handling

Urga, William R.
Retained
7026997500(W)

S R Bray Corp

Peel, Richard L.
Retained
7029907272(W)

Selectbuild Nevada Inc

Schumacher, Robert E.
Retained
702-577-9300(W)

Sunstate Companies Inc

Hayes, Garry L.
Retained
702-832-5592(W)

SWPPP Compliance Solutions LLC

Peel, Richard L.
Retained
7029907272(W)

Tri-City Drywall Inc
Removed: 07/15/2009
Data Entry Error

Other

Graybar Electric Company

HD Supply Construction Supply LP

PCI Group, LLC

RLMW Investments LLC

The Masonry Group Nevada, Inc.
Removed: 12/10/2009
Data Entry Error

Pintar, Becky
Retained
702-685-5255(W)

United Subcontractors Inc

Slighting, Bradley S.
Retained
801-323-2203(W)

DISTRICT COURT
CASE SUMMARY

CASE NO. 08A571228

Wiss, Janney, Elstner Associates, Inc.

Rutar Mullins, Gwen
Retained
702-257-1483(W)

Other Defendant **Camco Pacific Construction Inc**
Removed: 12/09/2009
Data Entry Error

Fidelity & Deposit Company Of Maryland
Removed: 12/10/2009
Data Entry Error

Faux, Kurt C.
Retained
7024585790(W)

Other Plaintiff **E & E Fire Protectiong LLC**
Removed: 12/10/2009
Data Entry Error

Truman, T. James
Retained
702-256-0156(W)

Special Master **Hale, Floyd, ESQ**

Third Party Defendant **Camco Pacific Construction Co Inc**

Camco Pacific Construction Co Inc
Removed: 07/05/2017
Dismissed

Camco Pacific Construction Co Inc
Removed: 12/10/2009
Data Entry Error

Camco Pacific Construction Co Inc
Removed: 12/10/2009
Data Entry Error

Camco Pacific Construction Company Inc
Removed: 12/10/2009
Data Entry Error

Fidelity & Deposit Co Of Maryland

Faux, Kurt C.
Retained
7024585790(W)

Fidelity & Deposit Co Of Maryland

Faux, Kurt C.
Retained
7024585790(W)

Fidelity & Deposit Co Of Maryland
Removed: 09/09/2008
Data Entry Error

Fidelity And Deposit Co Of Maryland
Removed: 12/10/2009
Data Entry Error

Fidelity And Deposit Co Of Maryland
Removed: 12/10/2009
Data Entry Error

Third Party Plaintiff **Dave Peterson Framing Inc**

E & E Fire Protection LLC

Truman, T. James
Retained
702-256-0156(W)

Insulpro Projects Inc

Dobberstein, Eric
Retained
702-806-6561(W)

Noorda Sheet Metal Company





Truman, T. James
Retained

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

702-256-0156(W)

Professional Doors & Millworks LLC

Truman, T. James
Retained
702-256-0156(W)

| DATE | EVENTS & ORDERS OF THE COURT | INDEX |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 02/24/2008 |  Acceptance of Service Filed By: Intervenor Plaintiff Ahern Rental Inc <i>ACCEPTANCE OF SERVICE</i> | 08A5712280051.tif pages |
| 09/09/2008 |  Complaint <i>COMPLAINT FILED Fee \$148.00</i> | 08A5712280001.tif pages |
| 09/09/2008 |  Initial Appearance Fee Disclosure Filed By: Plaintiff Apco Construction <i>INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i> | 08A5712280004.tif pages |
| 09/12/2008 |  Peremptory Challenge <i>PEREMPTORY CHALLENGE Williams CASE REASSIGNED TO Leavitt</i> | 08A5712280002.tif pages |
| 09/12/2008 |  Notice of Department Reassignment <i>NOTICE OF DEPARTMENT REASSIGNMENT ?????003146FC 003146?????</i> | 08A5712280003.tif pages |
| 12/08/2008 |  Amended Complaint Filed By: Plaintiff Apco Construction <i>FIRST AMENDED COMPLAINT</i> | 08A5712280006.tif pages |
| 12/09/2008 |  Lis Pendens Filed By: Plaintiff Apco Construction <i>NOTICE OF LIS PENDENS</i> | 08A5712280007.tif pages |
| 12/09/2008 |  Notice Filed By: Plaintiff Apco Construction <i>NOTICE OF FORECLOSURE OF CLAIMS OF LIEN</i> | 08A5712280008.tif pages |
| 12/12/2008 |  Certificate of Mailing Filed By: Plaintiff Apco Construction <i>CERTIFICATE OF MAILING</i> | 08A5712280010.tif pages |
| 12/17/2008 |  Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - FIRST AMERICAN TITLE INSURANCE COMPANY</i> | 08A5712280012.tif pages |
| 12/17/2008 |  Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - NEVADA CONSTRUCTION SERVICES</i> | 08A5712280013.tif pages |
| 12/17/2008 |  Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - GEMSTONE DEVELOPMENT WEST INC</i> | 08A5712280014.tif pages |
| 12/17/2008 |  Summons Filed by: Plaintiff Apco Construction | 08A5712280016.tif pages |

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| | <i>SUMMONS - COMMONWEALTH LAND TITLE INSURANCE CO</i> | |
| 12/26/2008 |  Affidavit of Publication Filed By: Plaintiff Apco Construction <i>AFFIDAVIT OF PUBLICATION</i> | <i>08A5712280017.tif pages</i> |
| 01/05/2009 |  Appearance Filed By: Intervenor Plaintiff Harsco Corporation <i>HARSCO CORPORATION'S STATEMETN OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | <i>08A5712280005.tif pages</i> |
| 01/05/2009 |  Notice Filed By: Intervenor Plaintiff Harsco Corporation <i>NOTICE OF LIS PENDENS</i> | <i>08A5712280020.tif pages</i> |
| 01/05/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Harsco Corporation <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | <i>08A5712280021.tif pages</i> |
| 01/05/2009 |  Notice Filed By: Intervenor Plaintiff Harsco Corporation <i>NOTICE OF FORECLOSURE OF LIEN</i> | <i>08A5712280022.tif pages</i> |
| 01/12/2009 |  Answer Filed By: Defendant Nevada Construction Services <i>ANSWER TO PLAINTIFFS AMENDED COMPLAINT</i> | <i>08A5712280009.tif pages</i> |
| 01/12/2009 |  Initial Appearance Fee Disclosure Filed By: Defendant Nevada Construction Services <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | <i>08A5712280023.tif pages</i> |
| 01/15/2009 | Appearance Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>ARCH ALUMINUM AND GLASS CO'S STATEMENT OF FACTS CONSTITUTING ITS MECHANIC'S LIEN CLAIM</i> | <i>08A5712280011.tif pages</i> |
| 01/15/2009 | Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WEST INCS ANSWER TO COMPLAINT AND COUNTER CLAIMS</i> | <i>08A5712280024.tif pages</i> |
| 01/15/2009 | Initial Appearance Fee Disclosure <i>GEMSTONE DEVELOPMENT WEST INCS INITIAL APPEARANCE FEE</i> | <i>08A5712280025.tif pages</i> |
| 01/15/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | <i>08A5712280027.tif pages</i> |
| 01/15/2009 |  Summons Filed by: Plaintiff Apco Construction <i>SUMMONS- GEMSTONE DEVE WEST INC</i> | <i>08A5712280028.tif pages</i> |
| 01/16/2009 |  Answer Filed By: Defendant Scott Financial Corporation <i>ANSWER TO FIRST AMENDED COMPLAINT</i> | <i>08A5712280015.tif pages</i> |

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| 01/16/2009 |  Initial Appearance Fee Disclosure Filed By: Defendant Scott Financial Corporation <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280029.tif pages |
| 01/16/2009 |  Answer to Amended Complaint Filed By: Defendant Scott Financial Corporation <i>ANSWER TO FIRST AMENDED COMPLAINT</i> | 08A5712280030.tif pages |
| 01/22/2009 |  Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - COMMONWEALTH LAND TITLE INS CO</i> | 08A5712280031.tif pages |
| 01/22/2009 |  Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - FIRST AMERICAN TITLE INS CO</i> | 08A5712280032.tif pages |
| 01/22/2009 |  Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - PLATTER RIVER INSURANCE COMPANY</i> | 08A5712280033.tif pages |
| 01/23/2009 |  Affidavit of Publication Filed By: Plaintiff Apco Construction <i>AFFIDAVIT OF PUBLICATION</i> | 08A5712280034.tif pages |
| 01/28/2009 |  Appearance Filed By: Intervenor Steel Structures Inc <i>STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION - Steel Structures and NV Prefab Engineers Inc</i> | |
| 01/28/2009 | Appearance <i>STATEMENT OF FACTS CONSTITUTING A LIEN AND COMPLAINT IN INTERLEADER</i> | 08A5712280019.tif pages |
| 01/28/2009 |  Answer Filed By: Defendant Scott Financial Corporation <i>ANSWER TO STATEMENT OF FACTS CONSTITUTING LIEN OF ARCH ALUMINUM AND GLASS CO</i> | 08A5712280035.tif pages |
| 01/28/2009 |  Initial Appearance Fee Disclosure <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280036.tif pages |
| 02/04/2009 |  Reply to Counterclaim Filed by: Counter Defendant APCO Construction <i>APCO CONSTRUCTIONS REPLY TO GEMSTONES COUNTERCLAIM</i> | 08A5712280038.tif pages |
| 02/04/2009 |  Summons Filed by: Intervenor Plaintiff Harsco Corporation <i>SUMMONS- CONCRETE VISIONS INC</i> | 08A5712280039.tif pages |
| 02/04/2009 |  Acceptance of Service Filed By: Intervenor Steel Structures Inc <i>ACCEPTANCE OF SERVICE</i> | 08A5712280040.tif pages |
| 02/06/2009 |  Appearance | 08A5712280026.tif pages |











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| | Filed By: Intervenor Plaintiff Cabinetec Inc <i>CABINETEC INC'S STATEMENT OF FACTS CONSTITUTING LIEND CLIAM AND COMPLAINT IN INTERVENTION</i> | |
| 02/06/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Cabinetec Inc <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280041.tif pages |
| 02/12/2009 |  Certificate of Mailing Filed By: Intervenor Plaintiff Cabinetec Inc <i>CERTIFICATE OF SERVICE</i> | 08A5712280043.tif pages |
| 02/13/2009 |  Statement Filed by: Intervenor Steel Structures Inc <i>AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280044.tif pages |
| 02/19/2009 | Appearance Filed By: Intervenor Plaintiff Ahern Rental Inc <i>AHERN RENTAL INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280037.tif pages |
| 02/19/2009 |  Notice Filed By: Intervenor Plaintiff Ahern Rental Inc <i>NOTICE TO LIEN CLAIMANTS TO FILE AND SERVE STATEMENTS OF FACTS CONSTITUTING THEIR LIENS</i> | 08A5712280045.tif pages |
| 02/19/2009 |  Lis Pendens Filed By: Intervenor Plaintiff Ahern Rental Inc <i>LIS PENDENS</i> | 08A5712280046.tif pages |
| 02/19/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Ahern Rental Inc <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280047.tif pages |
| 02/24/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Tri-City Drywall Inc <i>Ahern Rental inc's Statement of Facts Constituting Lien and Complaint in Intervention</i> | |
| 02/24/2009 |  Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - CAMCO PACIFIC CONSTRUCTION CO INC</i> | 08A5712280048.tif pages |
| 02/24/2009 |  Lis Pendens Filed By: Intervenor Tri-City Drywall Inc <i>LIS PENDENS</i> | 08A5712280049.tif pages |
| 02/24/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Tri-City Drywall Inc <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280050.tif pages |
| 02/24/2009 |  Statement Filed by: Intervenor Tri-City Drywall Inc <i>STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION Tri City Drywall</i> | |













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| 02/26/2009 |  Lis Pendens Filed By: Third Party Plaintiff Noorda Sheet Metal Company <i>NOTICE OF PENDENCY OF ACTION</i> | 08A5712280053.tif pages |
| 02/26/2009 |  Statement Filed by: Third Party Plaintiff Noorda Sheet Metal Company <i>NOORDA SHEET METAL COMPANYS STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPLAINT AND THIRD PARTY COMPLAINT</i> | 08A5712280054.tif pages |
| 02/26/2009 |  Initial Appearance Fee Disclosure Filed By: Third Party Plaintiff Noorda Sheet Metal Company <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280055.tif pages |
| 03/03/2009 |  Default Filed By: Intervenor Defendant Platte River Insurance Company <i>DEFAULT</i> | 08A5712280056.tif pages |
| 03/03/2009 |  Default Filed By: Plaintiff Apco Construction <i>DEFAULT</i> | 08A5712280057.tif pages |
| 03/03/2009 |  Default Filed By: Plaintiff Apco Construction <i>DEFAULT</i> | 08A5712280058.tif pages |
| 03/03/2009 |  Acceptance of Service Filed By: Intervenor Plaintiff Ahern Rental Inc <i>ACCEPTANCE OF SERVICE - APCO CONSTRUCITON</i> | 08A5712280059.tif pages |
| 03/05/2009 |  Certificate Filed By: Intervenor Plaintiff Ahern Rental Inc <i>CERTIFICATE OF SERVICE OF EMPLOYERS MUTUAL CASUALTY COMPANY</i> | 08A5712280070.tif pages |
| 03/05/2009 |  Certificate Filed By: Intervenor Plaintiff Ahern Rental Inc <i>CERTIFICATE OF SERVICE OF COMMONSWEALTH LAND TITLE INSURANCE COMPANY</i> | 08A5712280078.tif pages |
| 03/09/2009 |  Stipulation and Order Filed by: Intervenor Steel Structures Inc <i>STIPULATION AND ORDER RE FILING AND SERVICE OF STEEL STRUCTURE INC AND NEVADA PREFAB ENGINEERS INCS COMPLAINT IN INTERVENTION</i> | 08A5712280061.tif pages |
| 03/09/2009 |  Stipulation and Order Filed by: Intervenor Plaintiff Cabinetec Inc <i>STIPULATION AND ORDER RE FILING AND SERVICE OF CABINETECS COMPLAINT IN INTERVENTION</i> | 08A5712280065.tif pages |
| 03/10/2009 |  Statement Filed by: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WEST INCS ANSWER TO CABINETEX INCS STATEMENT OF FACTS CONSTITUTING LIEN CLAIM AND COMPLAINT INTERVENTION</i> | 08A5712280068.tif pages |

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| 03/10/2009 |  Statement Filed by: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WEST INCS ANSWER TO STEEL STRUCTURES INC AND NEVADA PREBABENGINEERS INCS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280069.tif pages |
| 03/11/2009 |  Certificate of Mailing Filed By: Intervenor Plaintiff Ahern Rental Inc <i>CERTIFICATE OF MAILING OF SERVICE OF FIRST AMERICAN TITILE INSURANCE COMPANY</i> | 08A5712280066.tif pages |
| 03/11/2009 |  Affidavit of Publication Filed By: Plaintiff Apco Construction <i>AFFIDAVIT OF PUBLICATION</i> | 08A5712280067.tif pages |
| 03/12/2009 | Appearance Filed By: Intervenor Cell Crete Fireproofing Of NV Inc <i>CELL CRETE FIREPROOFING OF NEVADA INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280060.tif pages |
| 03/12/2009 |  Notice of Entry of Order Filed By: Intervenor Steel Structures Inc <i>NOTICE OF ENTRY OF STIPULATION AND ORDER REGARDING FILING AND SERVICE OF STEEL STRUCTURES INC AND NEVADA PREFAB ENGINEERS INCS COMPLAINT IN INTERVENTION</i> | 08A5712280071.tif pages |
| 03/12/2009 |  Acceptance of Service Filed By: Counter Defendant Noord Sheet Metal Company <i>ACCEPTANCE OF SERVICE</i> | 08A5712280072.tif pages |
| 03/12/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Cell Crete Fireproofing Of NV Inc <i>CELL CRETE FIREPROOFING OF NEVADA INCS INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280073.tif pages |
| 03/12/2009 |  Answer Filed By: Plaintiff Apco Construction <i>APCO CONSTRUCTIONS ANSWER TO STEEL STRUCTURES INC AND NEVADA PREFABENGINEERS INCS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION AND CROSS CLAIM</i> | 08A5712280079.tif pages |
| 03/12/2009 |  Amended Filed By: Counter Defendant Noord Sheet Metal Company <i>AMENDED SUMMONS CIVIL</i> | 08A5712280081.tif pages |
| 03/12/2009 |  Statement Filed by: Intervenor Cell Crete Fireproofing Of NV Inc <i>CELL CRETE FIREPROOFING OF NEVADA INCS STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280082.tif pages |
| 03/16/2009 | Appearance <i>APPEARANCE</i> | 08A5712280062.tif pages |
| 03/16/2009 |  Peremptory Challenge <i>PEREMPTORY CHALLENGE Leavitt CASE REASSIGNED TO Walsh</i> | 08A5712280063.tif pages |

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| 03/16/2009 |  Notice of Department Reassignment <i>NOTICE OF DEPARTMENT REASSIGNMENT 005949003605006310003146FC</i> | 08A5712280064.tif pages |
| 03/16/2009 |  Initial Appearance Fee Disclosure Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>CAMCO PACIFIC CONSTRUCTION COMPANY INCS INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i> | 08A5712280074.tif pages |
| 03/16/2009 |  Amended Filed By: Counter Defendant Noord Sheet Metal Company <i>AMENDED THIRD PARTY SUMMONS CIVIL</i> | 08A5712280075.tif pages |
| 03/16/2009 |  Answer Filed By: Plaintiff Apco Construction <i>APCO CONSTRUCTIONS ANSWER TO CABINET INCS STATEMENT OF FACTS CONSTITUTING LIEN CLAIM AND COMPLAINT IN INTERVENTION</i> | 08A5712280080.tif pages |
| 03/17/2009 |  Statement Filed by: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WESET INCS ANSWER TO AHERN RENTAL INCS STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280076.tif pages |
| 03/17/2009 |  Stipulation and Order Filed by: Intervenor Defendant Scott Financial Corporation <i>STIPULATION AND ORDER</i> | 08A5712280077.tif pages |
| 03/17/2009 |  Stipulation and Order Filed by: Intervenor Plaintiff Ahern Rental Inc <i>STIPULATION AND ORDER ALLOWING AHERN RENTALS INC TO INTERVENE PURSUANT TO NRCP 24</i> | 08A5712280088.tif pages |
| 03/18/2009 |  Certificate Filed By: Intervenor Defendant Gemstone Development West Inc <i>AMENDED CERTIFICATE OF SERVICE OF GEMSTONE DEVELOPMENT WEST INCS ANSWER TO CABINETEC INCS STATEMENT OF FACTS CONSTITUTING LIEU CLAIM AND COMPLAINT IN INTERVENTION</i> | 08A5712280083.tif pages |
| 03/18/2009 |  Certificate Filed By: Intervenor Defendant Gemstone Development West Inc <i>AMENDED CERTIFICATE OF SERVICE OF GEMSTONE DEVELOPMENT WESTS INCS ANSWER TO STEEL STRUCTURES INC AND NEVADA PREFAB ENGINEERS INCS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280087.tif pages |
| 03/18/2009 |  Certificate of Mailing Filed By: Intervenor Tri-City Drywall Inc <i>CERTIFICATE OF MAILING OF STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280089.tif pages |
| 03/18/2009 |  Disclaimer of Interest Filed By: Defendant Commonwealth Land Title Insurance Co <i>COMMONWEALTH LAND TITLE INSURANCE COMPANY'S DISCLAIMER OF INTEREST</i> | 08A5712280091.tif pages |
| 03/19/2009 |  Notice of Entry of Order | 08A5712280090.tif pages |

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Filed By: Intervenor Plaintiff Ahern Rental Inc
NOTICE OF ENTRY OF ORDER

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| 03/20/2009 |  Stipulation and Order <i>STIPULATION AND ORDER RE FILING AND SERVICE OF STEEL STRUCTURES INC AND NEVADA PREFAB ENGINEERS INCS SECOND AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280092.tif pages |
| 03/20/2009 |  Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WEST INCS ANSWER TO NOORDA SHEET METAL COMPANYS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPLAINT AND THIRD PARTY COMPLAINT</i> | 08A5712280093.tif pages |
| 03/20/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Steel Structures Inc <i>SECOND AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION Steel Structures Inc Nevada Prefab Engineers Inc</i> | |
| 03/23/2009 |  Motion <i>AHERN'S MTN TO AMEND STATEMENT OF FACTS/I</i> | 08A5712280084.tif pages |
| 03/24/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Insulpro Projects Inc <i>Insulpro Projects</i> | |
| 03/24/2009 |  Certificate of Mailing <i>CERTIFICATE OF MAILING</i> | 08A5712280095.tif pages |
| 03/24/2009 |  Notice Filed By: Intervenor Insulpro Projects Inc <i>NOTICE OF LIS PENDENS</i> | 08A5712280096.tif pages |
| 03/24/2009 |  Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>NOTICE OF ENTRY OF STIPULATION AND ORDER</i> | 08A5712280098.tif pages |
| 03/24/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Insulpro Projects Inc <i>INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i> | 08A5712280099.tif pages |
| 03/25/2009 |  Amended Filed By: Intervenor Plaintiff Harsco Corporation <i>HARSCO CORPORATIONS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280097.tif pages |
| 03/27/2009 |  Appearance Filed By: Intervenor E & E Fire Protectiong LLC <i>E & E FIRE PROTECTION LLC 'S STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPALINT AND THIRD PARTY COMPLAINT</i> | 08A5712280100.tif pages |
| 03/27/2009 |  Appearance Filed By: Intervenor Dave Peterson Framing Inc <i>DAVE PETERSON FRAMING LLC' S STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPLAINT AND THIRD PARTY COMPLAINT</i> | 08A5712280101.tif pages |

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| 03/27/2009 |  Lis Pendens Filed By: Intervenor Dave Peterson Framing Inc <i>NOTICE OF PENDENCY OF ACTION</i> | 08A5712280102.tif pages |
| 03/27/2009 |  Appearance Filed By: Intervenor Professional Doors & Millworks LLC <i>PROFESSIONAL DOORS & MILLWORKS LLC'S STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPLAINT AND THIDR PARTY COMPLAINT</i> | 08A5712280103.tif pages |
| 03/27/2009 |  Lis Pendens Filed By: Intervenor Professional Doors & Millworks LLC <i>NOTICE OF PENDENCY OF ACTION</i> | 08A5712280104.tif pages |
| 03/27/2009 |  Initial Appearance Fee Disclosure Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280105.tif pages |
| 03/27/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Dave Peterson Framing Inc <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280106.tif pages |
| 03/27/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Professional Doors & Millworks LLC <i>INITIAL APPEARANCE FEE DISCLOSURE</i> | 08A5712280107.tif pages |
| 03/27/2009 |  Notice Filed By: Intervenor Professional Doors & Millworks LLC <i>NOTICE OF PENDENCY OF ACTION</i> | 08A5712280108.tif pages |
| 03/27/2009 |  Answer Filed By: Intervenor Defendant APCO Construction <i>APCO CONSTRUCTION'S ANSWER TO AHERN RENTAL INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280109.tif pages |
| 03/31/2009 |  Amended Answer Filed By: Intervenor Defendant APCO Construction <i>APCO CONSTRUCITONS AMENDED ANSWER TO AHERN RENTAL INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280112.tif pages |
| 04/01/2009 |  Acceptance of Service Filed By: Intervenor Dave Peterson Framing Inc <i>ACCEPTANCE OF SERVICE</i> | 08A5712280113.tif pages |
| 04/01/2009 |  Acceptance of Service Filed By: Intervenor Dave Peterson Framing Inc <i>ACCEPTANCE OF SERVICE</i> | 08A5712280114.tif pages |
| 04/01/2009 |  Answer Filed By: Intervenor Defendant APCO Construction <i>APCO CONSTRUCTIONS ANSWER TO STEEL STRUCTURES INC AND NEVADA PREFABENGINEERS INCS SECOND AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280115.tif pages |

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| 04/01/2009 | <p>Certificate Filed By: Intervenor Insulpro Projects Inc <i>CERTIFICATE OF SERVICE</i></p> | |
| 04/01/2009 | <p> Acceptance of Service Filed By: Intervenor Professional Doors & Millworks LLC <i>ACCEPTANCE OF SERVICE - GEMSTONE DEVELOPMENT WEST INC</i></p> | <i>08A5712280119.tif pages</i> |
| 04/01/2009 | <p> Acceptance of Service Filed By: Intervenor Plaintiff Harsco Corporation <i>ACCEPTANCE OF SERVICE OF AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLIANT IN INTERVENITON - GEMSTONE DEVELOPMENT WEST INC</i></p> | <i>08A5712280120.tif pages</i> |
| 04/03/2009 | <p>Appearance Filed By: Interpleader Hydropressure Cleaning Inc <i>HYDROPRESSURE CLEANING INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i></p> | <i>08A5712280111.tif pages</i> |
| 04/03/2009 | <p> Errata Filed By: Intervenor Defendant Nevada Construction Services <i>ERRATUM TO ANSWER TO PLTF'S AMENDED COMPLAINT</i></p> | <i>08A5712280121.tif pages</i> |
| 04/03/2009 | <p> Initial Appearance Fee Disclosure Filed By: Interpleader Hydropressure Cleaning Inc <i>INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i></p> | <i>08A5712280122.tif pages</i> |
| 04/03/2009 | <p> Statement of Facts Constituting Lien Filed By: Interpleader Hydropressure Cleaning Inc <i>STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION Hydropressure Cleaning Inc</i></p> | |
| 04/06/2009 | <p>Appearance Filed By: Intervenor EZA P C <i>EZA PC DBA OZ ARCHITECTURE OF NEVADA INC'S STATEMENT OF FACTS CONSTITUTING LIEN</i></p> | <i>08A5712280116.tif pages</i> |
| 04/06/2009 | <p>Appearance Filed By: Doing Business As Oz Architecture Of Nevada Inc <i>EZA PC DBA OZ ARCHITECTURE OF NEVADA INC'S STATEMETN OF FACTS CONTITUTING LIEN</i></p> | <i>08A5712280117.tif pages</i> |
| 04/06/2009 | <p> Initial Appearance Fee Disclosure Filed By: Intervenor EZA P C <i>EZA PC DBA OZ ARCHITECTURE OF NEVADAS INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i></p> | <i>08A5712280123.tif pages</i> |
| 04/06/2009 | <p> Statement Filed by: Intervenor EZA P C <i>EZA PC DBA OZ ARCHITECTURE OF NV INCS STATEMENT OF FACTS CONSTITUTING LIEN</i></p> | <i>08A5712280126.tif pages</i> |
| 04/06/2009 | <p> Lis Pendens Filed By: Intervenor EZA P C <i>EZA PC DBA OZ ARCHITECTURE OF NEVADAS NOTICE OF LIS PENDENS</i></p> | <i>08A5712280127.tif pages</i> |
| 04/07/2009 | <p> Third Party Summons</p> | <i>08A5712280124.tif pages</i> |











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Filed by: Third Party Plaintiff Professional Doors & Millworks LLC
THIRD PARTY SUMMONS CIVIL VIA US MAIL FIDELITY AND DEPOSIT CO OF MARYLAND

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| 04/07/2009 |  Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - FIDELITY & DEPOSIT CO OF MARYLAND</i> | 08A5712280128.tif pages |
| 04/07/2009 |  Summons Filed by: Intervenor Dave Peterson Framing Inc <i>SUMMONS - CSC SERVICES VIA US MAIL</i> | 08A5712280132.tif pages |
| 04/08/2009 |  Affidavit of Service Filed By: Intervenor Plaintiff Ahern Rental Inc <i>AFFIDAVIT OF SERVICE - KELLY MARSHALL</i> | 08A5712280129.tif pages |
| 04/08/2009 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>AFFIDAVIT OF SERVICE - ACCURCY OF GLASS AND MIRROR INC</i> | 08A5712280131.tif pages |
| 04/09/2009 |  Affidavit of Service Filed By: Intervenor Plaintiff Harsco Corporation <i>AFFIDAVIT OF SERVICE - CONCRETE VISIONS INC</i> | 08A5712280130.tif pages |
| 04/09/2009 |  Notice Filed By: Defendant Nevada Construction Services <i>NOTICE OF APPEARANCE</i> | 08A5712280133.tif pages |
| 04/14/2009 |  Acceptance of Service Filed By: Intervenor Professional Doors & Millworks LLC <i>ACCEPTANCE OF SERVICE MISC DOCS 04-09-09</i> | 08A5712280135.tif pages |
| 04/14/2009 |  Acceptance of Service Filed By: Intervenor Professional Doors & Millworks LLC <i>ACCEPTANCE OF SERVICE MISC DOCS 04-09-09</i> | 08A5712280136.tif pages |
| 04/14/2009 |  Acceptance of Service Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>ACCEPTANCE OF SERVICE - CAMCO PACIFIC CONSTRUCTION COMPANY INC</i> | 08A5712280137.tif pages |
| 04/14/2009 |  Supplemental <i>AHERN RENTAL INCS SUPPLEMENTAL MOTION TO AMEND STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i> | 08A5712280138.tif pages |
| 04/15/2009 |  Conversion Case Event Type <i>DEFT'S MOTION TO INTERVENE /2</i> | 08A5712280134.tif pages |
| 04/15/2009 |  Summons Filed by: Intervenor Tri-City Drywall Inc <i>SUMMONS - CAMCO PACIFIC CONSTRUCTION CO INC</i> | 08A5712280139.tif pages |
| 04/17/2009 |  Three Day Notice of Intent to Default Filed by: Third Party Plaintiff Professional Doors & Millworks LLC <i>NOORDA SHEET METAL COMPANYS THREE DAY NOTICE OF INTENT TO TAKE</i> | 08A5712280140.tif pages |










DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

DEFAULT










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| 04/17/2009 | <p>Three Day Notice of Intent to Default Filed by: Third Party Plaintiff Professional Doors & Millworks LLC <i>NOORDA SHEET METAL COMPANYS THREE DAY NOTICE OF INTENT TO TAKE DEFAULT</i></p> | <i>08A5712280141.tif pages</i> |
| 04/17/2009 | <p> Reply to Counterclaim Filed by: Counter Defendant APCO Construction <i>APCO CONSTRUCTIONS ANSWER TO INSULPRO PROJECT INCS COUNTERCLAIM AGAINST APCO CONSTRUCTION</i></p> | <i>08A5712280142.tif pages</i> |
| 04/20/2009 | <p> Answer Filed By: Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation <i>Scott Financial Corporations Anser to Insulpro Projects Incs Statement of Facts Constituting Lien</i></p> | |
| 04/21/2009 | <p> Answer Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corps Answer to Insulpro Projects Incs"s statement of Facts Constituting Lien</i></p> | |
| 04/21/2009 | <p> Motion to Consolidate Filed By: Plaintiff Apco Construction <i>Apco Construction's Motion to Consolidate With Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168</i></p> | |
| 04/22/2009 | <p> Acceptance of Service Filed By: Intervenor Plaintiff Harsco Corporation <i>Acceptance of Service of Amended Statement of Facts Constituting Lien and Complaint in Intervention</i></p> | |
| 04/22/2009 | <p> Disclaimer of Interest Filed By: Plaintiff Apco Construction; Intervenor Defendant APCO Construction; Counter Defendant APCO Construction; Intervenor Defendant APCO Construction; Intervenor Defendant APCO Construction; Intervenor Defendant APCO Construction; Intervenor Defendant APCO Construction; Counter Defendant APCO Construction <i>First American Title Ins Co Disclaimer of Interest</i></p> | |
| 04/24/2009 | <p> Statement of Facts Constituting Lien Filed By: Intervenor Pressure Grout Co <i>Statement of Facts Constituting Lien and Complaint in Intervention-Pressure Grout Company</i></p> | |
| 04/24/2009 | <p> Three Day Notice of Intent to Default Filed by: Counter Defendant Noord Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Intervenor Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC <i>E&E Fire Protection, LLC's Three Day Notice of Intent to Default</i></p> | |
| 04/24/2009 | <p> Initial Appearance Fee Disclosure Filed By: Intervenor Pressure Grout Co <i>Initial Appearance Fee Disclosure</i></p> | |
| 04/24/2009 | <p> Three Day Notice of Intent to Default</p> | |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed by: Counter Defendant Noord Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Intervenor Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC
Dave Peterson Framing Inc's Three Day Notice of Intent to Take Default on Gemstone Development West Inc

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| 04/24/2009 |  Three Day Notice of Intent to Default Filed by: Counter Defendant Noord Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Intervenor Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC <i>Professional Doors and Millworks LLCs Three Day Notice of Intent to Take Default</i> |
| 04/29/2009 |  Opposition to Motion Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rental's Limited Opposition to Motion to consolidate</i> |
| 04/29/2009 |  Answer Filed By: Plaintiff Apco Construction; Intervenor Defendant APCO Construction; Counter Defendant APCO Construction; Intervenor Defendant APCO Construction; Intervenor Defendant APCO Construction; Intervenor Defendant APCO Construction; Counter Defendant APCO Construction <i>APCO Construction's Answer to Cell-Crete Fireproofing of Nevada, Inc's Statement of Facts Constituting Lien and Complaint in Intervention and Cross-Claim</i> |
| 04/29/2009 |  Affidavit of Service <i>Affidavit of Service</i> |
| 04/30/2009 |  Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Professional Doors and Millworks, LLC's Statement of Facts Constituting lien Claim, Complaint and Third Party Complaint</i> |
| 04/30/2009 |  Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to E&E Fire Protection, LLC's Statement of Facts Constituting Lien Claim, Complaint and Third Party Complaint</i> |
| 04/30/2009 |  Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Dave Peterson Framing, Inc.'s Statement of Facts Constituting Lien Claim, Complaint and Third Party Complaint</i> |
| 04/30/2009 | Certificate of Mailing Filed By: Intervenor Pressure Grout Co |
| 04/30/2009 |  Certificate of Mailing Filed By: Intervenor Pressure Grout Co <i>Certificate of Mailing</i> |
| 04/30/2009 |  Summons Filed by: Plaintiff Apco Construction |
| 05/01/2009 |  Joinder Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Moinder in Motion to Consolidate with Case Nos. A574391, A574792, A579963, A583289, A584730 and A587168</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 05/01/2009 |  Summons Filed by: Plaintiff Apco Construction Party served: Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Summons (Affidavit of Service of Summons, Statement of Facts, and Check #13594)- Fidelity and Deposit Company of Maryland</i> |
| 05/01/2009 |  Summons Filed by: Counter Claimant Insulpro Projects Inc Party served: Counter Defendant APCO Construction <i>Summ-Apco Construction</i> |
| 05/01/2009 |  Summons Filed by: Plaintiff Apco Construction Party served: Intervenor Defendant Gemstone Development West Inc <i>Summons (Affidavit of Service of Summons and Statement of Facts) - Camco Pacific Construction Company, Inc</i> |
| 05/01/2009 |  Three Day Notice of Intent to Default Filed by: Intervenor Plaintiff Harsco Corporation <i>Three Day Notice of Intent to Default</i> |
| 05/04/2009 |  Opposition <i>Opposition to Motion to Consolidate</i> |
| 05/04/2009 |  Default Filed By: Intervenor Plaintiff Harsco Corporation Default Prty: Intervenor Defendant Concrete Visions Inc <i>Default - Concrete Visions Inc</i> |
| 05/04/2009 |  Notice of Non Opposition Filed By: Intervenor Insulpro Projects Inc; Counter Claimant Insulpro Projects Inc <i>Insulpro Projects, Inc's Notion of Non-Opposition to Apco Construction's Motion to Consolidate</i> |
| 05/04/2009 |  Certificate of Mailing Filed By: Plaintiff Apco Construction <i>Certificate of Mailing</i> |
| 05/04/2009 |  Notice of Lis Pendens Filed by: Intervenor Pressure Grout Co <i>Notice of Lis Pendens</i> |
| 05/05/2009 |  Motion to Dismiss <i>Camco Pacific Construction's and Fidelity and Deposit Company of Maryland's Motion to Dismiss the T</i> |
| 05/05/2009 |  Motion to Intervene <i>Hydropressure Cleaning, Inc.'s Motion to Intervene</i> |
| 05/05/2009 |  Motion to Intervene Party: Other The Masonry Group Nevada, Inc. <i>The Masonry Group Nevada Inc.'s Motion to Intervene</i> |
| 05/05/2009 |  Answer |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland
Answer to Noorda Sheet Metal Companys Third Party Complaint and Camco Pacific Constructions Counterclaim

05/05/2009



Answer to Third Party Complaint

Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland
Answer to E&E Fire Protection LLC's Third Party Complaint and Camco Pacific Constructions Counterclaim

05/05/2009



Answer to Third Party Complaint

Filed By: Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland
Answer to Professional Doors and Millworks LLC's Third Party Complaint and Camco Pacific Construction's Counterclaim

05/05/2009



Answer to Counterclaim

Filed By: Counter Claimant Camco Pacific Construction Co Inc
Answer to Cabintec Inc's Complaint in Intervention and Camco Pacific Construction Company Inc's Counterclaim

05/06/2009



Certificate of Mailing

Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Intervenor Defendant Campco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Company Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland
Certificate of Mailing of Camco Pacific Constructions and Fidelity and Deposit Company of Marylands Motion to Dismiss the Third Party Complaint of Dave Peterson Framing Inc and Notice Thereof

05/07/2009



Reply to Counterclaim

Filed by: Counter Defendant Noord Sheet Metal Company; Third Party Plaintiff Noorda Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Third Party Plaintiff E & E Fire Protection LLC; Intervenor Dave Peterson Framing Inc; Third Party Plaintiff Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC; Third Party Plaintiff Professional Doors & Millworks LLC
Noorda Sheet Metal Companys Reply to Camco Pacific Constructions Counterclaim

05/07/2009



Reply to Counterclaim

Filed by: Counter Defendant Noord Sheet Metal Company; Third Party Plaintiff Noorda Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Third Party Plaintiff E & E Fire Protection LLC; Intervenor Dave Peterson Framing Inc; Third Party Plaintiff Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC; Third Party Plaintiff Professional Doors & Millworks LLC
Professional Doors and Millworks LLCs Reply to Camco Pacific Constructions Counterclaim

05/07/2009



Reply to Counterclaim

Filed by: Counter Defendant Noord Sheet Metal Company; Third Party Plaintiff Noorda Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Third Party Plaintiff E & E Fire Protection LLC; Intervenor Dave Peterson Framing Inc; Third Party Plaintiff Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

LLC; Third Party Plaintiff Professional Doors & Millworks LLC
E&E Fire Protection LLCs Reply to Camco Pacific Constructions Counterclaim

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| 05/08/2009 |  Joinder <i>Scott Financial Corporation's Amended Partial Joinder in Apco Construction's Motion to Consolidate</i> |
| 05/08/2009 |  Answer <i>Scott Financial Corporation's Answer to Noorda Sheet Metal Company's Amended Statement of Facts Con</i> |
| 05/08/2009 |  Answer <i>Scott Financial Corporation's Answer to Professional Doors and Millworks, LLC's Statement of Facts</i> |
| 05/08/2009 |  Answer <i>Scott Financial Corporation's Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of Fact</i> |
| 05/08/2009 |  Opposition <i>Atlas Construction Supply, Inc.'s Limited Opposition to APCO Construction's Motion to Consolidate with Case Nos. A574391, A574792, A577623, A579963, A583289, A584730 and A587168</i> |
| 05/11/2009 |  Opposition to Motion <i>Bradley J. Scott and Scott Financial Corporation's Opposition to APCO Construction's Motion to Cons</i> |
| 05/11/2009 |  Affidavit for Service by Publication Filed By: Intervenor Plaintiff Ahern Rental Inc |
| 05/11/2009 |  Motion Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rental Incs Second Supplemental Motion to Amend Statement of Facts Constituting Lien and Complaint-In-Intervention</i> |
| 05/12/2009 |  Motion to Amend (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 03/23/2009 Motion <i>AHERN'S MTN TO AMEND STATEMENT OF FACTS/I</i> Motion Granted; <i>Motion Granted</i> |
| 05/12/2009 |  Acceptance of Service Filed By: Interpleader Hydropressure Cleaning Inc Party Served: Defendant Nevada Construction Services <i>Nevada Construction Services Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 05/12/2009 |  Joinder to Opposition to Motion <i>Joinder of Defendant Bank of Oklahoma, N.A. to Defendants Scott Financial Corporation and Bradley J. Scott's Opposition to Apco Construction's Motion to Consolidate With Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168</i> |
| 05/12/2009 |  Joinder To Motion Filed By: Intervenor Tri-City Drywall Inc |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Joinder in Hydropressure Cleaning Inc's Motion to Intervene & Tri-City Drywall Inc's Request to Intervene

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| 05/13/2009 |  Certificate of Mailing <i>Certificate of Mailing</i> |
| 05/13/2009 |  Answer <i>Scott Financial Corporation's Answer to Nevada Prefab Engineers, Inc.'s Amended Statement of Facts</i> |
| 05/13/2009 |  Answer <i>Scott Financial Corporation's Answer to Harsco Corporation's Amended Statement of Facts Constitutin</i> |
| 05/13/2009 |  Notice <i>Notice of Withdrawal of Opposition to Motion to Consolidate</i> |
| 05/13/2009 |  Three Day Notice of Intent to Default Filed by: Intervenor Plaintiff Harsco Corporation |
| 05/14/2009 |  Certificate of Mailing Filed By: Intervenor Tri-City Drywall Inc <i>Certificate of Mailing of Joinder in Hydropressure Cleaning, Inc.'s Motion to Intervene and Tri-County Drywall, Inc.'s Request to Intervene</i> |
| 05/15/2009 |  Answer <i>Scott Financial Corporation's Answer to Dave Peterson Framing, Inc.'s Statement of Facts Constituting Lien Claim, Complaint and Third Party Complaint</i> |
| 05/15/2009 |  Opposition to Motion Filed By: Intervenor Dave Peterson Framing Inc; Third Party Plaintiff Dave Peterson Framing Inc <i>Dave Peterson Framing Incs Opposition to Camco Pacific Constructions and Fidelity Deposit Company of Marylands Motion to Dismiss the Third Party Complaint of Dave Peterson Framing Inc</i> |
| 05/15/2009 |  Answer to Third Party Complaint Filed By: Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Company Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Insulpro Projects Incs Third Party Complaint and Camco Pacific Constructions Counterclaim</i> |
| 05/18/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to Harsco Corporation's Amended Statement of Facts Constit</i> |
| 05/19/2009 |  Certificate of Service Filed by: Attorney Rutar Mullins, Gwen <i>Certificate of Service</i> |
| 05/20/2009 |  Answer |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Gemstone Development West, Inc.'s Answer to The Pressure Group Company's Statement of Facts Constituting Lien and Complaint in Intervention











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| 05/20/2009 | Motion to Intervene (3:00 AM) (Judicial Officer: Walsh, Jessie) Events: 04/15/2009 Conversion Case Event Type <i>DEFT'S MOTION TO INTERVENE /2</i> Motion Granted; <i>Motion Granted</i> |
| 05/20/2009 |  Reply <i>APCO Construction's Reply in Support of its Motion to Consolidate with Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168</i> |
| 05/21/2009 |  Notice Filed By: Plaintiff Apco Construction <i>Notice of Joinder in APCO Constructions Motion to Consolidate by Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D Tharaldson</i> |
| 05/22/2009 |  Answer <i>Scott Financial Corporation's Answer to Insulpro Projects, Inc.'s Statement of Facts Constituting Lien</i> |
| 05/22/2009 |  Three Day Notice of Intent to Default Filed by: Intervenor Insulpro Projects Inc <i>Three Day Notice of Intent to Default</i> |
| 05/26/2009 |  Joinder to Opposition to Motion <i>Joinder of Defendant Bank of Oklahoma, N.A. to Defendants Scott Financial Corporation and Bradley J. Scott's Opposition to Plaintiffs' Motion for Leave to Amend Complaint</i> |
| 05/27/2009 | CANCELED Motion to Consolidate (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i> <i>matter continued</i> |
| 05/27/2009 | CANCELED Joinder (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i> <i>matter continued</i> |
| 05/27/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to Insulpro Projects, Inc.'s Statement of Facts Constituting Lien</i> |
| 05/28/2009 |  Joinder To Motion Filed By: Intervenor Steel Structures Inc; Intervenor Steel Structures Inc <i>Steel Structures, Inc. and Nevada Prefab Engineers Inc's Joinder to Apco Construction's Motion to Consolidate</i> |
| 05/28/2009 |  Stipulation and Order for Dismissal Filed by: Defendant Nevada Construction Services <i>Stipulation and Order for Dismissal Without Prejudice of APCO Construction's Unjust Enrichment Claim Against Nevada Construction Services Only</i> |
| 05/28/2009 | Order of Dismissal Without Prejudice (Judicial Officer: Walsh, Jessie) Debtors: Apco Construction (Plaintiff) Creditors: Nevada Construction Services (Defendant) Judgment: 05/28/2009, Docketed: 06/03/2009 |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228















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| 05/29/2009 |  Opposition <i>Bradley J. Scott And Scott Financial Corporation's Opposition To APCO Construction's Supplement To Motion To Consolidate To Include Case No. A589195 In Consolidation</i> |
| 05/29/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Pape Material Handling <i>Statement of Facts Constituting Lien and Complaint in Intervention - Pape Materials</i> |
| 05/29/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Defendant Platte River Insurance Company; Intervenor Plaintiff Pape Material Handling; Doing Business As Pape Rents |
| 06/01/2009 |  Amended Certificate of Service Party: Other The Masonry Group Nevada, Inc. <i>Amended Certificate of Service</i> |
| 06/02/2009 |  Notice of Entry of Stipulation and Order <i>Notice of Entry of Stipulation and Order</i> |
| 06/02/2009 |  Answer to Amended Complaint <i>Gemstone Development West, Inc.'s Answer to Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Second Amended Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/02/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to Pape Material Handling dba Pape Rents' Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/02/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to Tri-City Drywall, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/02/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/02/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/02/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to EZA, P.C. dba Oz Architecture of Nevada, Inc.'s Statement of Facts Constituting Lien</i> |
| 06/02/2009 |  Answer to Crossclaim <i>Gemstone Development West, Inc.'s Answer to APCO Construction's Cross-Claim Contained in its Answer to Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Amended Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/03/2009 | Motion to Consolidate (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 05/28/2009 Joinder To Motion <i>Apco Construction's Motion to Consolidate With Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168</i> |
| 06/03/2009 | Joinder (9:00 AM) (Judicial Officer: Walsh, Jessie) |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Scott Financial Corporation's Joinder in Motion to Consolidate with Case Nos. A574391, A574792, A579963, A583289, A584730 and A587168




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| 06/03/2009 |  All Pending Motions (9:00 AM) (Judicial Officer: Walsh, Jessie) Granted in Part; <i>Granted in Part</i> |
| 06/03/2009 |  Reply to Counterclaim Filed by: Intervenor Insulpro Projects Inc <i>Reply to Camco Pacific Construction's Counterclaim</i> |
| 06/04/2009 |  Answer to Counterclaim <i>Counterdefendant Cabinetec, Inc.'s Answer to Counterclaimant Camco Pacific Construction Company, Inc.'s Counterclaim</i> |
| 06/04/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Patent Construction Systems |
| 06/04/2009 |  Notice of Lis Pendens Filed by: Intervenor Patent Construction Systems; Intervenor Plaintiff Harsco Corporation <i>Patent Construction Systems a Division of Harsco Corporations Notice of Lis Pendens</i> |
| 06/04/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Patent Construction Systems; Intervenor Plaintiff Harsco Corporation <i>Patent Construction Systems a Division of Harsco Corporations Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/05/2009 |  Reply <i>Reply of Camco Pacific Construction and Fidelity and Deposit Company of Maryland to Dave Peterson Framing, Inc.'s Opposition to Motion to Dismiss the Third Party Complaint</i> |
| 06/05/2009 |  Proof of Service Filed by: Intervenor Tri-City Drywall Inc Party Served: Intervenor Defendant Fidelity and Deposit Company of Maryland; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Proof of Service</i> |
| 06/08/2009 |  Motion for Default Judgment Filed By: Intervenor Plaintiff Harsco Corporation <i>Motion for Default Judgment</i> |
| 06/10/2009 |  Answer to Complaint <i>APCO Construction's Answer to Zitting Brothers Construction, Inc.'s Complaint</i> |
| 06/10/2009 | CANCELED Motion to Intervene (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i> |
| 06/10/2009 | CANCELED Motion to Intervene (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i> |
| 06/10/2009 | CANCELED Joinder (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/10/2009 | CANCELED Motion to Dismiss (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i> |
| 06/10/2009 |  Notice of Motion Filed By: Intervenor Plaintiff Harsco Corporation |
| 06/10/2009 |  Affidavit of Service |
| 06/11/2009 |  Substitution of Attorney <i>Substitution of Attorney</i> |
| 06/11/2009 |  Notice of Department Reassignment |
| 06/11/2009 |  Proof of Service Filed by: Intervenor Plaintiff Pape Material Handling <i>Proof of Service of Summons and Complaint</i> |
| 06/15/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Statement of Facts Constituting Lien and Complaint Intervention</i> |
| 06/15/2009 |  Lis Pendens Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC |
| 06/15/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC |
| 06/15/2009 |  Ex Parte Motion for Enlargement of Time Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ex Parte Motion to Enlarge Time to Allow For Service of Summons and Complaint Upon Defendant Edelstein</i> |
| 06/15/2009 |  Acceptance of Service Filed By: Intervenor Patent Construction Systems Party Served: Intervenor Defendant Gemstone Development West Inc <i>Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/16/2009 |  Acceptance of Service Filed By: Intervenor Patent Construction Systems Party Served: Defendant Scott Financial Corporation <i>Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/17/2009 |  Summons Filed by: Plaintiff Apco Construction |
| 06/17/2009 |  Summons Filed by: Plaintiff Apco Construction |
| 06/18/2009 |  Re-Notice Filed by: Counter Claimant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland |















DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Re-Notice of Hearing of Camco Pacific Construction and Fidelity and Deposit Company of Maryland's Motion to Dismiss the Thrid Party Complaint of David Peterson Framing, Inc.










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| 06/19/2009 |  Summons Filed by: Intervenor Patent Construction Systems Party served: Intervenor Defendant Platte River Insurance Company |
| 06/19/2009 |  Order Granting Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Order Granting Ex Parte motion to Enlarge Time to Allow for Service of Summons and Complaint Upon Defendant Edelstein</i> |
| 06/23/2009 |  Certificate of Mailing Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Company Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Inc <i>Certificate of Mailing of Camco Pacific Constructions and Fidelity and Deposit Company of Marylands Re-Notice of Hearing of Motion to Dismiss the Third Party Complaint of Dave Peterson Framing Inc and Notice Thereof</i> |
| 06/23/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Insulpro Projects Inc |
| 06/23/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Insulpro Projects Inc <i>Statement of Facts Constituting Lien and Complaint-In-Intervention</i> |
| 06/23/2009 |  Lis Pendens Filed By: Intervenor Insulpro Projects Inc |
| 06/23/2009 |  Acceptance of Service Filed By: Interpleader Hydropressure Cleaning Inc Party Served: Defendant Scott Financial Corporation <i>Scott Financial Corporations' Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/24/2009 |  Lis Pendens <i>Accuracy Glass & Mirror Company, Inc.'s Amended Notice of Lis Pendens</i> |
| 06/24/2009 |  Amended Complaint <i>First Amended Complaint Re Foreclosure (A571792, A574391, A577623, A583289, A584730, A587168)</i> |
| 06/24/2009 |  Lis Pendens <i>Bruin Painting Corporation's Amended Notice of Lis Pendens</i> |
| 06/24/2009 |  Statement <i>Bruin Painting's Amended Statement of Facts Constituting a Notice of Lien and Third-</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Party Complaint
















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| 06/24/2009 |  Lis Pendens <i>HD Supply Waterworks, LP's Amended Notice of Lis Pendens</i> |
| 06/24/2009 |  Statement <i>HD Supply Waterworks' Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint</i> |
| 06/24/2009 |  Lis Pendens <i>Helix Electric's Amended Notice of Lis Pendens</i> |
| 06/24/2009 |  Statement <i>Helix Electric's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint</i> |
| 06/24/2009 |  Lis Pendens <i>Heinaman's Amended Notice of Lis Pendens</i> |
| 06/24/2009 |  Statement <i>Heinaman Contract Glazing's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint</i> |
| 06/24/2009 |  Lis Pendens <i>WRG Design, Inc.'s Amended Notice of Lis Pendens</i> |
| 06/24/2009 |  Statement <i>WRG Design, Inc.'s Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint (A571792, A574391, A577623, A583289, A584730, A587168)</i> |
| 06/26/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rental Inc.'s First Amended Statement of Facts Constituting Lien and Complaint-in-Intervention</i> |
| 06/29/2009 |  Order <i>Order to Consolidate this action with Case A574391, A574792, A577623, A583289, A584730, A587168, A580889 & A589195</i> |
| 06/30/2009 |  Answer to Amended Complaint <i>Gemstone Development West, Inc.'s Answer to Ahern Rental, Inc.'s First Amended Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/30/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to Patent Construction Systems, a Division of Harsco Corporation's Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/30/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to Buchele, Inc.'s Statement of Facts Constituting Lien</i> |
| 06/30/2009 |  Answer <i>Gemstone Development West, Inc.'s Answer to Statement of Facts Constituting Lien Claim by Creative Home Theatre, LLC</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/30/2009 |  Affidavit of Due Diligence |
| 07/01/2009 |  Affidavit for Service by Publication Filed By: Intervenor Plaintiff Ahern Rental Inc |
| 07/02/2009 |  Answer <i>APCO Construction's Answer to Ahern Rentals Inc.'s First Amended Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 07/02/2009 |  Answer <i>APCO Construction's Answer to Buchele, Inc.'s Statement of Facts Constituting Lien</i> |
| 07/02/2009 |  Answer <i>APCO Construction's Answer to Selectbuild Nevada Inc.'s Statement of Facts Constituting Lien</i> |
| 07/02/2009 |  Answer <i>APCO Construction's Answer to Las Vegas Pipeline, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 07/02/2009 |  Answer <i>APCO Construction's Answer to The Pressure Grout Company's Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 07/02/2009 |  Notice of Entry of Order <i>Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, A587168, A580889 and A589195</i> |
| 07/06/2009 | CANCELED All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Clerk</i> <i>Pending Motions separated and individually placed on calendar</i> |
| 07/06/2009 | Motion to Intervene (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Hydropressure Cleaning's Motion to Intervene</i> |
| 07/06/2009 | Motion to Intervene (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>The Masonry Group Nevada's Motion to Intervene</i> |
| 07/06/2009 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Tri-City Drywall's Joinder in Hydropressure Cleaning's Motion to Intervene and Tri-City Drywall's Request to Intervene</i> |
| 07/06/2009 |  All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>All Pending Motions (07-06-09)</i> <i>Matter Heard;</i> <i>Matter Heard</i> |
| 07/07/2009 |  Statement of Facts Constituting Lien <i>Masonry Group Nevada Inc Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 07/09/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete Inc Statement of Facts Constituting Lien and Complaint -In-</i> |


DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Intervention

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| 07/09/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Northstar Concrete, Inc. |
| 07/09/2009 |  Lis Pendens Filed By: Intervenor Plaintiff Northstar Concrete, Inc. |
| 07/09/2009 |  Certificate of Service |
| 07/09/2009 |  Acceptance of Service |
| 07/09/2009 |  Summons |
| 07/10/2009 |  Statement Filed by: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc <i>Camco Pacific Construction Company, Inc.'s Statement of Facts and Complaint in Intervention</i> |
| 07/13/2009 |  Summons Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC |
| 07/13/2009 |  Summons Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC |
| 07/13/2009 |  Summons Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC |
| 07/14/2009 |  Three Day Notice of Intent to Default Filed by: Intervenor Patent Construction Systems <i>Three Day Notice of Intent to Take Default</i> |
| 07/14/2009 |  Three Day Notice of Intent to Default Filed by: Intervenor Patent Construction Systems |
| 07/15/2009 |  Stipulation and Order for Dismissal Filed by: Defendant Nevada Construction Services <i>Stipulation and Order for Dismissal without Prejudice of Hydropressure Cleaning, Inc.'s Claim for Unjust Enrichment Against Nevada Construction Services Only</i> |
| 07/15/2009 |  Notice of Dismissal Filed By: Intervenor Patent Construction Systems <i>Patent Construction Systems a Division of Harsco Corporations Notice of Dismissal of Platte River Insurance Company</i> |
| 07/15/2009 |  Notice of Voluntary Dismissal Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rentals' Notice of Voluntary Dismissal of Heinaman Contract Glazing and Neal Roffer Only</i> |
| 07/15/2009 |  Order Granting Filed By: Intervenor Tri-City Drywall Inc |













DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Order Granting Tri- City Drywall Inc's Request to Intervene










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| 07/15/2009 | Order of Dismissal Without Prejudice (Judicial Officer: Denton, Mark R.) Debtors: Hydropressure Cleaning Inc (Interpleader) Creditors: Nevada Construction Services (Intervenor Defendant) Judgment: 07/15/2009, Docketed: 07/21/2009 |
| 07/15/2009 | Order of Dismissal Without Prejudice (Judicial Officer: Denton, Mark R.) Debtors: Platte River Insurance Company (Intervenor Defendant) Creditors: Patent Construction Systems (Intervenor) Judgment: 07/15/2009, Docketed: 07/22/2009 |
| 07/16/2009 |  Notice of Entry of Order <i>Notice of Entry of Stipulation and Order</i> |
| 07/17/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Patent Construction Systems <i>Patent Construction Systems A Division of Harsco Corporation's Statement of Facts Constituting Lien and Amended Complaint in Intervention</i> |
| 07/20/2009 |  Motion for Default Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 06/10/2009 Notice of Motion <i>Harsco Corp's Motion for Default Judgment</i> Off Calendar; Harsco Corporation's Motion for Default Judgment <i>Off Calendar</i> |
| 07/20/2009 |  Answer <i>Scott Financial Corporation's Answer to Patent Construction's Statement of Facts Constituting Lien</i> |
| 07/21/2009 |  Order for Service by Publication Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Order for Service by Publication</i> |
| 07/21/2009 |  Affidavit of Service Filed By: Plaintiff Apco Construction Party Served: Intervenor Defendant Gemstone Development West Inc |
| 07/21/2009 |  Consent to Service By Electronic Means Filed By: Intervenor Nevada Prefab Engineers Inc |
| 07/21/2009 |  Consent to Service By Electronic Means Filed By: Intervenor Steel Structures Inc |
| 07/21/2009 |  Consent to Service By Electronic Means Filed By: Intervenor Plaintiff Pape Material Handling |
| 07/21/2009 |  Affidavit of Service |
| 07/21/2009 |  Affidavit of Due Diligence |
| 07/22/2009 |  Statement of Facts Constituting Lien Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Statement of Facts Constituting Lien Claim and</i> |

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CASE SUMMARY
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Complaint in Intervention

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| 07/22/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Granite Construction Company |
| 07/22/2009 |  Notice of Entry of Order Filed By: Intervenor Tri-City Drywall Inc <i>Notice of Entry of Order Granting Tri-city Drywall Inc's Request to Intervene</i> |
| 07/22/2009 |  Notice of Entry of Order Filed By: Intervenor Plaintiff Ahern Rental Inc |
| 07/23/2009 |  Response <i>Gemstone Development West, Inc.'s Answer to Supply Network, Inc. dba Viking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 07/23/2009 |  Early Case Conference List of Witnesses & Production of Docs <i>Early Case Conference List of Witnesses and Production of Documents</i> |
| 07/23/2009 |  Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Atlas Construction Supply, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 07/23/2009 |  Three Day Notice of Intent to Default Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC |
| 07/23/2009 |  Three Day Notice of Intent to Default Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Three Day Notice of Intent to Take Default and Default Judgment Against Gemstone Development West Inc</i> |
| 07/23/2009 |  Certificate of Mailing Filed By: Intervenor Plaintiff Ahern Rental Inc |
| 07/23/2009 |  Answer to Complaint Filed by: Intervenor Defendant Gemstone Development Inc <i>Gemstone Development West, Inc.'s Answer to Supply Network, Inc. dba Viking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 07/23/2009 |  Answer to Complaint Filed by: Intervenor Defendant Gemstone Development Inc <i>Gemstone Development West, Inc.'s Answer to Supply Network, Inc. dba Viking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 07/27/2009 | CANCELED Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - On In Error</i> <i>Duplicate Entry</i> |
| 07/27/2009 |  Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Third Party Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing</i> Denied; Third Party Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing <i>Denied</i> |

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CASE NO. 08A571228

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| 07/27/2009 |  Notice of Entry of Order <i>Notice of Entry of Order Denying Motion to Clarify and to Reconsider April 6, 2009 Ruling re: Executive Plastering, Inc.'s Application for Prejudgment Writ of Attachment</i> |
| 07/28/2009 |  Notice of Change of Address Filed By: Intervenor Insulpro Projects Inc <i>Notice of Change of Firm's Address</i> |
| 07/29/2009 |  Answer Filed By: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Counter Claimant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Las Vegas Pipeline, LLC's Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 07/30/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Statement of Facts and Complaint in Intervention</i> |
| 07/30/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to the Masonry Group Nevada, Inc.'s Statement of Facts Constituting Lien Claim and Complaint in Intervention</i> |
| 07/30/2009 |  Acceptance of Service Filed By: Intervenor Patent Construction Systems Party Served: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Counter Claimant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Acceptance of Service of Statement of Facts Constituting Lien and Amended Complaint in Intervention</i> |
| 07/30/2009 |  Acceptance of Service Filed By: Intervenor Patent Construction Systems Party Served: Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation <i>Acceptance of Service of Statement of Facts Constituting Lien and Amended Complaint in Intervention</i> |
| 07/30/2009 |  Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Answer</i> |
| 07/31/2009 |  Summons |

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Filed by: Intervenor Granite Construction Company
Summons - Apco Construction

08/03/2009

 Summons


Filed by: Intervenor Patent Construction Systems
Party served: Intervenor Plaintiff Northstar Concrete, Inc.
Summons (Amended Complaint)

08/03/2009

 Proof of Service


Filed by: Plaintiff Apco Construction
Party Served: Intervenor Defendant Employers Mutual Casualty Co

08/03/2009

 Summons


Filed by: Intervenor Patent Construction Systems
Summons (Amended Complaint)

08/03/2009

 Voluntary Dismissal


Voluntary Dismissal of Fidelity and Deposit Company of Maryland Only From Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third- Party Complaint Without Prejudice

08/04/2009

 Proof of Service


Filed by: Intervenor Plaintiff Northstar Concrete, Inc.

08/04/2009

 Proof of Service

Filed by: Intervenor Plaintiff Northstar Concrete, Inc.

08/05/2009

 Answer


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

08/05/2009

 Answer


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

08/05/2009

 Answer


APCO Construction's Answer to Granite Construction Company's Statement of Facts Constituting Lien Claim and Complaint in Intervention

08/05/2009

 Answer

APCO Construction's Answer to HD Supply Waterwork's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint

08/05/2009

 Answer

APCO Construction's Answer to Helix Electric's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint

08/05/2009

 Answer












APCO Construction's Answer to The Masonry Group Nevada, Inc.'s Statement of Facts Constituting a Notice of Lien and Complaint in Intervention

08/06/2009














 Answer

APCO Construction's Answer to WRG Design Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint

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| 08/06/2009 |  Answer <i>APCO Construction's Answer to Tri-City Drywall, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 08/06/2009 |  Acceptance of Service <i>Acceptance of Service of Executive Plastering Inc's First Amended Complaint on Gemstone Development West Inc's Behalf</i> |
| 08/07/2009 |  Initial Appearance Fee Disclosure |
| 08/07/2009 |  Answer Filed By: Intervenor Defendant Old Republic Surety; Intervenor Defendant Jeff Heit Plumbing Co LLC <i>Defendants Answer to HD Supply Waterworks' Amended Statement of Facts and Third-Party Complaint</i> |
| 08/11/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Granite Construction Company's Statement of Facts Constituting Lien Claim and Complaint in Intervention</i> |
| 08/11/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Patent Construction Systems, a Division of Harsco Corporation's Statement of Facts Constituting Lien and Amended Complaint in Intervention</i> |
| 08/11/2009 |  Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i> |
| 08/11/2009 |  Summons Filed by: Intervenor Tri-City Drywall Inc Party served: Intervenor Defendant Accuracy Glas & Mirror Company Inc; Counter Defendant Accuracy Glass & Mirror Company Inc <i>- Accuracy Glass & Mirror Company Inc.</i> |
| 08/11/2009 |  Summons Filed by: Intervenor Tri-City Drywall Inc Party served: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>- Gemstone Development West Inc.</i> |
| 08/11/2009 |  Summons Filed by: Plaintiff Apco Construction Party served: Counter Claimant Camco Pacific Construction Co Inc <i>- Camco Pacific Construction Company Inc.</i> |
| 08/11/2009 |  Summons Filed by: Plaintiff Apco Construction Party served: Intervenor Defendant Gemstone Development West Inc <i>- Gemstone Development West Inc.</i> |
| 08/11/2009 |  Summons Filed by: Plaintiff Apco Construction Party served: Intervenor Defendant Concrete Visions Inc <i>- Concrete Visions Inc.</i> |

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| 08/13/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Hydropressure Cleaning, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 08/13/2009 |  Summons Filed by: Intervenor Patent Construction Systems <i>Summons (Amended Complaint) -Richard Thornton</i> |
| 08/14/2009 |  Answer <i>Scott Financial Corporation's Answer to Creative Home Threatre, LLC's Statement of Facts Constituting Lien</i> |
| 08/14/2009 |  Answer <i>Scott Financial Corporation's Answer to Supply Network dba Vking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 08/14/2009 |  Answer <i>Scott Financial Corporation's Answer to The Pressure Grout Company's Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 08/14/2009 |  Answer <i>Scott Financial Corporation's Answer to Pape Material Handling dba Pape Rents' Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 08/14/2009 |  Acceptance of Service <i>Acceptance of Service of Zitting Brothers Constratuion, Inc.'s Complaint Re: Floreclosure</i> |
| 08/18/2009 |  Answer <i>Scott Financial Corporation's Answer to Statement of Facts Constituting Lien on Behalf of Buchele, Inc.</i> |
| 08/18/2009 |  Initial Appearance Fee Disclosure Filed By: Intervenor Defendant Club Vista Financial Services LLC; Intervenor Defendant Tharaldson Motels II Inc |
| 08/18/2009 |  Answer Filed By: Intervenor Defendant Club Vista Financial Services LLC; Intervenor Defendant Tharaldson Motels II Inc <i>Club Vista Financial Services, LLC and Tharaldson Motels II, Inc's Answer to Camco Pacific Construction Company, Inc's Statement of Facts and Complaint in Intervention and Counterclaim</i> |
| 08/18/2009 |  Order Filed By: Intervenor Dave Peterson Framing Inc <i>Order on Camco Pacific Construction's and Fidelity Deposit Company of Maryland's Motion to Dismiss the Third Party Complaint of Dave Peterson Framing Inc</i> |
| 08/19/2009 |  Answer <i>Scott Financial Corporation's Answer to The Masonry Group Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 08/20/2009 |  Affidavit of Publication Filed By: Plaintiff Apco Construction |
| 08/21/2009 | |

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| |  Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i> |
| 08/21/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Fast Glass, Inc.'s Statement of Facts Constituting Lien</i> |
| 08/21/2009 |  Notice Filed By: Intervenor Defendant Gemstone Development West Inc <i>Defendant Gemstone Development West Incs Notice of Consolidation With Case No 08-A571228</i> |
| 08/24/2009 |  Notice of Bankruptcy <i>Selectbuild Nevada, Inc.'S Notice Of Bankruptcy Filing And Automatic Stay</i> |
| 08/25/2009 |  Notice <i>Notice of Consolidation with Case Numbers A571228, A574391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195</i> |
| 08/25/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Executive Plastering, Inc.'s Statement of Facts Constituting Lien Claim</i> |
| 08/25/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Executive Plastering, Inc.'s First Amended Complaint</i> |
| 08/25/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Zitting Brothers Construction, Inc.'s Complaint re: Foreclosure</i> |
| 08/26/2009 |  Answer <i>Defendant, Nevada Construction Services' Answer to Camco Pacific Construction Company, Inc.'s Statement of Facts and Complaint in Intervention</i> |
| 08/26/2009 |  Initial Appearance Fee Disclosure Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Ferguson Fire and Fabrication, Inc's Initial Appearance Fee Disclosure</i> |
| 08/26/2009 |  Answer Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Answer of Mechanic's Lien Counter-Defendant Ferguson Fire and Fabrication, Inc to Counterclaim of Club Vista Financial Services LLC; Tharldson Motels II Inc ; and Gary D Tharaldson</i> |
| 08/28/2009 |  Initial Appearance Fee Disclosure <i>Initial Appearance Fee Disclosure</i> |
| 08/28/2009 |  Statement of Facts Constituting Lien <i>Custom Select Billing, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 09/02/2009 |  Answer to Counterclaim |

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Filed By: Counter Defendant Masonry Group Nevada Inc
Masonry Group Nevada Inc's Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim














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| 09/03/2009 |  Three Day Notice of Intent to Default Filed by: Intervenor Patent Construction Systems |
| 09/08/2009 |  Answer to Interpleader <i>Alex Edelstein's Answer to Ahern Rental, Inc.'s First Amended Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 09/08/2009 |  Motion to Dismiss <i>Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels, II, Inc.'s Counterclaim</i> |
| 09/09/2009 |  Motion <i>Motion to Designate this Action as Complex Pursuant to NRCP 16.1(f), and Motion to Set a Discovery Conference Pursuant to NRCP 16</i> |
| 09/09/2009 |  Answer and Counterclaim <i>Answer to Las Vegas Pipeline, LLC's Statement of Facts Constituting Lien and Complaint In Intervention and Camco Pacific Construction Company Inc.'s Counterclaim</i> |
| 09/10/2009 |  Initial Appearance Fee Disclosure Filed By: Counter Claimant Camco Pacific Construction Co Inc |
| 09/10/2009 |  Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Tri-City Drywall Incs Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Companys Incs Counterclaim</i> |
| 09/10/2009 |  Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Dave Peterson Framing Incs Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Companys Incs Counterclaim</i> |
| 09/10/2009 |  Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Northstar Concrete Incs Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Companys Inc Counterclaim</i> |
| 09/10/2009 |  Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Counter Defendant Ferguson Fire and Fabrication Inc <i>Answer to Fast Glass Incs Statement of Facts Constituting Lien and Camco Pacific Construction Company Incs Counterclaim</i> |
| 09/10/2009 |  Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Helix Electrics Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Incs Counterclaim</i> |
| 09/10/2009 |  Answer to Complaint |

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CASE NO. 08A571228











Filed by: Counter Claimant Camco Pacific Construction Co Inc
Answer to Selectbuild Nevada Inc's Complaint in Intervention and Camco Pacific Construction Company Inc's Counterclaim

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| 09/10/2009 |  Initial Appearance Fee Disclosure Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland |
| 09/10/2009 |  Initial Appearance Fee Disclosure Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland |
| 09/11/2009 |  Answer <i>Answer to WRG Desing Inc's Statement of Facts Constituting Lien Third Party Complaint and Camco Pacific Construction Inc's Counterclaim</i> |
| 09/11/2009 |  Answer to Complaint <i>Answer to Accuracy Glass & Mirror Company Inc's Complaint and Camco Pacific Construcion Inc's Counterclaim</i> |
| 09/11/2009 |  Answer to Complaint Filed by: Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Bruin Painting Corporation's Statement of Facts Constituting Lien Third Party Complaint and Camco Pacific Construction Inc's Counterclaim</i> |
| 09/11/2009 |  Answer to Third Party Complaint Filed By: Third Party Defendant Camco Pacific Construction Co Inc <i>Answer tp Heinaman Contract Glazing's Statement of Facts Constituting Lien Third Party Complaint and Camco Pacific Construcion's Counterclaim</i> |
| 09/18/2009 |  Motion for Sanctions <i>Motion for Sanctions Pursuant to NRCP 11</i> |
| 09/18/2009 |  Reply to Counterclaim Filed by: Counter Defendant Dave Peterson Framing Inc <i>Dave Peterson Framing Incs Reply to Camco Pacific Constructions Counterclaim</i> |
| 09/18/2009 |  Default Filed By: Intervenor Patent Construction Systems |
| 09/18/2009 |  Default |
| 09/23/2009 |  Amended Summons <i>Amended Summons</i> |
| 09/23/2009 |  Motion for Clarification <i>Renewed Motion for Clarificaton Or Reconsideration of April 6, 2009 Ruling Re: Executive Plastering Inc.'s Application For Order To Show Cause Why Prejudgment Writ of Attachment and Writ Of Garnishment Should Not Issue After Notice</i> |
| 09/23/2009 |  Motion to Dismiss <i>Plaintiff Zitting Brothers Construction, Inc.'s Partial Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim or, in the Alternative, Motion for a More Definite Statement</i> |

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CASE NO. 08A571228

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| 09/23/2009 |  Amended Summons Filed By: Doing Business As Helix Electric Party Served: Intervenor Defendant APCO Construction <i>Amended Summons - APCO Construction</i> |
| 09/23/2009 |  Amended Summons <i>Amended Summons - APCO Construction (as defendant ?? claim)</i> |
| 09/24/2009 |  Amended Summons <i>Amended Summons</i> |
| 09/24/2009 |  Amended Summons <i>Amended Summons</i> |
| 09/24/2009 |  Amended Summons <i>Amended Summons</i> |
| 09/24/2009 |  Amended Summons <i>Amended Summons</i> |
| 09/24/2009 |  Certificate of Mailing |
| 09/25/2009 |  Opposition to Motion to Dismiss Filed By: Plaintiff Apco Construction <i>Opposition to Scott Financial Corporation Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i> |
| 09/25/2009 |  Answer Filed By: Intervenor Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Steel Structures, Inc. Second Amended Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 09/25/2009 |  Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Nevada Prefab Engineers, Inc.'s Second Amended Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 09/25/2009 |  Answer Filed By: Intervenor Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Co Inc <i>Answer to the Masonry Group Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Inc.'s Counterclaim</i> |
| 09/25/2009 |  Answer to Complaint Filed by: Intervenor Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Buchele, Inc.'s Complaint for Damages and to Foreclosure Mechanic's Lien and Camco Pacific Construction Company Inc.'s Counterclaim</i> |
| 09/25/2009 |  Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Ferguson Fire & Fabrication, Inc.'s Statement of Facts Constituting Lien and Complaint-in-Intervention and Camco Pacific Construction Company Inc.'s Counterclaim</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 09/25/2009 |  Reply to Counterclaim Filed by: Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Company Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Inc; Counter Defendant Camco Pacific Construction Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc <i>Reply to Club Vista Financial Services, LLC and Tharaldson Motels, II, Inc.'s Counterclaim</i> |
| 09/28/2009 |  Opposition to Motion to Dismiss Filed By: Plaintiff Apco Construction <i>Opposition to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim</i> |
| 09/28/2009 |  Response Filed by: Plaintiff Apco Construction <i>Response of Club Vista Financial Services, Inc., Tharaldson to Motion to Designate this Action as Complex Pursuant to NRCP 16.1(F), and Motion to Set a Discovery Conference Pursuant to NRCP 16</i> |
| 09/29/2009 |  Reply <i>Fast Glass, Inc.'s Reply to Camco Pacific Construction Company, Inc.'s Counterclaim</i> |
| 09/29/2009 |  Opposition <i>Apco Construction's Limited Opposition to Scott Financial Corporation's Motion to Designate as Complex and Set a Rule 16 Conference</i> |
| 09/29/2009 |  Reply to Counterclaim Filed by: Intervenor Tri-City Drywall Inc <i>Tri-City Drywall, Inc.'s Reply to Club Vista Financial Services LCC and Tharaldson Motels II, Inc.'s Counterclaim</i> |
| 09/29/2009 |  Reply to Counterclaim Filed by: Intervenor Plaintiff Inquipco <i>Inquipco's Reply to Club Vista Financial Services LCC and Tharaldson Motel II, Inc.'s Counterclaim</i> |
| 09/29/2009 |  Reply to Counterclaim Filed by: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete, Inc.'s Reply to Club Vista Financial Services LCC and Tharaldson Motels II, Inc.'s Counterclaim</i> |
| 09/29/2009 |  Notice of Change of Firm Name Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Notice of Change of Firm Name and Address</i> |
| 09/30/2009 |  Opposition Filed By: Attorney Morris, Steven L.; Third Party Defendant Camco Pacific Construction Co Inc <i>Camco Pacific Construction Company, Inc.'s Opposition to Nevada Construction</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228


Services' Motion for Sanctions Pursuant to NRCP 11

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| 09/30/2009 |  Answer to Amended Complaint Filed By: Counter Defendant Camco Pacific Construction Inc; Counter Claimant Camco Pacific Construction Co Inc <i>Answer to first amended complaint and counterclaim</i> |
| 10/01/2009 |  Answer to Complaint Filed by: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West Inc's Answer to Complaint for Damages and to Foreclose Mechanic's Lien</i> |
| 10/01/2009 |  Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Custom Select Billing, Inc.'s Statement of Facts constitution Lien and Complaint in Intervention</i> |
| 10/02/2009 |  Motion to Associate Counsel <i>Motion to Associate Counsel Christine R. Taradash</i> |
| 10/02/2009 |  Motion to Associate Counsel <i>Motion to Associate Counsel John T. Moshier</i> |
| 10/05/2009 |  Motion to Associate Counsel <i>Motion to Associate Counsel Martin A. Aronson</i> |
| 10/06/2009 |  Reply <i>Reply in Support of Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels, II, Inc.'s Counterclaim</i> |
| 10/06/2009 |  Answer to Counterclaim Filed By: Plaintiff Apco Construction <i>Plaintiff/Counter-Defendant's Answer to Defendant's First Amended Counterclaim</i> |
| 10/09/2009 |  Initial Appearance Fee Disclosure <i>Initial Appearance Fee Disclosure Statement</i> |
| 10/09/2009 |  Joinder <i>Bradley J. Scott's Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim</i> |
| 10/09/2009 |  Notice of Change of Address Filed By: Intervenor Plaintiff Selectbuild Nevada Inc |
| 10/09/2009 |  Notice of Change of Address Filed By: Intervenor Plaintiff Selectbuild Nevada Inc |
| 10/12/2009 | Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 10/12/2009, 10/26/2009 Events: 09/08/2009 Motion to Dismiss <i>DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM</i> Matter Continued; DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM |


DISTRICT COURT
CASE SUMMARY
CASE No. 08A571228

Granted;
Matter Continued; DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM
Granted;
Matter Continued


10/12/2009 **Motion (9:00 AM)** (Judicial Officer: Bonaventure, Joseph T.)
Events: 09/09/2009 Motion
DEFT SCOTT FINANCIAL CORP'S MOTION TO DESIGNATE THIS ACTION AS COMPLEX PURSUANT TO NRCP 16.1(f), AND MOTION TO SET A DISCOVERY CONFERENCE PURSUANT TO NRCP 16
Granted; DEFT SCOTT FINANCIAL CORP'S MOTION TO DESIGNATE THIS ACTION AS COMPLEX PURSUANT TO NRCP 16.1(f), AND MOTION TO SET A DISCOVERY CONFERENCE PURSUANT TO NRCP 16
Granted


10/12/2009  **All Pending Motions (9:00 AM)** (Judicial Officer: Bonaventure, Joseph T.)
DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM...DEFT SCOTT FINANCIAL CORP'S MOTION TO DESIGNATE THIS ACTION AS COMPLEX PURSUANT TO NRCP 16.1(f), AND MOTION TO SET A DISCOVERY CONFERENCE PURSUANT TO NRCP 16


MINUTES


 **Mandatory Rule 16 Conference (11/19/2009 at 10:00 AM)** (Judicial Officer: Delaney, Kathleen E.)
Matter Heard
Matter Heard; DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM...DEFT SCOTT FINANCIAL CORP'S MOTION TO DESIGNATE THIS ACTION AS COMPLEX PURSUANT TO NRCP 16.1(f), AND MOTION TO SET A DISCOVERY CONFERENCE PURSUANT TO NRCP 16
Matter Heard


SCHEDULED HEARINGS


 **Mandatory Rule 16 Conference (11/19/2009 at 10:00 AM)** (Judicial Officer: Delaney, Kathleen E.)
Matter Heard

10/12/2009  **Joinder**
Filed By: Counter Defendant Republic Crane Service LLC
Notice of Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim

10/12/2009  **Answer to Counterclaim**
Filed By: Counter Defendant Masonry Group Nevada Inc
Masonry Group Nevada Incs Answer to Camco Pacific Construction Incs Counterclaim













10/12/2009  **Answer to Counterclaim**
Filed By: Intervenor Cell Crete Fireproofing Of NV Inc
Cell-Crete Fireproofing of Nevada Inc's Answer to Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D Tharaldson's Counterclaim

10/12/2009  **Summons**
Filed by: Plaintiff Apco Construction












10/13/2009  **Certificate of Mailing**
Filed By: Counter Defendant Masonry Group Nevada Inc

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Errata to Certificate of Mailing









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| 10/14/2009 |  Reply <i>Reply in Support of NCS' Motion for Sanctions Pursuant to NRCP 11</i> |
| 10/14/2009 |  Notice <i>Fast Glass, Inc.'s Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim</i> |
| 10/14/2009 |  Joinder <i>Plaintiff/Counterdefendant Buchele, Inc.'s Joinder to Zitting Brothers Construction, Inc.'s Partial Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim, or, in the Alternative, Motion for a More Definite Statement</i> |
| 10/14/2009 |  Answer to Complaint Filed by: Counter Defendant Executive Plastering Inc <i>Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i> |
| 10/15/2009 |  Joinder Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rental Inc.'s Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motel II, Inc.'s Counterclaim</i> |
| 10/15/2009 |  Motion to Withdraw As Counsel <i>Richard A Koch's Motion to Withdraw as Counsel</i> |
| 10/15/2009 |  Reply to Counterclaim Filed by: Intervenor Plaintiff Northstar Concrete, Inc.; Counter Defendant Northstar Concrete Inc; Counter Defendant Northstar Concrete Inc <i>Plaintiff in Intervention Northstar Concrete Incs Reply to Camco Pacific Company Incs Counterclaim</i> |
| 10/15/2009 |  Reply to Counterclaim Filed by: Intervenor Tri-City Drywall Inc <i>Plaintiff in Intervention Tri-City Drywall Incs Reply to Camco Pacific Company Incs Counterclaim</i> |
| 10/15/2009 |  Reply to Counterclaim Filed by: Intervenor Patent Construction Systems; Intervenor Plaintiff Harsco Corporation; Intervenor EZA P C; Doing Business As Oz Architecture Of Nevada Inc <i>Eza PC dba Oz Architecture of Nevada Inc, Harsco Corporation and Patent Construction Systems a Division of Harsco Corporation's Reply to Counterclaim of Club Vista Financial Services LLC and Tharaldson Motels II Inc</i> |
| 10/16/2009 |  Answer to Counterclaim <i>Uintah Investments, LLC's Reply to Club Vista Financial Services, LLC's, Tharaldson Motels II, Inc.'s and Gary D. Tharaldson's Counterclaim</i> |
| 10/16/2009 |  Acceptance of Service <i>Scott Financial Corporation's Acceptance of Service of Custom Select Billing, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 10/16/2009 |  Answer <i>Las Vegas Pipeline's Answer to Camco Pacific Construction Company, Inc.'s Counterclaim</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 10/16/2009 |  Notice <i>Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Notice of Consolidation With Case Numbers A571228, A574391, A574792, A577623, A583289, A584730, A587168, A580889, A589195 and A597089</i> |
| 10/16/2009 |  Notice Filed By: Counter Defendant Noord Sheet Metal Company; Intervenor Professional Doors & Millworks LLC <i>Noorda Sheet Metal Company's Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s CounterClaim</i> |
| 10/16/2009 |  Reply to Counterclaim Filed by: Counter Defendant Granite Construction Company <i>Counterdefendant Granite Construction Company's Reply to Club Vista Financial Services, LLC's Counterclaim</i> |
| 10/16/2009 |  Joinder To Motion Filed By: Third Party Plaintiff Dave Peterson Framing Inc <i>Dave Peterson Framing Inc's Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i> |
| 10/16/2009 |  Joinder To Motion <i>E & E Fire Protection LLC's Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i> |
| 10/16/2009 |  Joinder To Motion <i>Professional Doors and Millworks LLC's Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i> |
| 10/16/2009 |  Joinder <i>Renaissance Pools & Spas, Inc.'s Joinder to Zitting Brothers Construction, Inc.'s Partial Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim, or in the Alternative, Motion for a More Definite Statement</i> |
| 10/19/2009 |  Motion for Sanctions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 09/18/2009 Motion for Sanctions <i>DEFT NEVADA CONSTRUCTION SERVICES MOTION FOR SANCTIONS PURSUANT TO NRCP 11</i> Denied; DEFT NEVADA CONSTRUCTION SERVICES MOTION FOR SANCTIONS PURSUANT TO NRCP 11 <i>Denied</i> |
| 10/19/2009 |  Answer to Counterclaim Filed By: Counter Defendant Republic Crane Service LLC <i>Republic Crane Service LLC's Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i> |
| 10/19/2009 |  Answer to Counterclaim <i>Republic Crane Service LLC's Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i> |
| 10/19/2009 |  Amended Notice |


DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Defendant Scott Financial Corporation
Amended Notice of Scott financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, INC's Counterclaim

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| 10/21/2009 |  Stipulation for Dismissal <i>Stipulation for Dismissal Without Prejudice of Count Nine (Acting in Concert/Civil Conspiracy) Against Zitting Brothers Construction Inc</i> |
| 10/21/2009 |  Opposition to Motion Filed By: Counter Defendant Executive Plastering Inc <i>Opposition to Renewed Motion to Clarify and to Reconsider April 6 2009 Ruling Re Executive Plastering Incs Application for Prejudgment Writ of Attachment</i> |
| 10/21/2009 | Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.) Debtors: Zitting Brothers Construction Inc (Counter Defendant) Creditors: Club Vista Financial Services LLC (Counter Claimant), Tharaldson Motels II Inc (Counter Claimant), Gary D Tharaldson (Counter Claimant) Judgment: 10/21/2009, Docketed: 10/22/2009 Comment: Certain Claim |
| 10/21/2009 |  Reply to Counterclaim Filed by: Counter Defendant Supply Network Inc |
| 10/21/2009 |  Reply <i>Reply of Counterdefendant John Deere Landscape Inc to Counterclaim of Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D. Tharaldson</i> |
| 10/21/2009 |  Certificate of Service Filed by: Counter Defendant Supply Network Inc <i>Certificate of Service of Reply of Counterdefendant Supply Network, Inc to Counterclaim of Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D Tharaldson</i> |
| 10/21/2009 |  Certificate of Service Filed by: Counter Defendant John Deere Landscape Inc <i>Certificate of Service of Reply of Counterdefendant John Deere Landscape Inc to Counterclaim of Club Vista Financial Services LLC, Tharaldson Motels II Inc, and Gary D Tharaldson</i> |
| 10/23/2009 |  Acceptance of Service |
| 10/26/2009 | CANCELED Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Stipulation and Order</i> <i>Stip and Order received 10/19/09</i> |
| 10/26/2009 |  Motion to Reconsider (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 10/26/2009, 11/03/2009 Events: 09/23/2009 Motion for Clarification <i>DEFT CAMCO'S RENEWED MTN FOR CLARIFICATION OR RECONSIDERATION OF ARIL 6, 2009 RULING RE: EXECUTIVE PLASTERING'S APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGMENT WRIT OF ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER NOTICE (CONSOLIDATED CASE)</i> Wrong department Matter Continued; MOTION FOR RECONSIDERATION Granted; DEFT CAMCO'S RENEWED MTN FOR CLARIFICATION OR RECONSIDERATION OF ARIL 6, 2009 RULING RE: EXECUTIVE PLASTERING'S APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGMENT WRIT OF ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER NOTICE (CONSOLIDATED CASE) |

DISTRICT COURT
CASE SUMMARY
CASE No. 08A571228

Wrong department
Matter Continued; MOTION FOR RECONSIDERATION
Granted; DEFT CAMCO'S RENEWED MTN FOR CLARIFICATION OR
RECONSIDERATION OF ARIL 6, 2009 RULING RE: EXECUTIVE PLASTERING'S
APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGMENT WRIT OF
ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER
NOTICE (CONSOLIDATED CASE)
Matter Continued


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| 10/26/2009 | Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/09/2009 Joinder <i>Bradley J. Scott's Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim</i> Granted; <i>Granted</i> |
| 10/26/2009 | Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/12/2009 Joinder <i>LIEN CLAIMANT REPUBLIC CRANE'S JOINDER IN SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM</i> Granted; <i>Granted</i> |
| 10/26/2009 | Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/15/2009 Joinder <i>PLTF AHERN RENTAL'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THERALDSON MOTEL II'S COUNTERCLAIM</i> |
| 10/26/2009 | Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/16/2009 Joinder To Motion <i>LIEN CLAIMANT DAVE PETERSON FRAMING INC'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM</i> Granted; <i>Granted</i> |
| 10/26/2009 | Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/16/2009 Joinder To Motion <i>LIEN CLAIMANT E&E FIRE PROTECTION'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM</i> Granted; <i>Granted</i> |
| 10/26/2009 | Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/16/2009 Joinder To Motion <i>LIEN CLAIMANT DOORS AND MILLWORKS' JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM</i> |
| 10/26/2009 | CANCELED Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Stipulation and Order</i> <i>Stip and Order received 10/19/09</i> |
| 10/26/2009 | CANCELED Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Stipulation and Order</i> <i>Stip and Order received</i> |
| 10/26/2009 |  All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>BRADLEY J. SCOTT'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO</i> |

DISTRICT COURT
CASE SUMMARY
CASE No. 08A571228

DISMISS CLUB VISTA FINANCIAL SERVICES, LLC AND THARALDSON MOTELS II, INC'S COUNTERCLAIM...LIEN CLAIMANT REPUBLIC CRANE'S JOINDER IN SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM...PLTF AHERN RENTAL'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTEL II'S COUNTERCLAIM...LIEN CLAIMANT DAVE PETERSON FRAMING INC'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM...LIEN CLAIMANT E&E FIRE PROTECTION'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM...LIEN CLAIMANT DOORS AND MILLWORKS' JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM...DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA

Matter Heard;
Matter Heard

10/29/2009

 Reply to Opposition

Filed by: Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Company Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Inc; Counter Defendant Camco Pacific Construction Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc
Camco's Reply to Opposition to Renewed Motion for Clarification and Reconsideration

11/02/2009

CANCELED Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Vacated
Order signed

11/02/2009

CANCELED Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Vacated
Order signed

11/02/2009

 Order Granting Motion
Order Granting Motion to Associate Counsel John Moshier


11/02/2009

 Order Granting Motion
Order Granting Motion to Associate Counsel Christine Taradash


11/02/2009

 Order Granting Motion
Order Granting Motion to Associate Counsel Martin A Aronson


11/04/2009

 Reply
Counterdefendant Cabinetec Inc.'s Reply to Club Vista Financial Services LLC's Counterclaim

11/04/2009

 Motion to Withdraw As Counsel
Motion to Withdraw as Counsel

11/04/2009

 Answer to Interpleader










DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Gemstone Development West, Inc.'s Answer to Complaint for Damages and to Foreclose Mechanic's Lien (Buchehe, Inc.)

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| 11/04/2009 |  Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i> |
| 11/04/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Uintah Investments, LLC Complaint</i> |
| 11/04/2009 |  Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Ready Mix, Inc.'s Statement of Facts Constituting Lien and Complaint for Foreclosure of Mechanics' Lien</i> |
| 11/04/2009 |  Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228 (HA Fabricators, Inc.)</i> |
| 11/04/2009 |  Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228 (Graybar Electric Company, Inc.)</i> |
| 11/04/2009 |  Answer <i>Scott Financial Corporation's Answer to Custom Select Billing, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 11/04/2009 |  Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228 (PCI Group, LLC)</i> |
| 11/04/2009 |  Notice Filed By: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Counter Claimant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i> |
| 11/04/2009 |  Notice Filed By: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Counter Claimant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i> |
| 11/04/2009 |  Notice Filed By: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i> |
| 11/04/2009 |  Notice Filed By: Intervenor Defendant Gemstone Development West Inc; Counter Claimant |











DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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














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| 11/04/2009 | Motion to Withdraw As Counsel Filed By: Intervenor Plaintiff Cabinetec Inc; Counter Defendant Cabinetec Inc; Counter Defendant Cabinetec Inc |
| 11/05/2009 |  Answer <i>Scott Financial Corporation's Answer to Hydropressure Cleaning, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 11/06/2009 |  Motion to Amend Complaint Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation's Proposed Second Amended Complaint in Intervention</i> |
| 11/10/2009 |  Order <i>Order Setting Rule 16 Conference, Designating the Case as Complex Pursuant to NRCPC 16.1(f), and Continuing the Hearing on Defendant Scott Financial Corporation's Motion to Dismiss Co-Defendants Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim</i> |
| 11/10/2009 |  Order Granting Filed By: Counter Claimant Camco Pacific Construction Co Inc |
| 11/10/2009 |  Order Filed By: Counter Defendant Ferguson Fire and Fabrication Inc |
| 11/10/2009 |  Notice of Motion Filed By: Counter Defendant Harsco Corporation |
| 11/10/2009 | Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.) Debtors: Camco Pacific Construction Co Inc (Counter Claimant) Creditors: Ferguson Fire and Fabrication Inc (Counter Defendant) Judgment: 11/10/2009, Docketed: 11/12/2009 |
| 11/11/2009 |  Notice of Entry <i>Notice of Entry of Order Setting Rule 16 Conference, Designating the Case as Complex Pursuant to NRCPC 16.1(f), and Continuing the Hearing on Defendant Scott Financial Corporation's Motion to Dismiss Co-Defendants Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim</i> |
| 11/12/2009 |  Notice of Entry of Order Filed By: Counter Defendant Ferguson Fire and Fabrication Inc |
| 11/13/2009 |  Stipulation and Order for Dismissal Filed by: Counter Defendant Steel Structures Inc <i>Stipulation and Order for Dismissal of Steel Structures, INC.'s Complaint Against Camco Pacific Construction, and Camco's Counterclaim Against Steel Structures, INC.</i> |
| 11/13/2009 | Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.) Debtors: Camco Pacific Construction Co Inc (Intervenor Defendant), Camco Pacific Construction Co Inc (Counter Claimant) Creditors: Steel Structures Inc (Intervenor), Steel Structures Inc (Counter Defendant) |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Judgment: 11/13/2009, Docketed: 11/13/2009

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| 11/16/2009 |  Reply <i>Nevada Prefab's Reply to Camco's Counterclaim</i> |
| 11/16/2009 | CANCELED Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated</i> <i>Order signed</i> |
| 11/16/2009 |  Notice of Entry of Order <i>Notice of Entry of Order for Dismissal of Steel Structures Complaint against Camco Pacific Construction and Camcos Counterclaim Against Steel Structures</i> |
| 11/17/2009 |  Notice of Entry of Order Filed By: Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Company Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc |
| 11/18/2009 |  Answer Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting a Notice of Lien and Third Party Complaint</i> |
| 11/19/2009 |  Mandatory Rule 16 Conference (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; <i>Matter Heard</i> |
| 11/23/2009 |  Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/15/2009 Motion to Withdraw As Counsel <i>KOCH'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR REPUBLIC CRANE SERVICES LLC</i> Correct date to 11/23/09 Granted; KOCH'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR REPUBLIC CRANE SERVICES LLC <i>Granted</i> |
| 11/23/2009 |  Answer to Interpleader <i>Gemstone Development West Inc's Answer to PCI Group LLC's Complaint</i> |
| 11/23/2009 |  Errata Filed By: Counter Defendant Republic Crane Service LLC <i>Errata to Motion to Withdraw as Counsel</i> |
| 11/25/2009 |  Order Granting Motion <i>Order Granting Motion to Withdraw as Counsel</i> |
| 11/25/2009 |  Order Granting Motion Filed By: Counter Defendant Republic Crane Service LLC <i>Order Granting Motion to Withdraw as Counsel</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 12/01/2009 |  Substitution of Attorney <i>Substitution of Attorneys</i> |
| 12/07/2009 |  Errata <i>Errata to Affidavit in Support of Motion to Withdraw as Counsel</i> |
| 12/07/2009 |  Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 11/04/2009 Motion to Withdraw As Counsel <i>WATKINS' MOTION TO WITHDRAW AS ATTORNEY OF RECORD FOR INTERVENOR/LIEN CLAIMANT CABINETEC, INC</i> Granted; WATKINS' MOTION TO WITHDRAW AS ATTORNEY OF RECORD FOR INTERVENOR/LIEN CLAIMANT CABINETEC, INC <i>Granted</i> |
| 12/07/2009 |  Notice of Entry <i>Notice of Entry of Order</i> |
| 12/08/2009 |  Motion to Amend Complaint (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 11/06/2009 Motion to Amend Complaint <i>HARSCO CORP'S MOTION FOR SECOND AMENDED COMPLAINT IN INTERVENTION</i> Granted; HARSCO CORP'S MOTION FOR SECOND AMENDED COMPLAINT IN INTERVENTION <i>Granted</i> |
| 12/09/2009 |  Motion to Withdraw As Counsel |
| 12/09/2009 |  Notice of Hearing Filed By: Counter Defendant Executive Plastering Inc <i>Notice of Hearing Re Motion to Withdraw as Counsel on an Order Shortening Time</i> |
| 12/16/2009 |  Order Granting Motion <i>Order Granting Harsco Corporation's Motion to Amend Complaint in Intervention</i> |
| 12/18/2009 |  Summons <i>Substitution of Attorney</i> |
| 12/21/2009 |  Order Granting Motion Filed By: Intervenor Plaintiff Cabinetec Inc <i>Order Granting Motion to Withdraw as Counsel</i> |
| 12/21/2009 |  Notice of Entry of Order Filed By: Intervenor Plaintiff Harsco Corporation |
| 12/23/2009 |  Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 12/09/2009 Motion to Withdraw As Counsel <i>CALLISTER'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR PLTF EXECUTIVE PLASTERING INC</i> Conditionally Granted; CALLISTER'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR PLTF EXECUTIVE PLASTERING INC <i>Conditionally Granted</i> |
| 12/23/2009 |  Motion to Withdraw As Counsel |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Motion to Withdraw As Counsel

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| 12/23/2009 |  Amended Complaint Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporations Second Amended Complaint in Intervention</i> |
| 12/28/2009 |  Notice of Entry of Order Filed By: Intervenor Plaintiff Cabinetec Inc |
| 12/29/2009 |  Errata Filed By: Counter Defendant Executive Plastering Inc <i>Errata to Motion to Withdraw as Counsel on an Order Shortening Time</i> |
| 01/08/2010 |  Answer to Counterclaim <i>Plaintiff/Counter-Defendant HA Fabricators, Inc.'s Answer to APCO Construction's Counterclaim</i> |
| 01/11/2010 |  Notice of Dismissal Filed By: Intervenor Plaintiff Inquipco <i>Plaintiff In Intervention Inquipco's Notice of Dismissal</i> |
| 01/11/2010 |  Notice of Bankruptcy Filed By: Counter Defendant Masonry Group Nevada Inc <i>Notice of Chapter 7 Bankruptcy Filing and Automatic Stay as to the Masonry Group Nevada Inc</i> |
| 01/11/2010 |  Release of Lis Pendens Filed By: Intervenor Plaintiff Inquipco <i>Plaintiff in Intervention Inquipco's Release of Lis Pendens</i> |
| 01/11/2010 | Dismissal Pursuant to NRCP 41 (Judicial Officer: Delaney, Kathleen E.) Debtors: Accuracy Glas & Mirror Company Inc (Intervenor Defendant), Employers Mutual Casualty Co (Intervenor Defendant), Gemstone Development West Inc (Intervenor Defendant) Creditors: Inquipco (Intervenor Plaintiff) Judgment: 01/11/2010, Docketed: 01/14/2010 |
| 01/19/2010 |  Order Filed By: Counter Defendant Executive Plastering Inc <i>Order Re Motion to Withdraw as Counsel on an Order Shortening Time</i> |
| 01/22/2010 |  Notice of Entry of Order Filed By: Counter Defendant Executive Plastering Inc <i>Notice of Entry of Order Re Motion to Withdraw as Counsel on an Order Shortening Time</i> |
| 01/25/2010 |  Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 12/23/2009 Motion to Withdraw As Counsel <i>GILBERT AND THUESON'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN</i> |
| | MINUTES  Status Check (02/22/2010 at 9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN Matter Heard</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Granted;
Granted

SCHEDULED HEARINGS



Status Check (02/22/2010 at 9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN Matter Heard

01/26/2010



Amended Certificate of Mailing
Filed By: Counter Defendant Executive Plastering Inc
Amended Certificate of Mailing Re Notice of Entry of Order Re Motion to Withdraw as Counsel on an Order Shortening Time

01/28/2010



Order
Case Management Order

01/29/2010



Notice
Notice of Entry of Case Management Order

02/01/2010



Certificate
Amended Certificate of Service

02/02/2010



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

02/03/2010



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

02/03/2010



Consent to Service By Electronic Means
Pape Rents' Consent to Service by Electronic Means

02/04/2010



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

02/05/2010



Substitution of Attorney
Substitution of Attorney for The Pressure Grout Company

02/12/2010



Suggestion of Bankruptcy
Suggestion of Bankruptcy Petition Amicus Curiae

02/12/2010



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

02/12/2010

Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.)
Debtors: Nevada Construction Services (Defendant)
Creditors: Apco Construction (Plaintiff)
Judgment: 02/12/2010, Docketed: 02/16/2010













02/12/2010



Stipulation and Order for Dismissal
Filed by: Interpleader Hydropressure Cleaning Inc


DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

*Stipulation and Order for Dismissal without Prejudice of Hydropressure Cleaning, Inc.'s
Claims Against Nevada Construction Services Only*

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| 02/12/2010 | Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.) Debtors: Nevada Construction Services (Intervenor Defendant) Creditors: Hydropressure Cleaning Inc (Interpleader) Judgment: 02/12/2010, Docketed: 02/19/2010 |
| 02/17/2010 |  Consent to Service By Electronic Means <i>Consent to Service By Electronic Means</i> |
| 02/22/2010 |  Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN Matter Heard; STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN Matter Heard</i> |
| 02/23/2010 |  Interrogatories <i>Lenders' Standard Interrogatories to Lien Claimants</i> |
| 02/23/2010 |  Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i> |
| 02/26/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Plaintiff Ahern Rentals, Inc's Motion for Partial Summary Judgment Against Defendant Alex Edelstein Only</i> |
| 03/01/2010 |  Motion for Partial Summary Judgment Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 03/02/2010 |  Notice of Hearing <i>Notice of Hearing on Ahern Rental Inc's Motion for Partial Summary Judgment Against Defendant Alex Edelstein Only</i> |
| 03/02/2010 |  Certificate of Service <i>Certificate of Service of Notice of Motion for Partial Summary Judgment of Atlas Construction Supply, Inc. Against Gemstone Development West, Inc.</i> |
| 03/04/2010 |  Ex Parte Motion <i>Ex Parte Motion for Order to Show Cause on Order Shortening Time</i> |
| 03/05/2010 |  Errata <i>Errata To Order To Show Cause</i> |
| 03/05/2010 |  Notice of Intent to Take Default <i>Three Day Notice of Intent to Enter Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction</i> |
| 03/05/2010 |  Notice of Intent to Take Default <i>Three Day Notice of Intent to Take Default Against Gemstone Development West, Inc. on</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Third-Party Complaint Asserted by APCO Construction Against Gemstone Development West, Inc.

03/08/2010  Substitution of Attorney
Substitution of Attorney

03/08/2010  Objection
Scott Financial Corporation's Objection To Written Discovery Requests To Gemstone Development West., Inc.

03/09/2010  Affidavit of Service
Affidavit of Service

03/09/2010  Affidavit of Service
Affidavit of Due Diligence

03/09/2010  Affidavit of Service
Affidavit of Due Diligence

03/09/2010  Affidavit of Service
Affidavit of Due Diligence

03/09/2010  Affidavit of Service
Affidavit of Due Diligence

03/09/2010  Affidavit
Affidavit of Service

03/09/2010  Affidavit
Affidavit of Service

03/09/2010  Affidavit
Affidavit of Service

03/09/2010  Affidavit
Affidavit of Service

03/09/2010  Affidavit
Affidavit of Due Diligence













03/09/2010  Affidavit
Affidavit of Due Diligence

03/09/2010  Affidavit
Affidavit of Service

















03/09/2010  Affidavit
Affidavit of Due Diligence

03/09/2010  Affidavit of Service
Affidavit of Due Diligence

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 03/09/2010 |  Affidavit of Due Diligence <i>Affidavit of Due Diligence</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit of Service <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit of Service <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service re: Arch Aluminum c/o The Corporation trust Company of Nevada as Resident Agent</i> |
| 03/09/2010 |  Joinder <i>Zitting Brothers Construction, Inc.'s Joinder to APCA Construction's Objection to Lenders' Standard Interrogatories to Lien Claimants</i> |
| 03/09/2010 |  Show Cause Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 03/04/2010 Ex Parte Motion <i>HEARING RE: SHOW CAUSE WHY LIENHOLDERS NOT PARTICIPATING IN CONSOLIDATED ACTION SHOULD NOT BE HELD IN CONTEMPT</i> Granted in Part; HEARING RE: SHOW CAUSE WHY LIENHOLDERS NOT PARTICIPATING IN CONSOLIDATED ACTION SHOULD NOT BE HELD IN CONTEMPT <i>Granted in Part</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Due Diligence</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Due Diligence</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Due Diligence</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228












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| 03/09/2010 |  Affidavit <i>Affidavit of Due Diligence</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Due Diligence</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Due Diligence</i> |
| 03/09/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/09/2010 |  Errata Filed By: Defendant Scott Financial Corporation <i>Errata To Order To Show Cause</i> |
| 03/10/2010 |  Early Case Conference Disclosure Statement <i>Early Case Conference Disclosure Statement</i> |
| 03/10/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/10/2010 |  Affidavit <i>Affidavit of Service</i> |
| 03/10/2010 |  Notice of Change of Address Filed By: Consolidated Case Party HD Supply Waterworks LP; Counter Defendant HD Supply Waterworks LP <i>Plaintiff HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Notice of Change of Address, Telephone and Facsimile Numbers</i> |
| 03/17/2010 |  Opposition <i>Scott Financial Corporation's Opposition To Atlas Construction Supply, Inc.'s Motion For Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 03/17/2010 |  Opposition <i>Scott Financial Corporation's Opposition To Ahern Rentals, Inc.'s Motion For Partial Summary Judgement Against Defendant Alex Edelstein</i> |
| 03/19/2010 |  Opposition to Motion For Summary Judgment <i>Defendant's Opposition to Ahern Rental Inc.'s Motion For Partial Summary Judgment</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Against Alex Edelstein Only














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| 03/22/2010 |  Errata Filed By: Defendant Scott Financial Corporation <i>Third Errata to Order to Show Cause</i> |
| 03/23/2010 |  Answer to Third Party Complaint Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Answer to Northstar Concrete, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 03/23/2010 |  Substitution of Attorney Filed by: Intervenor Cell Crete Fireproofing Of NV Inc; Counter Defendant Cellcrete Fireproofing of Nevada Inc <i>Substitution of Counsel</i> |
| 03/25/2010 |  Joinder <i>Zitting Brothers Construction, Inc.'s Joinder to Scott Financial corporation's Opposition to Atlas Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 03/25/2010 |  Reply to Opposition <i>Reply to Scott Financial Corporation's Opposition to Ahern's Motion for Partial Summary Judgment</i> |
| 03/25/2010 |  Reply to Opposition <i>Reply to Defendant Edelstein's Opposition to Ahern's Motion for Partial Summary Judgment</i> |
| 03/25/2010 |  Answer to Crossclaim Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Answer to Renaissance Pools & Spas, Inc.'s Statement of Facts Constituting Lien Claim</i> |
| 03/26/2010 |  Default <i>Default Against Gemstone Development West, Inc. on Third-Party Complaint Asserted by APCO Construction in Case No. A-09-596924-C which was Consolidated into A571228</i> |
| 03/26/2010 |  Certificate of Mailing <i>Certificate of Mailing</i> |
| 03/26/2010 |  Default <i>(set aside 04-28-10) Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction</i> |
| 03/29/2010 |  Order Granting Filed By: Intervenor Defendant Scott Financial Corp <i>Order Granting Defendant Scott Financial Corporation's Application for Order to Show Cause</i> |
| 03/30/2010 |  Reply Filed by: Plaintiff Apco Construction <i>Atlas Construction Supply, Inc.'s Reply Brief In Support of Its Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228















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| 03/30/2010 |  Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 02/26/2010 Motion for Partial Summary Judgment <i>Pltf. Ahern Rentals Inc.'s Motion for Partial Summary Judgment Against Deft. Edelstein Only</i> Granted in Part; Pltf. Ahern Rentals Inc.'s Motion for Partial Summary Judgment Against Deft. Edelstein Only <i>Granted in Part</i> |
| 03/31/2010 |  Motion for Substitution <i>Arch Aluminum's Motion to Substitute Proper Party Pursuant to NRCP 25</i> |
| 04/01/2010 |  Notice of Lis Pendens <i>Cactus Rose Construction's Notice of Lis Pendens</i> |
| 04/01/2010 |  Statement of Facts Constituting Lien <i>A587168 Cactus Rose Construction's Statement of Facts Constituting Notice of Lien and Complaint</i> |
| 04/02/2010 |  Certificate of Service <i>Certificate of Service of Arch Aluminum's Motion to Substitute Proper Party Pursuant to NRCP 25</i> |
| 04/05/2010 |  Voluntary Dismissal <i>HD Supply Waterworks LLP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice</i> |
| 04/05/2010 |  Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i> |
| 04/05/2010 |  Response Filed by: Plaintiff Apco Construction <i>Atlas Construction Supply, Inc.'s Answers to Lenders' Standard Interrogatories to Lien Claimants</i> |
| 04/05/2010 |  Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 04/05/2010, 04/13/2010 Events: 03/01/2010 Motion for Partial Summary Judgment <i>Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> Matter Continued; Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc. Granted; Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc. Matter Continued; Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc. Granted; Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc. <i>Matter Continued</i> |
| 04/05/2010 |  Notice of Lis Pendens <i>Interstate Plumbing & Air Conditioning's Notice of Lis Pendens</i> |
| 04/05/2010 |  Statement of Facts Constituting Lien <i>A587168 Interstate Plumbing & Air Conditioning's Statement of Facts Constituting Notice</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228







of Lien and Complaint

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| 04/05/2010 | Dismissal Pursuant to NRCP 41 (Judicial Officer: Delaney, Kathleen E.) Debtors: Platte River Insurance Co (Intervenor Defendant) Creditors: HD Supply Waterworks LP (Consolidated Case Party) Judgment: 04/05/2010, Docketed: 04/09/2010 |
| 04/07/2010 |  Response Filed by: Plaintiff Apco Construction <i>Ferguson Fire & Fabrication, Inc.'s Responses to Lenders' Standard Interrogatories to Lien Claimants</i> |
| 04/07/2010 |  Consent to Service By Electronic Means <i>Consent for Service by Electronic Means</i> |
| 04/07/2010 |  Notice of Compliance <i>Insulpro Projects, Inc.'s First Notice of Compliance</i> |
| 04/07/2010 |  Production of Documents Filed by: Plaintiff Apco Construction <i>Scott Financial Corporation's Production of Documents Pursuant to Case Management Order</i> |
| 04/07/2010 |  Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i> |
| 04/07/2010 |  Miscellaneous Filing <i>APCO Construction's Designation of Documents Supporting the Perfection of Lien, Commencement of Construction and Lien Priority</i> |
| 04/07/2010 |  Response Filed by: Plaintiff Apco Construction <i>Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories</i> |
| 04/07/2010 |  Response Filed by: Plaintiff Apco Construction <i>Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories</i> |
| 04/07/2010 |  Response Filed by: Plaintiff Apco Construction <i>Scott Financial Corporation's Responses to Lien Claimant's Standard Request for Admissions</i> |
| 04/07/2010 |  Early Case Conference Disclosure Statement <i>Early Case Conference Disclosure Statement</i> |
| 04/08/2010 |  Disclosure of Documents and Witnesses Pursuant to NRCP 16.1 <i>Lien Claimant Cell-Crete Fireproofing's Initial Disclosure of Documents and Witnesses</i> |
| 04/08/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/08/2010 |  Affidavit of Service |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228













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| | Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/08/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/08/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/08/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/08/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/08/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/09/2010 |  Notice of Intent to Take Default <i>Notice of Intent to Default</i> |
| 04/09/2010 |  Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i> |
| 04/09/2010 |  Early Case Conference Disclosure Statement <i>Early Case Conference Disclosure Statement</i> |
| 04/13/2010 |  Affidavit of Due Diligence Filed By: Plaintiff Apco Construction <i>Affidavit of Due Diligence</i> |
| 04/13/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/13/2010 |  Acceptance of Service <i>Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland</i> |
| 04/13/2010 |  Acceptance of Service <i>Acceptance of Service by Asphalt Products Corp. and APCO Construction</i> |
| 04/13/2010 |  Acceptance of Service <i>Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland</i> |
| 04/13/2010 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Initial Appearance Fee Disclosure</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228
















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| 04/13/2010 | <p>Show Cause Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Events: 03/29/2010 Order Granting</p> <p><i>Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company, and Design Space Modular Buildings Inc.)</i></p> <p>Matter Heard; Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company, and Design Space Modular Buildings Inc.)</p> <p><i>Matter Heard</i></p> |
| 04/13/2010 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company, and Design Space Modular Buildings Inc.)...Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i></p> <p>Matter Heard; Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company, and Design Space Modular Buildings Inc.)...Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</p> <p><i>Matter Heard</i></p> |
| 04/13/2010 | <p> Affidavit of Service</p> <p>Filed By: Plaintiff Apco Construction</p> <p><i>Affidavit of Service</i></p> |
| 04/13/2010 | <p> Affidavit of Service</p> <p>Filed By: Plaintiff Apco Construction</p> <p><i>Affidavit of Service</i></p> |
| 04/13/2010 | <p> Affidavit of Service</p> <p>Filed By: Plaintiff Apco Construction</p> <p><i>Affidavit of Service</i></p> |
| 04/13/2010 | <p> Affidavit of Service</p> <p>Filed By: Plaintiff Apco Construction</p> <p><i>Affidavit of Service</i></p> |
| 04/13/2010 | <p> Affidavit of Service</p> <p>Filed By: Plaintiff Apco Construction</p> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Affidavit of Service



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| 04/13/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/13/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/13/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/13/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/13/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/13/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/13/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i> |
| 04/13/2010 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Initial Appearance Fee Disclosure</i> |
| 04/13/2010 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Sunstate Companies Inc <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i> |
| 04/13/2010 |  Notice of Appearance Party: Intervenor Plaintiff Sunstate Companies Inc <i>Notice of Appearance and Response to Order Granting Defendant Scott Financial Corporation's Application for Order to Show Cause</i> |
| 04/13/2010 |  Answer and Counterclaim Filed By: Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>A587168 Answer to Cactus Rose's Statemant of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc's Counterclaim</i> |
| 04/13/2010 |  Answer and Counterclaim <i>A587168 Answer to Interstate Plumbing & Air Conditioning's Statemant of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc's Counterclaim</i> |
| 04/14/2010 | |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| |  Verification <i>Verification of Lien Claimant, Wiss, Janney, Elstner Associates, Inc.'s Response to Lenders' Standard Interrogatories to Lien Claimants</i> |
| 04/14/2010 |  Verification Filed by: Plaintiff Apco Construction <i>Verification of Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories</i> |
| 04/14/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service Re: Westward Ho, LLC</i> |
| 04/14/2010 |  Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service Re: Jensen Enterprises, Inc.</i> |
| 04/14/2010 |  Receipt of Copy Filed by: Plaintiff Apco Construction <i>Receipt of Copy</i> |
| 04/15/2010 |  Answer to Counterclaim <i>Accuracy Glas & Mirror Company, Inc's Answer to Camco Pacific Construction Company's Counterclaim</i> |
| 04/15/2010 |  Answer to Counterclaim <i>Buchele, Inc's Answer to Camco Pacific Construction Company's Counterclaim</i> |
| 04/15/2010 |  Answer to Counterclaim <i>WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc's Counterclaim</i> |
| 04/15/2010 |  Answer to Counterclaim <i>Heinaman Contract Glazing's Answer to Camco Pacific Construction Company, Inc.'s Counterclaim</i> |
| 04/15/2010 |  Amended <i>E&E Fire Protection, LLC's Amended Notice of Pendency of Action</i> |
| 04/15/2010 |  Amended <i>Noorda Sheet Metal Company's Second Amended Notice of Pendency of Action</i> |
| 04/15/2010 |  Amended <i>Professional Doors and Millworks, LLC's Amended Notice of Pendency of Action</i> |
| 04/15/2010 |  Amended <i>The Pressure Grout Company's Amended Notice of Pendency of Action</i> |
| 04/15/2010 |  Amended <i>Dave Peterson Framing, Inc.'s Amended Notice of Pendency of Action</i> |
| 04/15/2010 |  Motion for Summary Judgment Filed By: Counter Defendant Fast Glass Inc <i>Lien Claimant Fast Glass, Inc.'s Motion for Summary Judgment Against Gemstone</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Development West, Inc.











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| 04/16/2010 |  Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Sunstate Companies Inc <i>Sunstate Companies, Inc.'s Statement of Facts Constituting Lien</i> |
| 04/19/2010 |  Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i> |
| 04/19/2010 |  Notice Filed By: Consolidated Case Party HD Supply Waterworks LP; Counter Defendant HD Supply Waterworks LP <i>Notice to All Parties</i> |
| 04/20/2010 |  Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order</i> |
| 04/20/2010 |  Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order</i> |
| 04/21/2010 |  Answer to Third Party Complaint Filed By: Plaintiff Apco Construction <i>Answer to Harsco Corporation's Second Amended Complaint</i> |
| 04/21/2010 |  Order to Show Cause <i>Order to Show Cause</i> |
| 04/21/2010 |  Consent to Service By Electronic Means <i>Ahern Rentals, Inc.'s Consent to Service by Electronic Means</i> |
| 04/21/2010 |  Notice of Entry <i>Notice of Entry of Stipulation and Order</i> |
| 04/21/2010 |  Notice of Entry Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order</i> |
| 04/22/2010 |  Miscellaneous Filing <i>Hydropressure Cleaning, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencement of Construcion and Lien Priority</i> |
| 04/22/2010 |  Miscellaneous Filing <i>Custom Select Billing, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencement of Construction and Lien Priority</i> |
| 04/22/2010 |  Reply to Counterclaim <i>Selectbuild Nevada, Inc.'s Reply to Counterclaim of Camco Pacific Construction Company, Inc.</i> |
| 04/23/2010 |  Verification Filed by: Intervenor Tri-City Drywall Inc <i>Verification of Tri-City Drywall, Inc.'s Responses to Lenders' Standard Interrogatories to</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Lien Claimants








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| 04/23/2010 |  Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff S R Bray Corp <i>S.R. Bray Corp.'s Statement of Facts and Complaint in Intervention</i> |
| 04/23/2010 |  Statement Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Compliance Solutions, LLC's Statement of Facts and Complaint</i> |
| 04/23/2010 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff S R Bray Corp <i>Initial Appearance Fee Disclosure</i> |
| 04/26/2010 |  Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Initial Appearance Fee Disclosure</i> |
| 04/26/2010 |  Answer to Third Party Complaint Filed By: Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Answer to HD Supply & Waterworks' LPs Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Incs Counterclaim</i> |
| 04/27/2010 |  Stipulation and Order Filed by: Intervenor Cell Crete Fireproofing Of NV Inc <i>Stipulation and Order for Extension of Time</i> |
| 04/27/2010 |  Response Filed by: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Edelstein, Alex <i>Defendant's Response to Order to Show Cause</i> |
| 04/28/2010 |  Answer and Counterclaim Filed By: Plaintiff Apco Construction <i>APCO Construction's Answer to Interstate Plumbing & Air Conditioning's Statement of Facts Constituting Notice of Lien and Complaint; Counterclaim and Cross-Claim</i> |
| 04/28/2010 |  Amended Answer Filed By: Third Party Defendant Camco Pacific Construction Co Inc <i>Camco's Amended Answer to HD Supply & Waterworks' LP's Statement of Facts Constituting Lien and Third Party-Complaint</i> |
| 04/28/2010 |  Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order Setting Aside Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction</i> |
| 04/29/2010 |  Notice of Change of Address Filed By: Counter Defendant Uintah Investments LLC <i>Notice of Change of Address</i> |
| 04/29/2010 |  Notice of Voluntary Dismissal With Prejudice Filed By: Intervenor Plaintiff Pape Material Handling <i>Notice of Voluntary Dismissal of Accuracy Glass & Mirror Company and Employers Mutual Casualty Company With Prejudice</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 04/29/2010 | Voluntary Dismissal (Judicial Officer: Delaney, Kathleen E.) Debtors: Accuracy Glass and Mirror Company Inc (Intervenor Defendant), Employers Mutual Casualty Company (Intervenor Defendant) Creditors: Pape Material Handling (Intervenor Plaintiff), Pape Rents (Doing Business As) Judgment: 04/29/2010, Docketed: 04/30/2010 |
| 04/30/2010 |  Motion to Consolidate Filed By: Plaintiff Apco Construction <i>APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action</i> |
| 05/03/2010 |  Motion for Substitution (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 03/31/2010 Motion for Substitution <i>LIEN CLAIMAINT ARCH ALUMINUM AND GLASS COMPANY'S MOTION TO SUBSTITUTE PROPER PARTY PURSUANT TO NRCP 25</i> Granted; LIEN CLAIMAINT ARCH ALUMINUM AND GLASS COMPANY'S MOTION TO SUBSTITUTE PROPER PARTY PURSUANT TO NRCP 25 <i>Granted</i> |
| 05/04/2010 |  Notice of Entry of Order Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Notice of Entry of Order</i> |
| 05/04/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Interstate Plumbing & Air Conditioning, LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/04/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Accuracy Glass & Mirror Company, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/04/2010 |  Motion for Partial Summary Judgment Filed By: Counter Defendant Bruin Painting Corporation <i>Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West, Inc</i> |
| 05/04/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Cactus Rose Construction, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/04/2010 |  Motion for Partial Summary Judgment Filed By: Counter Defendant Buchele Inc <i>Buchele, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/04/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff S R Bray Corp <i>S.R. Bray Corp. D/B/A Power Plus' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/04/2010 |  Motion for Partial Summary Judgment Filed By: Counter Defendant Heinaman Contract Glazing <i>Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone</i> |










DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Development West, Inc.

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| 05/04/2010 |  Motion for Partial Summary Judgment Filed By: Counter Defendant HD Supply Waterworks LP <i>HD Supply Waterworks, LP's Motion for Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/04/2010 |  Order Filed By: Plaintiff Apco Construction <i>Order Partially Granting Plaintiff/Lien Claimant Ahern Rentals, Inc.'s Motion for Partial Summary Judgment Against Alex Edelstein Only</i> |
| 05/04/2010 |  Motion to Consolidate Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-608718 With Pending Action</i> |
| 05/04/2010 | Summary Judgment (Judicial Officer: Delaney, Kathleen E.) Debtors: Alex Edelstein (Intervenor Defendant) Creditors: Ahern Rental Inc (Intervenor Plaintiff) Judgment: 05/04/2010, Docketed: 05/10/2010 |
| 05/05/2010 |  Consent to Service By Electronic Means Filed By: Intervenor Insulpro Projects Inc <i>Consent to Service by Electronic Means</i> |
| 05/05/2010 |  Motion for Partial Summary Judgment Filed By: Counter Defendant WRG Design Inc <i>WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/05/2010 |  Motion for Partial Summary Judgment Filed By: Doing Business As Helix Electric <i>Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/05/2010 |  Show Cause Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 05/05/2010, 05/17/2010 Events: 04/19/2010 Notice 04/20/2010 Stipulation and Order 04/20/2010 Stipulation and Order <i>Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b)</i> Matter Continued; Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b) Granted; Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b) Matter Continued; Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b) Granted; Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b) |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Matter Continued

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| 05/06/2010 |  Joinder To Motion Filed By: Intervenor EZA P C <i>EZA, P.C. dba Oz Architecture of Nevada, Inc.'s Joinder to Harsco Corporation's Motion for Partial Summary Judgment</i> |
| 05/06/2010 |  Joinder To Motion Filed By: Counter Defendant Patent Construction Systems <i>Patent Construction Systems, A Division of Harsco Corporation's Joinder to Harsco Corporation's Motion for Partial Summary Judgment</i> |
| 05/06/2010 |  Errata Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Errata to Accuracy Glass & Mirror ompany, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/06/2010 |  Errata Filed By: Doing Business As Helix Electric <i>Errata to Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/06/2010 |  Errata Filed By: Consolidated Case Party HD Supply Waterworks LP <i>Errata to HD Supply Waterworks, LP's Motion for Partial Summary Jdugment Against Gemstone Development West, Inc.</i> |
| 05/06/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Complainece Solutions' Motion for Partial Summary Judgment against Gemstone Development West, Inc.</i> |
| 05/06/2010 |  Notice of Entry Filed By: Counter Defendant Atlas Construction Supply Inc <i>Notice of Entry of Findings of Fact, Conclusions of Law, and Partial Summary Judgment In Favor of Atlas Construction Supply, Inc. and Against Gemstone Development West, Inc.</i> |
| 05/06/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation's Motion for Partial Summary Judgment</i> |
| 05/07/2010 |  Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff S R Bray Corp <i>S.R. Bray Corp.'s Amended Statement of Facts and Complaint in Intervention</i> |
| 05/07/2010 |  Notice of Lis Pendens Filed by: Intervenor Plaintiff S R Bray Corp <i>S.R. Bray Corp.'s Notice of Lis Pendens</i> |
| 05/07/2010 |  Opposition Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Fast Glass, Inc.'s Motion for Summary Judgment against Gemstone Development, West, Inc.</i> |
| 05/08/2010 | |

DISTRICT COURT
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CASE NO. 08A571228

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| |  Substitution of Attorney Filed by: Plaintiff Apco Construction <i>Substitution of Attorney A571228</i> |
| 05/10/2010 |  Notice of Lis Pendens Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Compliance Solutions, LLC's Notice of Lis Pendens</i> |
| 05/10/2010 |  Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Compliance Solutions, LLC's Amended Statement of Facts and Complaint</i> |
| 05/10/2010 |  Motion for Partial Summary Judgment Filed By: Counter Defendant Renaissance Pools & Spas Inc <i>Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment</i> |
| 05/10/2010 |  Order Shortening Time <i>Application for Order Shortening Time for Hearings on Certain Motions for Partial Summary Judgment</i> |
| 05/11/2010 |  Ex Parte Motion for Enlargement of Time Filed By: Intervenor Plaintiff Harsco Corporation <i>Ex Parte Motion for Enlargement of Time to Serve Defendant Selin Cisneros and Petition for Service by Publication</i> |
| 05/11/2010 |  Order Granting Motion Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Order Granting Arch Aluminum & Glass Company's Motion to Substitute Proper Party Pursuant to NRCP 25</i> |
| 05/12/2010 |  Notice of Entry Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Notice of Entry of Order Granting Arch Aluminum & Glass Company's Motion to Substitute Proper Party Pursuant to NRCP 25</i> |
| 05/13/2010 |  Notice of Entry of Stipulation and Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order Setting Aside Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction</i> |
| 05/13/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum And Glass, LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/13/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass, LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/13/2010 |  Order Filed By: Other PCI Group, LLC <i>Order Deconsolidating and Remanding Case No. A584960</i> |
| 05/13/2010 |  Motion for Partial Summary Judgment |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Counter Defendant Selectbuild Nevada Inc
Selectbuild Nevada, Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West, Inc.

05/13/2010



Ex Parte Motion

Filed By: Intervenor Plaintiff Harsco Corporation
Ex Parte Motion for Order Shortening Time Re: Harsco Corporatio's Motion for Partial Summary Judgment and Joinders Thereto

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Accuracy Glass & Mirror Company, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Bruin Painting Corporation's Motion for Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Buchelle, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Cactus Rose Construction, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to HD Supply Waterworks LP's Motion for Partial Summary Judgment West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Helix Elecric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to S.R. Bray Corp.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation

DISTRICT COURT
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Scott Financial Corporation's Opposition to SWPPP's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to WRG Design, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010



Application

Filed By: Counter Defendant Renaissance Pools & Spas Inc
Application for Order Shortening Time for Hearing on Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment (and Order Granting Application)

05/17/2010



Answer

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Answer to Interstate Plumbing & Ait Conditioning's Statement of Facts Constituting Lien Claim

05/17/2010

Motion for Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Events: 04/15/2010 Motion for Summary Judgment
Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc.
Granted in Part; Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc.
Granted in Part

05/17/2010

Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Events: 05/04/2010 Motion for Partial Summary Judgment
Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part; Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

05/17/2010

Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Events: 05/04/2010 Motion for Partial Summary Judgment
Buche Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part; Buche Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

05/17/2010

Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Events: 05/04/2010 Motion for Partial Summary Judgment
Accuracy Glass & Mirror Company Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part; Accuracy Glass & Mirror Company Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

05/17/2010


Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Events: 05/04/2010 Motion for Partial Summary Judgment
Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part; Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Events: 05/04/2010 Motion for Partial Summary Judgment <i>Cactus Rose Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i></p> <p>Granted in Part; Cactus Rose Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Events: 05/04/2010 Motion for Partial Summary Judgment <i>S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i></p> <p>Granted in Part; S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Events: 05/04/2010 Motion for Partial Summary Judgment <i>Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i></p> <p>Granted in Part; Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Events: 05/04/2010 Motion for Partial Summary Judgment <i>HD Supply Waterworks LP's Motion for Summary Judgment Against Gemstone Development West Inc.</i></p> <p>Granted in Part; HD Supply Waterworks LP's Motion for Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Events: 05/05/2010 Motion for Partial Summary Judgment <i>WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i></p> <p>Granted in Part; WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Events: 05/05/2010 Motion for Partial Summary Judgment <i>Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i></p> <p>Granted in Part; Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc. <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p>Events: 05/06/2010 Motion for Partial Summary Judgment <i>Harsco Corporation's Motion for Partial Summary Judgment as to Causes of Action I, III, and IV Only</i></p> <p>Granted in Part; Harsco Corporation's Motion for Partial Summary Judgment as to Causes of Action I, III, and IV Only <i>Granted in Part</i></p> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 05/17/2010 | <p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/06/2010 Joinder To Motion <i>Patent Construction Systems' Joinder to Harsco Corporation's Motion for Partial Summary Judgment</i> Granted in Part; Harsco Corporation's Motion for Partial Summary Judgment as to Causes of Action I, III, and IV Only <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/06/2010 Joinder To Motion <i>EZA, P.C.'s Joinder to Harsco Corporation's Motion for Partial Summary Judgment</i> Granted in Part; EZA, P.C.'s Joinder to Harsco Corporation's Motion for Partial Summary Judgment <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/06/2010 Motion for Partial Summary Judgment <i>SWPP Complainece Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc.</i> Granted in Part; SWPP Complainece Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc. <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/10/2010 Motion for Partial Summary Judgment <i>Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment</i> Granted in Part; Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment <i>Granted in Part</i></p> |
| 05/17/2010 | <p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/13/2010 Motion for Partial Summary Judgment <i>Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i></p> |
| 05/17/2010 | <p>CANCELED Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - On In Error duplicate</i></p> |
| 05/17/2010 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc 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 Development West Inc SWPP Compliance Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc Cactus Rose Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc HD Supply Waterworks LP's Motion for Summary Judgment Against Gemstone Development West Inc Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Develop</i></p> |
| | <p>MINUTES Status Check (06/16/2010 at 9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Status Check: Set Date Certain

Matter Heard

Matter Heard; Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc 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 Development West Inc SWPP Compliance Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc Cactus Rose Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc HD Supply Waterworks LP's Motion for Summary Judgment Against Gemstone Development West Inc Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Develop

Matter Heard

SCHEDULED HEARINGS

Status Check (06/16/2010 at 9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Status Check: Set Date Certain

Matter Heard

05/17/2010



Opposition

Filed By: Plaintiff Apco Construction

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

05/17/2010



Answer

Filed By: Defendant Scott Financial Corporation

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

05/18/2010



Motion for Summary Judgment

Filed By: Intervenor Custom Select Billing Inc

Custom Select Billings, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. or, Alternatively, Motion for Permanent Writ of Possession and for Certification of Final Judgment Pursuant to NRCP 54(B)

05/18/2010



Motion for Summary Judgment

Filed By: Interpleader Hydropressure Cleaning Inc

Hydropressure Cleaning, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)

05/19/2010



Document Filed

Filed by: Counter Claimant Insulpro Projects Inc

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

05/20/2010



Certificate of Service

Filed by: Intervenor Custom Select Billing Inc

Certificate of Service of Custom Select Billing, Inc. s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. or, Alternatively, Motion for Permanent Writ of Possession and for Certification of Final Judgment Pursuant to Nrcp 54(B)

05/20/2010















Certificate of Service

Filed by: Interpleader Hydropressure Cleaning Inc












Certificate of Service of Hydropressure Cleaning, Inc.s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 05/21/2010 |  Errata Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Errata to SWPPP Compliance Solutions' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/21/2010 |  Errata Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Errata to S.R. Bray Corp. d/b/a Power Plus' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 05/21/2010 |  Certificate of Mailing Filed By: Intervenor Plaintiff Harsco Corporation <i>Certificate of Mailing</i> |
| 05/21/2010 |  Opposition Filed By: Plaintiff Apco Construction <i>Limited Opposition to Camco Pacific Construction, Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A-09-606730 and Case No. A-10-608718 with Pending Action</i> |
| 05/21/2010 |  Order Granting Motion Filed By: Intervenor Plaintiff Harsco Corporation <i>Order Granting Harsco's Ex Parte Motion for Enlargement of Time to Serve Defendant Selina Cisneros and Petition for Service By Publication</i> |
| 05/24/2010 |  Miscellaneous Filing <i>Plaintiff HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Designation of Documents In Support of the Perfection of Lien, Commencement of Construction and Lien Priority</i> |
| 05/25/2010 |  Notice of Entry of Order Filed By: Other PCI Group, LLC <i>Notice of Entry of Order</i> |
| 05/26/2010 |  Order <i>Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaims, and Entering Default</i> |
| 05/26/2010 |  Certificate of Service Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Certificate of Service</i> |
| 05/28/2010 |  Motion for Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)</i> |
| 06/01/2010 |  Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order to Continue Hearing on APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action</i> |
| 06/02/2010 |  Notice of Entry Filed By: Plaintiff Apco Construction |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228







Notice of Entry of Stipulation and Order to Continue Hearing on APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action

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| 06/03/2010 |  Miscellaneous Filing Filed by: Intervenor Plaintiff Pape Material Handling <i>Pape Matrial Handling Designation of Documents Supporting Petrfection of Lien</i> |
| 06/03/2010 |  Miscellaneous Filing Filed by: Intervenor Steel Structures Inc <i>Steel Structures Designation of Documents Supporting Perfection of Lien</i> |
| 06/03/2010 |  Miscellaneous Filing Filed by: Intervenor Nevada Prefab Engineers Inc <i>Nevada Prefab Engineers Designation of Documents Supporting Perfection of Lien</i> |
| 06/03/2010 |  Stipulation and Order to Amend Filed By: Counter Claimant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Stipulation and Order For Leave For Camco Pacific Construction, Inc. To File An Amended Answer and Counterclaim To Nevada Prefab Engineers Second Amended Statement of Facts Constituting Lien and Complaint in Intervention</i> |
| 06/08/2010 |  Motion for Summary Judgment Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Motion For Summary Judgment Regarding The Commencement Of Work And Priority Of Its Mechanic's Lien</i> |
| 06/08/2010 |  Notice of Entry of Stipulation and Order Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Notice of Entry of Stipulation and Order</i> |
| 06/08/2010 |  Amended Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland <i>Second Amended Answer to Nevada Prefab Engineers' Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company's Counterclaim</i> |
| 06/09/2010 |  Miscellaneous Filing <i>Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencement of Construction and Lien Priority</i> |
| 06/10/2010 |  Motion for Partial Summary Judgment Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Ferguson Fire & Fabrication, Inc's Motion for Partial Summary Judgment Regarding Perfection, Validity, and Priority of its Mechanic's Lien</i> |
| 06/10/2010 |  Motion for Summary Judgment Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Las Vegas Pipeline's Motion for Summary Judgment Against Gemstone Development West, Inc.</i> |
| 06/10/2010 |  Motion for Partial Summary Judgment Filed By: Counter Defendant Insulpro Projects Inc <i>Insulpro Project, Inc.'s Motion for Partial Summary Against Gemstone Development, Inc., Apco Construction and Camco Pacific Construction Co., Inc.</i> |









DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/10/2010 |  Motion for Summary Judgment Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Plaintiff Ahern Rentals, Inc.'s (1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC; (2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and 3) Motion for Default Judgment Against Gemstone Development West, Inc.</i> |
| 06/10/2010 |  Motion for Partial Summary Judgment Filed By: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cell Crete Fireproofing of Nevada, Inc's Motion for Partial Summary Judgment Against Gemstone Development West Inc., on Issue of Lien Perfection</i> |
| 06/10/2010 |  Motion for Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 06/10/2010 |  Motion for Summary Judgment Filed By: Intervenor Tri-City Drywall Inc <i>Plaintiff-In-Intervention, Tri-City Drywall, Inc.'s Motion For Summary judgment Against Gemstone Development West, Inc.</i> |
| 06/10/2010 |  Memorandum of Costs and Disbursements <i>Graybar Electirc Company's Memorandum of Costs and Disbursements</i> |
| 06/10/2010 |  Notice of Dismissal Without Prejudice Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete, Inc.'s Notice of Dismissal Without Prejudice as to Platte River Insurance Company Only</i> |
| 06/10/2010 |  Certificate of Service Filed by: Counter Defendant Atlas Construction Supply Inc <i>Certificate Of Service Of Notice Of Motion</i> |
| 06/10/2010 | Dismissal Pursuant to NRCP 41 (Judicial Officer: Delaney, Kathleen E.) Debtors: Platte River Insurance Company (Intervenor Defendant) Creditors: Northstar Concrete, Inc. (Intervenor Plaintiff) Judgment: 06/10/2010, Docketed: 06/16/2010 |
| 06/11/2010 |  Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Selectbuild Nevada, Inc.'s Motion for Partial Summary Judgment against Defendant Gemstone Development West, Inc.</i> |
| 06/11/2010 |  Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Custom Select Billing, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc. or, In the Alternative, Motion for Permanent Writ of Possession and for Certification of Final Judgment Pursuant to NRCP 54(b)</i> |
| 06/11/2010 |  Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Oppositoin to Hydropressure Cleaning, Inc.s Motion for Summary Against Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(b)</i> |












DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/11/2010 |  Notice of Hearing <i>Notice of Hearing On Plaintiff Ahern Rentals, Inc.'s 1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC; 2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and 3) Motion for Default Judgment Against Gemstone Development West, Inc.</i> |
| 06/11/2010 |  Errata Filed By: Defendant Scott Financial Corporation <i>Errata to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 06/14/2010 |  Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 06/14/2010, 06/16/2010, 07/27/2010 Events: 05/13/2010 Motion for Partial Summary Judgment <i>Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc.</i> MINUTES Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Under Advisement; Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Under Advisement; Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Under Advisement; <i>Matter Continued</i> |
| 06/14/2010 |  Acceptance of Service <i>Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland</i> |
| 06/15/2010 |  Supplement Filed by: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Omnibus Supplement to its Opposition to the Motions for Summary Judgment against Gemstone Development West, Inc.</i> |
| 06/16/2010 |  Notice of Hearing Filed By: Defendant Scott Financial Corporation <i>Amended Notice of Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 06/16/2010 | Motion to Consolidate (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 04/30/2010 Motion to Consolidate <i>Pltf. APCO Construction's Motion to Consolidate A608717 Into A571228</i> Granted; Pltf. APCO Construction's Motion to Consolidate A608717 Into A571228 <i>Granted</i> |
| 06/16/2010 | Motion to Consolidate (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/04/2010 Motion to Consolidate <i>Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-</i> |












DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| | <p><i>608718 With Pending Action</i></p> <p>Granted; Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-608718 With Pending Action</p> <p><i>Granted</i></p> |
| 06/16/2010 | <p>Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Status Check: Set Date Certain</i></p> <p>Matter Heard; Status Check: Set Date Certain</p> <p><i>Matter Heard</i></p> |
| 06/16/2010 | <p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p> <p><i>Pltf. APCO Construction's Motion to Consolidate A608717 Into A571228...Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-608718 With Pending Action...Status Check: Set Date Certain...Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc.</i></p> <p>Matter Heard; Pltf. APCO Construction's Motion to Consolidate A608717 Into A571228...Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-608718 With Pending Action...Status Check: Set Date Certain...Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc.</p> <p><i>Matter Heard</i></p> |
| 06/18/2010 | <p> Notice of Change of Hearing</p> <p>Filed By: Counter Defendant Atlas Construction Supply Inc</p> <p><i>Notice of Change of Hearing</i></p> |
| 06/18/2010 | <p> Findings of Fact, Conclusions of Law and Order</p> <p>Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co</p> <p><i>Findings of Fact, Conclusions of Law and Order Granting, in Part, Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i></p> |
| 06/18/2010 | <p> Motion for Partial Summary Judgment</p> <p>Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co</p> <p><i>Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Regarding Priority Among Lien Claimants Order Shortening Time</i></p> |
| 06/18/2010 | <p> Application for Entry of Default</p> <p>Filed By: Counter Defendant Selectbuild Nevada Inc</p> <p><i>Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Application for Entry of Default Against Defendant Gemstone Development West, Inc.</i></p> |
| 06/18/2010 | <p> Affidavit in Support</p> <p>Filed By: Counter Defendant Selectbuild Nevada Inc</p> <p><i>Affidavit of Brian K. Walters in Support of Application for Default Against Defendant Gemstone Development West, Inc.</i></p> |
| 06/18/2010 | <p> Certificate of Mailing</p> <p>Filed By: Counter Defendant Ferguson Fire and Fabrication Inc</p> <p><i>Certificate of Mailing</i></p> |
| 06/18/2010 | <p> Notice</p> <p>Filed By: Counter Defendant Zitting Brothers Construction Inc</p> <p><i>Notice of Change of Address, Telephone Number and Facsimile Number</i></p> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/18/2010 | Partial Summary Judgment (Judicial Officer: Delaney, Kathleen E.) Debtors: Gemstone Development West Inc (Intervenor Defendant) Creditors: Arch Aluminum And Glass Co (Intervenor Plaintiff) Judgment: 06/18/2010, Docketed: 06/24/2010 |
| 06/21/2010 |  Joinder to Motion For Partial Summary Judgment Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation, EZA, P.C., dba Oz Architecture of Nevada, and Patent Construction Systems, a Division of Harsco Corporation's Joinder to Apco's Motion for Summary Judgment on Priority</i> |
| 06/21/2010 |  Order Granting <i>Joint Order Granting, in Part, Various Lien Claimants' Motions for Partial Summary Judgment Against Gemstone Development West</i> |
| 06/22/2010 |  Joinder to Motion For Summary Judgment Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority</i> |
| 06/22/2010 |  Joinder To Motion Filed By: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority</i> |
| 06/22/2010 |  Order Granting Filed By: Defendant Scott Financial Corporation <i>Order Granting Scott Financial Corporation's Order to Show Cause</i> |
| 06/22/2010 |  Motion for Summary Judgment Filed By: Plaintiff Apco Construction <i>Apco's Motion for Summary Judgment on Priority</i> |
| 06/23/2010 |  Joinder to Motion For Summary Judgment Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Granite Construction Company's Joinder to APCO's Motion for Summary Judgment on Priority</i> |
| 06/23/2010 |  Affidavit of Publication <i>Affidavit of Publication</i> |
| 06/23/2010 |  Notice of Entry of Order Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Notice of ENtry of Joint Order Granting, In Part, Various Lien Claimants' Motions for Partial Summary Judgment Against Gemstone Development West</i> |
| 06/24/2010 |  Joinder to Motion For Summary Judgment Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Ferguson Fire And Fabrication, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority</i> |
| 06/24/2010 |  Notice of Entry of Order Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Notice of Entry of Order</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/24/2010 |  Certificate of Service Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Certificate of Service of Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Regarding Priority Among Lien Claimants Order Shortening Time</i> |
| 06/24/2010 |  Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Order Granting Scott Financial Corporation's Order to Show Cause</i> |
| 06/24/2010 |  Joinder to Motion For Summary Judgment Filed By: Other HD Supply Construction Supply LP <i>Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority</i> |
| 06/25/2010 |  Joinder to Motion For Summary Judgment Filed By: Counter Defendant Selectbuild Nevada Inc <i>Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Joinder to Apco Construction's Motion for Summary Judgment on Priority</i> |
| 06/25/2010 |  Order Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Order Consolidating Cases A-10-608718 and A-10-606730 into Case Number A-08-571228</i> |
| 06/28/2010 |  Joinder to Motion For Summary Judgment Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Joinder to Apco's Motion for Summary Judgment on Priority</i> |
| 06/28/2010 |  Joinder to Motion For Summary Judgment Filed By: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada Inc.'s Joinder to Plaintiff Apco Construction Inc.'s Motion for Partial Summary Judgment on Lien Priority as against All Lender Parties</i> |
| 06/28/2010 |  Opposition to Motion Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Club Vista Financial Services, LLC, Tharaldson Motels II, Inc. and Gary D. Tharaldsons' Response to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 06/28/2010 |  Joinder To Motion Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Joinder to APCO and Scott Financial Corporation's Joint Motion for Continuation of Hearing on Motions for Summary Judgment on Priority on Order Shortening Time (First Request)</i> |
| 06/28/2010 |  Notice of Entry of Order Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Notice of Entry of Order</i> |
| 06/28/2010 |  Opposition to Motion For Summary Judgment Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Opposition to Insulpro's Motion for Summary Judgment</i> |
| 06/28/2010 |  Joinder to Motion For Summary Judgment |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| | Filed By: Counter Defendant Fast Glass Inc <i>Fast Glass, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority</i> |
| 06/28/2010 |  Joinder to Motion For Summary Judgment Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Las Vegas Pipeline's Joinder in Apco's Motion for Summary Judgment on Priority</i> |
| 06/29/2010 |  Joinder to Motion For Summary Judgment Filed By: Other Wiss, Janney, Elstner Associates, Inc. <i>Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority</i> |
| 06/29/2010 |  Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Cell-Crete Fireproofing of Nevada, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 06/29/2010 |  Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Ferguson Fire & Fabrication, Inc.'s Motion for Partial Summary Judgment Regarding Perfection, Validity, and Priority of its Mechanic's Lien</i> |
| 06/29/2010 |  Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Tri-City Drywall, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc.</i> |
| 06/29/2010 |  Summons Filed by: Intervenor Plaintiff Cactus Rose Construction Inc <i>Summons - Civil</i> |
| 06/29/2010 |  Acceptance of Service Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Acceptance of Service by Scott Financial Corporation</i> |
| 06/29/2010 |  Summons Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Summons - Civil</i> |
| 06/29/2010 |  Acceptance of Service Filed By: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Acceptance of Service by Scott Financial Corporation</i> |
| 06/29/2010 |  Summons Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Summons - Civil</i> |
| 06/29/2010 |  Acceptance of Service Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Acceptance of Service by Scott Financial Corporation</i> |
| 06/29/2010 |  Summons Filed by: Intervenor Plaintiff S R Bray Corp <i>Summons - Civil</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/29/2010 |  Acceptance of Service Filed By: Intervenor Plaintiff S R Bray Corp <i>Acceptance of Service by Scott Financial Corporation</i> |
| 06/29/2010 |  Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Las Vegas Pipeline, LLC's Motion for Summary Judgment Against Gemstone Development West, Inc.</i> |
| 06/29/2010 |  Answer to Third Party Complaint Filed By: Counter Claimant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Camco's Answer to SWPPP's Amended Complaint</i> |
| 07/01/2010 |  Joinder to Opposition to Motion <i>Granite Construction Company's Joinder to APCO's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/01/2010 |  Joinder to Opposition to Motion <i>Las Vegas Pipeline's Joinder in Apco's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/01/2010 |  Joinder to Motion For Summary Judgment Filed By: Other Graybar Electric Company <i>Graybar Electric Company's Joinder to Apco's Motion for Summary Judgment on Priority</i> |
| 07/01/2010 |  Joinder to Motion For Summary Judgment Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority</i> |
| 07/01/2010 |  Opposition to Motion For Summary Judgment Filed By: Plaintiff Apco Construction <i>APCO's Opposition to Scott Financial's Motion For Partial Summary Judgment as to Priority of Liens</i> |
| 07/01/2010 |  Stipulation and Order for Dismissal With Prejudice Filed By: Plaintiff Apco Construction <i>Stipulation and Order for Dismissal With Prejudice Of Claims Asserted By Select Build Nevada, Inc. Against APCO Construction</i> |
| 07/01/2010 |  Notice of Entry of Stipulation & Order for Dismissal Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation & Order for Dismissal with Prejudice of Claims Asserted by Select Build Nevada, Inc. Against APCO Construction</i> |
| 07/02/2010 |  Response Filed by: Intervenor Defendant Club Vista Financial Services LLC <i>Club Vista Financial Services, LLC, Tharaldson Motels II, Inc. and Gary D. Tharaldsons' Response to APCO's Motion for Summary Judgment on Priority</i> |
| 07/02/2010 |  Order <i>Order Re-Setting Hearing Dates</i> |
| 07/02/2010 |  Reply to Motion |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Intervenor Cell Crete Fireproofing Of NV Inc
Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada's Reply in Support of its Motion for Partial Summary Judgment against Gemstone Development West Inc. on issue of Lien Perfection

07/02/2010



Joinder to Opposition to Motion

Lien Claimant/PLaintiff Cellcrete Fireproofing of Nevada's Joinder in Plaintiff Apco Construction Inc's Opposition to Defendant Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

07/02/2010



Joinder to Motion For Summary Judgment

Filed By: Intervenor E & E Fire Protectiong LLC
Dave Peterson Framing, Inc., E&E Fire Protection, LLC, Noorda Sheet Metal Company, the Pressure Grout Company and Professional Doors and Millworks, LLC's Notice of Joinder in Apco's Motion for Summary Judgment on Priority

07/02/2010



Reply

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

07/02/2010



Joinder to Motion For Partial Summary Judgment

Filed By: Other Graybar Electric Company
Graybar Electric Company's, Tri-City Drywall, Inc.'s, and Northstar Concrete, Inc.'s Joinder in Apco's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens

07/06/2010



Reply

Filed by: Counter Defendant Selectbuild Nevada Inc
Selectbuild Nevada, Inc's Reply Brief in Support of Motion for Partial Summary Judgment against Defendant Gemstone Development West, Inc.

07/06/2010



Brief

Filed By: Intervenor Defendant Scott Financial Corporation
Defendant Scott Financial Corporation's Brief on Lender Standing to Dispute Mechanic's Lien Claims and Exclusivity of Remedy Set Forth in NRS 108.2275

07/07/2010



Joinder to Opposition to Motion

Filed by: Counter Defendant Noord Sheet Metal Company
Dave Peterson Framing, Inc., E&e Fire Protection, Llc, Noorda Sheet Metal Company, the Pressure Grout Company and Professional Doors and Millworks, Llc s Notice of Joinder in Apco s Opposition to Scott Financial s Motion for Partial Summary Judgment as to Priority of Liens

07/07/2010



Countermotion For Partial Summary Judgment

Filed by: Plaintiff Apco Construction
APCO's Opposition to Insulpro Projects, Inc.'s Motion for Partial Summary Judgment and Countermotion for Summary Judgment

07/07/2010



Joinder to Opposition to Motion

Filed by: Counter Defendant Selectbuild Nevada Inc
Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Joinder to APCO Construction's Opposition to Scott Financial Corp.'s Motion for Partial Summary Judgment as to Priority of Liens











07/08/2010







Consent to Service By Electronic Means

Filed By: Counter Defendant Steel Structures Inc
Steel Structures Consent to Service by Electronic Means

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 07/08/2010 |  Consent to Service By Electronic Means Filed By: Intervenor Nevada Prefab Engineers Inc <i>Nevada Prefab Consent to Service by Electronic Means</i> |
| 07/08/2010 |  Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation, EZA, P.C. dba Oz Architecture of Nevada, and Patent Construction Systems, A Division of Harsco Corporation's Joinder to Apco's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/08/2010 |  Joinder to Opposition to Motion Filed by: Other HD Supply Construction Supply LP <i>Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Joinder in APCO's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/08/2010 |  Notice Filed By: Counter Defendant Fast Glass Inc <i>Fast Glass, Inc.'s Notice of Joinder in APCO's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/09/2010 |  Order Granting Motion Filed By: Plaintiff Apco Construction <i>Order Granting Apco Construction's Motion to Consolidate Case No. A10-608717 with Pending Action</i> |
| 07/09/2010 |  Joinder Filed By: Other HD Supply Construction Supply LP <i>Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Joinder in APCO's Reply to Scott Financial's Motion for Partial Summary Judgment as to Priority Liens</i> |
| 07/11/2010 |  Reply to Opposition Filed by: Intervenor Insulpro Projects Inc <i>Insulpro Project, Inc.'s Reply to Camco's Opposition to Insulpro's Motion for Partial Summary Judgment</i> |
| 07/11/2010 |  Reply to Opposition Filed by: Intervenor Insulpro Projects Inc <i>Insulpro Project, Inc.'s Reply to Apco's Opposition to Insulpro's Motion for Partial Summary Judgment</i> |
| 07/13/2010 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Granting APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action</i> |
| 07/14/2010 |  Notice Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Notice to Vacate and Continue Only the Hearing on Plaintiff Ahern Rentals, Inc.'s (1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC (2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and (3) Motion for Default Judgment Against Gemstone Development West, Inc.</i> |
| 07/16/2010 | |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| |  Default Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Default on Defendant-In-Intervention Gemstone Development West, Inc.</i> |
| 07/16/2010 |  Default Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Default on Defendant-In-Intervention Concrete Visions, Inc.</i> |
| 07/16/2010 |  Joinder Filed By: Intervenor Steel Structures Inc <i>Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Joinder to Apco Construction's Motion for Summary Judgment on Priority</i> |
| 07/16/2010 |  Joinder Filed By: Intervenor Steel Structures Inc <i>Steel Structures, Inc. and Nevada Prefab Engineers Inc.'s Joinder to Apco's Opposition to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/19/2010 |  Joinder Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Joinder To APCO's Opposition To Scott Financial Corporation's Motion For Partial Summary Judgment As to Priority Of Liens</i> |
| 07/19/2010 |  Joinder Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Ferguson Fire And Fabrication, Inc.'s Joinder To APCO's Opposition To Scott Financial Corporation's Motion For Partial Summary Judgment As to Priority Of Liens</i> |
| 07/19/2010 |  Notice of Entry of Default Party: Intervenor Plaintiff Northstar Concrete, Inc. <i>Notice of Entry of Default on Defendant-In-Intervention Concrete Visions, Inc.</i> |
| 07/19/2010 |  Notice of Entry of Default Party: Intervenor Plaintiff Northstar Concrete, Inc. <i>Notice of Entry of Default on Defendant-In-Intervention Gemstone Development, Inc.</i> |
| 07/19/2010 |  Joinder to Motion For Summary Judgment Filed By: Counter Defendant Renaissance Pools & Spas Inc <i>Renaissance Pools And Spas s Joinder To Apco s Motion For Summary Judgment On Priority</i> |
| 07/19/2010 |  Answer to Amended Complaint Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Answer to S.R. Bray dba Power Plus' Amended Statement of Facts and Complaint in Intervention</i> |
| 07/20/2010 |  Reply in Support Filed By: Intervenor Custom Select Billing Inc <i>Custom Select Billing, Inc. s Reply in Support of Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. or, Alternatively, Motion for Permanent Writ of Possession and for Certification of Final Judgment Pursuant to NRCP 54(b)</i> |
| 07/20/2010 |  Joinder to Opposition to Motion Filed by: Intervenor Custom Select Billing Inc |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Custom Select Billing, Inc. s Joinder to APCO s Opposition to Scott Financial s Motion for Partial Summary Judgment as to Priority Lien and to APCO s Motion for Partial Summary Judgment on Priority

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| 07/20/2010 |  Joinder to Opposition to Motion Filed by: Interpleader Hydropressure Cleaning Inc <i>Hydropressure Cleaning, Inc.'s Joinder to APCO's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority Lien and to APCO's Motion for Partial Summary Judgment on Priority</i> |
| 07/20/2010 |  Reply to Opposition Filed by: Plaintiff Apco Construction <i>APCO's Reply to Insulpro Projects, Inc.'s Opposition to APCO's Countermotion for Summary Judgment</i> |
| 07/20/2010 |  Reply Filed by: Counter Defendant Ferguson Fire and Fabrication Inc <i>Ferguson Fire & Fabrication, Inc.'s Reply In Support Of Motion For Partial Summary Judgment Regarding Perfection, Validity, And Priority Of Its Mechanic's Lien</i> |
| 07/21/2010 |  Reply in Support Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Reply Brief in Support of the Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/21/2010 |  Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to Reply to Scott Financial's Opposition to Motions for Parital Summary Judgment</i> |
| 07/21/2010 |  Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to APCO's Opposition to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/21/2010 |  Memorandum of Costs and Disbursements Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete, Inc.'s Memorandum of Costs and Disbursements</i> |
| 07/21/2010 |  Joinder to Opposition to Motion Filed by: Other Wiss, Janney, Elstner Associates, Inc. <i>Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Joinder to Apco's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/21/2010 |  Reply in Support Filed By: Plaintiff Apco Construction <i>Reply in Support of APCO's Motion for Summary Judgment on Priority</i> |
| 07/21/2010 |  Joinder Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass, LLC's Joinder to APCO's Opposition to Scott financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i> |
| 07/22/2010 |  Joinder to Opposition to Motion Filed by: Counter Defendant Renaissance Pools & Spas Inc <i>RENAISSANCE POOLS AND SPAS JOINDER TO APCO S OPPOSITION TO SCOTT</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

FINANCIAL CORPORATION S MOTION FOR SUMMARY JUDGMENT ON PRIORITY

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| 07/22/2010 |  Joinder to Motion For Partial Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Constructin, inc.'s Joinder to APCO Construction's Motion for Parital Summary Judgment as to Priority of Liens</i> |
| 07/22/2010 |  Joinder Filed By: Other The Masonry Group Nevada, Inc. <i>The Masonry Group Nevada, Inc's Joinjder to Apco's Opposition to Scott Financial Corporation's Motion for Priority and Joinder to Apco's Motion for Priority of Liens</i> |
| 07/22/2010 |  Response Filed by: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass, LLC's Response to APCO's Motion for Summary Judgment on Priority</i> |
| 07/23/2010 |  Stipulation and Order Filed by: Intervenor Plaintiff Ahern Rental Inc <i>Stipulation and Order to Continue Ahern Rentals, Inc's : (1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC; (2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and (3) Motion for Default Judgment Against Gemstone Development West, Inc.</i> |
| 07/26/2010 |  Reply to Counterclaim Filed by: Intervenor Nevada Prefab Engineers Inc <i>Nevada Prefab Engineers Reply to Camco Pacific Construction's Second Amended Answer and Counterclaim</i> |
| 07/27/2010 |  Supplement to Motion for Summary Judgment Filed by: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc's First Supplement in Support of its Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 07/27/2010 | CANCELED Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Secretary</i> <i>Vacated on in error</i> |
| 07/27/2010 | CANCELED Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Secretary</i> <i>Vacated on in error</i> |
| 07/27/2010 | Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/18/2010 Motion for Summary Judgment <i>Custom Select Billings, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. or, Alternatively, Motion for Permanent Writ of Possession and for Certification of Final Judgment Pursuant to NRCP 54(B)</i> MINUTES <i>Under Advisement;</i> <i>Under Advisement</i> |
| 07/27/2010 | Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/18/2010 Motion for Summary Judgment <i>Hydropressure Cleaning, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 05/28/2010 Motion for Summary Judgment
Zitting Brothers Construction, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/08/2010 Motion for Summary Judgment
Atlas Construction Supply, Inc.'s Motion For Summary Judgment Regarding The Commencement Of Work And Priority Of Its Mechanic's Lien

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Partial Summary Judgment
Ferguson Fire & Fabrication, Inc.'s Motion for Partial Summary Judgment Regarding Perfection, Validity, and Priority of its Mechanic's Lien

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Partial Summary Judgment
Insulpro Projects, Inc.'s Motion for Partial Summary Against Gemstone Development, Inc., Apco Construction and Camco Pacific Construction Co., Inc.

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Partial Summary Judgment
Lien Claimant/Plaintiff Cell Crete Fireproofing of Nevada, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc., on Issue of Lien Perfection

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Summary Judgment
Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Summary Judgment
Plaintiff-In-Intervention, Tri-City Drywall, Inc.'s Motion For Summary judgment Against Gemstone Development West, Inc.

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Summary Judgment
Las Vegas Pipeline's Motion for Summary Judgment Against Gemstone Development West, Inc.

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Partial Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/18/2010 Motion for Partial Summary Judgment
Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Regarding Priority Among Lien Claimants Order Shortening Time

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/21/2010 Joinder to Motion For Partial Summary Judgment
Harsco Corporation, EZA, P.C., dba Oz Architecture of Nevada, and Patent Construction Systems, a Division of Harsco Corporation's Joinder to Apco's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/22/2010 Motion for Summary Judgment
Apco's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/22/2010 Joinder to Motion For Summary Judgment
Atlas Construction Supply, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/23/2010 Joinder to Motion For Summary Judgment
Granite Construction Company's Joinder to APCO's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/24/2010 Joinder to Motion For Summary Judgment
Ferguson Fire And Fabrication, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority

DISTRICT COURT
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MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/25/2010 Joinder to Motion For Summary Judgment
Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Joinder to Apco Construction's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/24/2010 Joinder to Motion For Summary Judgment
Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/28/2010 Joinder to Motion For Summary Judgment
Fast Glass, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/28/2010 Joinder to Motion For Summary Judgment
Las Vegas Pipeline's Joinder in Apco's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/28/2010 Joinder to Motion For Summary Judgment
Camco's Joinder to Apco's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/28/2010 Joinder to Motion For Summary Judgment
Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada Inc.'s Joinder to Plaintiff Apco Construction Inc.'s Motion for Partial Summary Judgment on Lien Priority as against All Lender Parties

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/29/2010 Joinder to Motion For Summary Judgment
Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Under Advisement

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| 07/27/2010 | Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/01/2010 Joinder to Motion For Summary Judgment <i>Graybar Electric Company's Joinder to Apco's Motion for Summary Judgment on Priority</i> MINUTES Under Advisement; <i>Under Advisement</i> |
| 07/27/2010 | Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/01/2010 Joinder to Motion For Summary Judgment <i>Northstar Concrete, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority</i> MINUTES Under Advisement; <i>Under Advisement</i> |
| 07/27/2010 | Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/02/2010 Joinder to Motion For Summary Judgment <i>Dave Peterson Framing, Inc., E&E Fire Protection, LLC, Noorda Sheet Metal Company, the Pressure Grout Company and Professional Doors and Millworks, LLC's Notice of Joinder in Apco's Motion for Summary Judgment on Priority</i> MINUTES Under Advisement; <i>Under Advisement</i> |
| 07/27/2010 | Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/19/2010 Joinder to Motion For Summary Judgment <i>Renaissance Pools And Spas s Joinder To Apco s Motion For Summary Judgment On Priority</i> MINUTES Under Advisement; <i>Under Advisement</i> |
| 07/27/2010 | Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Zitting Brothers Constructin, inc.'s Joinder to APCO Construction's Motion for Parital Summary Judgment as to Priority of Liens</i> MINUTES Under Advisement; <i>Under Advisement</i> |
| 07/27/2010 | Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/22/2010 Joinder To Motion <i>Insulpro Projects, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority</i> MINUTES Under Advisement; <i>Under Advisement</i> |
| 07/27/2010 | Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/16/2010 Joinder <i>Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Joinder to Apco Construction's Motion for Summary Judgment on Priority</i> MINUTES Under Advisement; <i>Under Advisement</i> |
| 07/27/2010 | Opposition and Countermotion (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/07/2010 Countermotion For Partial Summary Judgment |

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


MINUTES


Under Advisement;
Under Advisement


07/27/2010 **Status Check (10:00 AM)** (Judicial Officer: Delaney, Kathleen E.)
STATUS CHECK: PRIOR HEARINGS


MINUTES


Under Advisement;
Under Advisement


07/27/2010  **All Pending Motions (10:00 AM)** (Judicial Officer: Delaney, Kathleen E.)
Matter Heard;
Matter Heard


07/27/2010  Joinder to Opposition to Motion
Filed by: Counter Defendant Accuracy Glass & Mirror Company Inc
Joinder to Apco's Opposition to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens


07/28/2010  Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order


07/28/2010  Motion to Associate Counsel
Filed By: Counter Claimant Club Vista Financial Sevices LLC
Layne K Morrill Esq


07/28/2010  Motion to Associate Counsel
Filed By: Counter Claimant Club Vista Financial Sevices LLC
Stephanie L Samuelson Esq

08/02/2010  Default
Filed By: Counter Defendant Selectbuild Nevada Inc
Lien Claimant/Plaintiff-in-Intervention Selectbuild Nevada, Inc.'s Default Against Defendant Gemstone Development West, Inc.










08/03/2010  Notice of Entry of Default
Party: Counter Defendant Selectbuild Nevada Inc
Lien Claimant/Plaintiff-in-Intervention Selectbuild Nevada, Inc.'s Notice of Entry of Default Against Defendant Gemstone Development West, Inc.

08/04/2010  Supplement
Filed by: Intervenor Insulpro Projects Inc
Insulpro Project, Inc.'s Supplemental Exhibit to Motion for Partial Summary Judgment

08/04/2010  Motion for Partial Summary Judgment
Filed By: Intervenor E & E Fire Protectiong LLC
Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

08/04/2010  Motion for Partial Summary Judgment
Filed By: Intervenor Professional Doors & Millworks LLC
Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 08/10/2010 |  Certificate of Mailing Filed By: Counter Defendant Noord Sheet Metal Company <i>Certificate of Service</i> |
| 08/10/2010 |  Certificate of Service Filed by: Counter Defendant Noord Sheet Metal Company <i>Certificate of Service</i> |
| 08/10/2010 |  Claim Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Statement of Claim</i> |
| 08/18/2010 |  Certificate Filed By: Plaintiff Apco Construction <i>Certificate of Mailing</i> |
| 08/18/2010 |  Certificate of Mailing <i>Certificate of Mailing</i> |
| 08/19/2010 |  Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i> |
| 08/25/2010 |  Release Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Release of Notice of Pendency of Action (Lis Pendens)</i> |
| 08/30/2010 | Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/28/2010 Motion to Associate Counsel <i>Club Vista Financial Services, Tharaldson Motels ii Inc and Gary D. Tharaldsons Motion to Associate Counsel</i> Granted; <i>Granted</i> |
| 08/30/2010 | Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/28/2010 Motion to Associate Counsel Granted; <i>Granted</i> |
| 08/30/2010 |  All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Data Entry Error</i> Data Entry Error Matter Heard; <i>Matter Heard</i> |
| 09/03/2010 |  Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial's Corporation's Opposition to E & E Fire Protections' Motion for Partial Summary Judgment Against Genstone Development West, Inc.</i> |
| 09/08/2010 | Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 08/04/2010 Motion for Partial Summary Judgment <i>E&E Fire Protection's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> |
| 09/08/2010 | Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

E.)

Events: 08/04/2010 Motion for Partial Summary Judgment
Professional Doors and Millworks' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

09/08/2010



All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
E&E Fire Protection's Motion for Partial Summary Judgment Against Gemstone Development West, Inc...Professional Doors and Millworks' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

MINUTES

Under Advisement; E&E Fire Protection's Motion for Partial Summary Judgment Against Gemstone Development West, Inc...Professional Doors and Millworks' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.
Under Advisement

09/15/2010

CANCELED Motion for Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Vacated - per Stipulation and Order

09/16/2010



Stipulation and Order
Filed by: Intervenor Plaintiff Ahern Rental Inc
Stipulation and Order to Vacate Ahern Rentals, Inc.'s: (1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC; (2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and (3) Motion for Default Judgment Against Gemstone Development West, Inc.

09/20/2010



Order
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Order Admitting Stephanie L. Samuelson, Esq. To Practice

09/20/2010



Order
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Order Admitting Layne K. Morrill, Esq. To Practice

09/23/2010



Notice of Entry of Order
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Notice of Entry of Order

09/23/2010



Notice of Entry of Order
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Notice of Entry of Order

09/23/2010



Notice of Entry of Stipulation and Order
Filed By: Intervenor Plaintiff Ahern Rental Inc
Notice of Entry of Order

09/30/2010












Motion to Stay
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Motion to Stay Further Activity in This Case Until the Issue of Priority Issue Has Been Resolved

10/04/2010



Notice of Hearing
Filed By: Defendant Scott Financial Corporation
Notice of Hearing of Scott Financial Corporation's Motion to Stay Further Activity in This Case Until the Issue of Priority Issue Has Been Resolved

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 10/11/2010 |  Joinder Filed By: Counter Claimant Insulpro Projects Inc <i>Insulpro Projects Inc's Joinder to Scott Tinancial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue Has Been Resolved</i> |
| 10/15/2010 |  Non Opposition Filed By: Plaintiff Apco Construction <i>Notice of APCO Construction's Non-Opposition to Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has been Resolved</i> |
| 10/15/2010 |  Non Opposition Filed By: Intervenor Custom Select Billing Inc <i>Custom Select Billing, Inc.'s Non-Opposition to Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has been Resolved</i> |
| 10/15/2010 |  Non Opposition Filed By: Interpleader Hydropressure Cleaning Inc <i>Hydropressure Cleaning, Inc.'s Non-Opposition to Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has been Resolved</i> |
| 10/20/2010 |  Motion to Withdraw As Counsel Filed By: Other HA Fabricators Inc <i>Shumway Van & Hansen's Motion to Withdraw as Attorney of Record</i> |
| 10/22/2010 |  Certificate of Service Filed by: Other HA Fabricators Inc <i>Certificate of Service</i> |
| 11/02/2010 | Motion to Stay (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 09/30/2010 Motion to Stay <i>Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priorty Issue has Been Resolved</i> Granted; <i>Granted</i> |
| 11/02/2010 | Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Insulpro Projects Inc's Joinder to Scott Tinancial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue Has Been Resolved</i> Granted; <i>Granted</i> |
| 11/02/2010 |  All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; <i>Matter Heard</i> |
| 11/22/2010 |  Order to Withdraw as Attorney of Record Filed by: Plaintiff Apco Construction <i>Order Granting Shumway Van & Hansen's Motion to Withdraw as Attorney of Record</i> |
| 11/22/2010 |  Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/20/2010 Motion to Withdraw As Counsel <i>Shumway Van & Hansen's Motion to Withdraw as Attorney of Record</i> Granted; Shumway, Van & Hansen, CHTD's Motion To Withdraw As Attorney Of Record for HA Fabricators, Inc. <i>Granted</i> |
| 11/30/2010 | |





DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| |  Notice of Entry of Order Filed By: Other HA Fabricators Inc <i>Notice of Entry of Order Granting Shumway Van & Hansen's Motion to Withdraw as Attorney of Record</i> |
| 12/09/2010 |  Status Conference (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Scheduling</i> Matter Heard; <i>Matter Heard</i> |
| 12/13/2010 |  Order Granting Motion Filed By: Defendant Scott Financial Corporation <i>Order Granting Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has been Resolved</i> |
| 12/14/2010 |  Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Order Granting Scott Financial Corporaiton's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue Has Been Resolved</i> |
| 01/04/2011 |  Order <i>Order Granting Motion to Withdraw as Attorney of Record</i> |
| 02/02/2011 |  Notice of Compliance Party: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Third Notice of Compliance</i> |
| 02/02/2011 |  Notice of Compliance Party: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Fourth Notice of Compliance</i> |
| 03/18/2011 |  Change of Address Filed By: Counter Defendant Masonry Group Nevada Inc <i>Notice of Change of Address Effective April 11, 2011</i> |
| 04/23/2011 |  Stipulation and Order Filed by: Intervenor Insulpro Projects Inc <i>Stipulation and Order to Set Aside Lien Expungement of Insulpro Projects, Inc., d/b/a Sacramento Insulation Contractors, Inc., for NON-Appearance</i> |
| 04/27/2011 |  Notice of Entry of Stipulation and Order Filed By: Intervenor Insulpro Projects Inc <i>Notice of Entry of Stipulation and Order to Set Aside Lien Expungement of Insulpro Projects, Inc. D/b/a Sacramento Insulation Contractors, Inc., for Non-Appearance</i> |
| 05/11/2011 |  Substitution of Attorney Filed by: Other Wiss, Janney, Elstner Associates, Inc. <i>Substitution of Attorneys</i> |
| 05/16/2011 |  Substitution of Attorney Filed by: Other Wiss, Janney, Elstner Associates, Inc. <i>Substitution of Attorney</i> |
| 06/24/2011 | Case Reassigned to Department 29 <i>Case reassigned from Judge Kathleen E. Delaney</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/29/2011 |  Notice of Change of Firm Name Filed By: Intervenor Insulpro Projects Inc <i>Notice of Change of Firm Name</i> |
| 08/29/2011 |  Substitution of Attorney <i>Substitution of Attorney</i> |
| 09/12/2011 |  Notice of Dismissal Filed By: Other Graybar Electric Company <i>Notice of Dismissal</i> |
| 09/12/2011 |  Release of Lis Pendens Filed By: Other Graybar Electric Company <i>Release of Lis Pendens</i> |
| 09/12/2011 | Dismissal Pursuant to NRCP 41 (Judicial Officer: Scann, Susan) Debtors: Gemstone Development West Inc (Intervenor Defendant, Defendant) Creditors: Graybar Electric Company (Other) Judgment: 09/12/2011, Docketed: 09/26/2011 |
| 11/04/2011 |  Certificate of Electronic Service Filed By: Plaintiff Apco Construction <i>Certificate of Service of APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/04/2011 |  Ex Parte Order Filed By: Plaintiff Apco Construction <i>Ex Parte Application for Order Shortening Time on APCO Construction's Renewed Motion to Consolidate Case No. A579963</i> |
| 11/04/2011 |  Motion for Order Filed By: Plaintiff Apco Construction <i>APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/07/2011 |  Notice of Non Opposition Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Notice of Non-Opposition to Apco's Motion for Issuance of an Order on Priority on an Order Shortening Time</i> |
| 11/07/2011 |  Joinder Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass, LLC's Joinder in Apco's Renewed Motion to Consolidate Case No. A579963</i> |
| 11/07/2011 |  Joinder To Motion Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass, LLC's Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/07/2011 |  Joinder Filed By: Other The Masonry Group Nevada, Inc. <i>The Masonry Group Nevada, Inc.'s Joinder to APCO's Renewed Motion to Consolidate Case No. A579963</i> |

DISTRICT COURT
CASE SUMMARY
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| 11/07/2011 |  Joinder Filed By: Counter Defendant Masonry Group Nevada Inc <i>The Masonry Group Nevada, Inc.'s Joinder to APCO's Motion for Issuance of Order on Priority</i> |
| 11/07/2011 |  Joinder Filed By: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Joinder in APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/07/2011 |  Joinder Filed By: Other Wiss, Janney, Elstner Associates, Inc. <i>Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Motion For Issuance Of AN Order On Priority On Order Shortening Time</i> |
| 11/07/2011 |  Joinder Filed By: Other Wiss, Janney, Elstner Associates, Inc. <i>Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Renewed Motion To Consolidate Case No. A579963</i> |
| 11/07/2011 |  Motion to Consolidate Filed By: Plaintiff Apco Construction <i>APCO Construction's Renewed Motion to Consolidate Case No. A579963</i> |
| 11/07/2011 |  Joinder To Motion Filed By: Intervenor Defendant Gemstone Development West Inc <i>Hydropressure Cleaning, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/07/2011 |  Joinder To Motion Filed By: Intervenor Custom Select Billing Inc <i>Custom Select Billing, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/07/2011 |  Joinder To Motion Filed By: Counter Defendant Buchele Inc <i>Joinder to APCO's Renewed Motion to Consolidate Case No. A579963</i> |
| 11/07/2011 |  Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Opposition to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/07/2011 |  Joinder To Motion Filed By: Intervenor Tri-City Drywall Inc <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/07/2011 |  Joinder To Motion Filed By: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc.'s Joinder in Support of Plaintiff APCO Construction Inc.'s Motion for an Order of Priority on Order Shortening Time</i> |
| 11/07/2011 |  Joinder To Motion |







DISTRICT COURT
CASE SUMMARY
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| | Filed By: Interpleader Hydropressure Cleaning Inc <i>Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963</i> |
| 11/07/2011 |  Joinder To Motion Filed By: Intervenor Custom Select Billing Inc <i>Custom Select Billing, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963</i> |
| 11/08/2011 |  Joinder to Opposition to Motion Filed by: Defendant Scott Financial Corporation <i>Joinder to Scott Financial Corporation and Bradley J. Scott's Opposition to APCO Construction's Motion to Consolidate Case No. A579963</i> |
| 11/08/2011 |  Joinder Filed By: Counter Defendant Uintah Investments LLC <i>Uintah Investments, LLC dba Sierra Reinforcing's Joinder to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/08/2011 |  Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Construction, Inc.'s Joinder to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/08/2011 |  Joinder Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Joinder To Apco's Motion For Issuance Of An Order On Priority On Order Shortening Time</i> |
| 11/08/2011 |  Joinder To Motion Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation, EZA, P.c. dba OZ Architecture of Nevada, and Patent Construction Systems, a Division of Harsco Corporatio's Joinder to Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/08/2011 |  Opposition Filed By: Defendant Scott Financial Corporation <i>Opposition To APCO Construction's Renewed Motion To Consolidate Case No. A579963</i> |
| 11/08/2011 |  Joinder To Motion Filed By: Counter Defendant Selectbuild Nevada Inc <i>SelectBuild Nevada, Inc.'s Joinder to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortening Time</i> |
| 11/09/2011 | Motion (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; Decision Made; Matter Continued; Decision Made; <i>Matter Continued</i> |
| 11/09/2011 | Motion to Consolidate (9:00 AM) (Judicial Officer: Scann, Susan) Events: 11/07/2011 Motion to Consolidate <i>APCO construction's Renewed Motion to consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i> |







DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 11/09/2011 | <p>Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 Events: 11/07/2011 Joinder To Motion <i>Hydropressure Cleaning, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i></p> |
| 11/09/2011 | <p>Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Custom Select Billing, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i></p> |
| 11/09/2011 | <p>Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i></p> |
| 11/09/2011 | <p>Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc.'s Joinder in Support of Plaintiff APCO Construction Inc.'s Motion for an Order of Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i></p> |
| 11/09/2011 | <p>Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Arch Aluminum and Glass, LLC's Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i></p> |
| 11/09/2011 | <p>Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>The Masonry Group Nevada, Inc.'s Joinder to APCO's Motion for Issuance of Order on Priority</i> Matter Continued; <i>Matter Continued</i></p> |
| 11/09/2011 | <p>Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Joinder to APCO's Renewed Motion to Consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i></p> |
| 11/09/2011 | <p>Joinder (9:00 AM) (Judicial Officer: Scann, Susan) Events: 11/07/2011 Joinder To Motion <i>Custom Select Billing, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i></p> |
| 11/09/2011 | <p>Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i></p> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 11/09/2011 | Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Arch Aluminum and Glass, LLC's Joinder in Apco's Renewed Motion to Consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i> |
| 11/09/2011 | Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Insulpro Projects, Inc.'s Joinder in APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i> |
| 11/09/2011 | Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>The Masonry Group Nevada, Inc.'s Joinder to APCO's Renewed Motion to Consolidated</i> Granted in Part; <i>Granted in Part</i> |
| 11/09/2011 |  All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i> |
| 11/09/2011 | Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Motion For Issuance Of AN Order On Priority On Order Shortening Time</i> |
| 11/09/2011 | Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Wiss Janney Elstner Associates, Inc.'s Joinder in APCO's Renewed Motion to Consolidate Case No. A579963</i> |
| 11/11/2011 |  Substitution of Attorney Filed by: Intervenor Defendant Club Vista Financial Services LLC <i>Substitution of Counsel</i> |
| 11/11/2011 |  Application for Default Judgment Party: Intervenor Plaintiff Ahern Rental Inc <i>Application for Judgment by Default Against Defendant Selina Cicneros</i> |
| 11/14/2011 |  Memorandum of Costs and Disbursements Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Memorandum of Costs and Disbursements</i> |
| 11/15/2011 | Motion for Summary Judgment (10:00 AM) (Judicial Officer: Scann, Susan) <i>ZITTING BROTHERS CONSTRUCTION, INC'S MOTION FOR SUMMARY JUDGMENT</i> |
| 11/15/2011 |  All Pending Motions (10:00 AM) (Judicial Officer: Scann, Susan) <i>11/15/11</i> Matter Heard; <i>Matter Heard</i> |
| 11/21/2011 |  Order Granting Motion Filed By: Plaintiff Apco Construction <i>Order Granting APCO Construction s Renewed Motion to Consolidate Case No A579963, In Part</i> |
| 11/21/2011 |  Findings of Fact, Conclusions of Law and Order |

DISTRICT COURT
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| | Filed By: Plaintiff Apco Construction <i>Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority</i> |
| 11/22/2011 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Granting APCO Construction's Renewed Motion to Consolidate Case No. A579963, In Part</i> |
| 11/22/2011 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority</i> |
| 12/01/2011 |  Mandatory Rule 16 Conference (9:30 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i> |
| 12/12/2011 |  Motion to Reconsider Filed By: Defendant Scott Financial Corporation <i>Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing</i> |
| 12/13/2011 |  Joinder To Motion Filed By: Defendant Scott Financial Corporation <i>Brad J. Scott's Joinder To Scott Financial Corporation's Motion For Reconsideration Or In The Alternative, Motion For Re-Hearing</i> |
| 12/14/2011 |  Change of Address Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Notice of Change of Address and Firm Affiliation</i> |
| 12/14/2011 |  Consent to Service By Electronic Means Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco Pacific Construction Co., Inc.'s Consent to Service by Electronic Means</i> |
| 12/15/2011 |  Notice of Hearing Filed By: Defendant Scott Financial Corporation <i>Notice of Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing</i> |
| 12/16/2011 |  Answer Filed By: Intervenor Defendant Edelstein, Alex <i>Defendant Alexander Edelstein's Answer to Ready Mix Inc.'s First Amended Complaint</i> |
| 12/19/2011 |  Initial Appearance Fee Disclosure Filed By: Intervenor Defendant Edelstein, Alex <i>Initial Appearance Fee Disclosure</i> |
| 12/21/2011 |  Order |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Plaintiff Apco Construction
Order Lifting Stay of any Further Activity in this Case

12/21/2011



Case Management Order

Filed By: Plaintiff Apco Construction
Second Amended Case Agenda Dates and Deadlines

12/23/2011



Stipulation and Order

Filed by: Intervenor Defendant Edelstein, Alex
Stipulation and Order for Dismissal with Prejudice

12/23/2011

Order of Dismissal With Prejudice (Judicial Officer: Scann, Susan)
Debtors: HD Supply Construction Supply LP (Other)
Creditors: Alexander Edelstein (Defendant), Alex Edelstein (Intervenor Defendant)
Judgment: 12/23/2011, Docketed: 01/05/2012

12/27/2011



Notice of Entry

Filed By: Intervenor Defendant Edelstein, Alex
Notice of Entry of Stipulation and Order for Dismissal with Prejudice

12/27/2011



Notice of Entry of Order

Filed By: Plaintiff Apco Construction
Notice of Entry of Order Lifting Stay of any Further Activity in this Case

12/30/2011



Opposition to Motion

Filed By: Plaintiff Apco Construction
APCO Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing

01/03/2012



Joinder to Opposition to Motion

Filed by: Intervenor Steel Structures Inc
Steel Structures, Inc.'s and Nevada Prefab Engineers, Inc.'s Joinder to Opposition Filed by APCO Construction in Response to Motion for Reconsideration Filed by Scott Financial Corporation

01/03/2012



Opposition

Filed By: Intervenor Insulpro Projects Inc
Opposition to Defendant Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative Motion for Rehearing

01/04/2012



Joinder

Filed By: Intervenor Granite Construction Company
Granite Construction Company's Joinder to Apco's Opposition to Scott Financial Corporation's Motion for Reconsideration










01/04/2012



Joinder

Filed By: Counter Defendant Zitting Brothers Construction Inc
Plaintiff Zitting Brothers Construction, Inc.'s Joinder to APCO Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for Rehearing

DISTRICT COURT
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| 01/04/2012 |  Joinder To Motion Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco Construction's Opposition to Motion for Reconsideration of Findings of Facts, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-hearing</i> |
| 01/04/2012 |  Joinder To Motion Filed By: Intervenor Plaintiff Tri-City Drywall Inc <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco Construction's Opposition to Motion for Reconsideration of Findings of Facts, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-hearing</i> |
| 01/04/2012 |  Joinder to Opposition to Motion Filed by: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc.'s Joinder in Support of Plaintiff Apco Construction, Inc.'s Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Lien Property and Denying Scott Financial Corporation's Motion for Priority or in the Alternative Motion for Hearing</i> |
| 01/04/2012 |  Joinder Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Joinder To APCO's Opposition To Scott Financial Corporation's Motion For Reconsideration</i> |
| 01/04/2012 |  Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Las Vegas Pipeline's Joinder in APCO Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for Rehearing</i> |
| 01/05/2012 |  Joinder Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation, EZA, P.C. dba OZ Architecture of Nevada and Patent Construction Systems, a Division of Harsco Corporation's Joinder to APCO Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority of in the Alternative, Motion for Rehearing</i> |
| 01/05/2012 |  Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Joinder to APCO's Opposition to Scott Financial Corporation's Motion for Reconsideration</i> |
| 01/06/2012 |  Substitution of Attorney Filed by: Counter Defendant Selectbuild Nevada Inc <i>Substitution of Counsel</i> |
| 01/06/2012 |  Joinder Filed By: Other Wiss, Janney, Elstner Associates, Inc. <i>Wiss Janney Elstner Assocites, Inc.'s Joinder To APCO Construction's Opposition To Motion For Reconsideration Of Findings Of Fact, Conclusions Of Law And Order</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Granting APCO Construction's Motion For Summary Judgment On Priority; And Denying Scott Financial Corporation's Motion For Priority Or, In The Alternative, Motion For Rehearing

01/06/2012



Joinder to Opposition to Motion

Filed by: Plaintiff Apco Construction

APCO Construction's Joinder to Insulpro Projects, Inc.'s Opposition to Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing

01/06/2012



Joinder to Opposition to Motion

Filed by: Intervenor Custom Select Billing Inc

Custom Select Billing, Inc.'s Joinder to APCO Construction's and Insulpro Projects, Inc.'s Oppositions to Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing

01/06/2012



Joinder to Opposition to Motion

Filed by: Interpleader Hydropressure Cleaning Inc

Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's and Insulpro Projects, Inc.'s Oppositions to Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing

01/09/2012



Joinder to Opposition to Motion

Filed by: Counter Defendant Uintah Investments LLC

Uintah Investments, LLC, dba Sierra Reinforcing's Joinder to APCO Construction, Inc.'s Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construcion, Inc.'s Motion for Summary Judgment on Lien Priority adn Denying Scott Financial Corporation's Motion for Priority or in the Alternative Motion for Hearing

01/09/2012



Joinder

Filed By: Other The Masonry Group Nevada, Inc.

The Masonry Group Nevada, Inc.'s Joinder to Apco Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary judgment on Priority; and Denying Scott Financial Corporation's Motino for Priority or in the Alternative, Motion for a Re-Hearing

01/10/2012



Joinder

Filed By: Counter Defendant Zitting Brothers Construction Inc

Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.s Opposition to Defendant Scott Financial Corporation's Motion for Reonisderation of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for Re-Hearing

01/11/2012



Joinder to Opposition to Motion

Filed by: Intervenor Plaintiff Arch Aluminum And Glass Co

Arch Aluminum and Glass, LLC's Joinder in APCO's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Rehearing










01/11/2012



Substitution of Attorney












DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed by: Counter Defendant Bank of Oklahoma NA
Notice of Substitution of Attorneys for Plaintiff/Counter-Defendant United Subcontractors, Inc. dba Skyline Insulation

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| 01/11/2012 |  Status Check (10:00 AM) (Judicial Officer: Scann, Susan) 01/11/2012, 02/15/2012 <i>STATUS CHECK: PARTIES WITH MATTERS UNDER SUBMISSION</i> Matter Continued; Matter Heard; Matter Continued; Matter Heard; <i>Matter Continued</i> |
| 01/12/2012 |  Motion to Dismiss Filed By: Intervenor Defendant Edelstein, Alex <i>Defendant Alexander Edelstein's Motion to Dismiss</i> |
| 01/12/2012 |  Reply to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporaiton's Reply in Support of Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing</i> |
| 01/12/2012 |  Joinder to Opposition to Motion Filed by: Intervenor E & E Fire Protectiong LLC <i>E&E Fire Protection, LLC, Noorda Sheet Metal Company, The Pressure Grout Company and Professional Doors and Millworks, LLC's Notice of Joinder in Apco Construction's and Insulpro Projects, Inc.'s Respective Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-hearing</i> |
| 01/12/2012 |  Statement Filed by: Plaintiff Apco Construction <i>United Subcontractors, Inc. dba Skyline Insulation's Statement of Claims</i> |
| 01/13/2012 |  Statement Filed by: Counter Defendant Ready Mix Inc <i>Ready Mix, Inc.'s Statement Of Claim</i> |
| 01/13/2012 |  Joinder to Opposition to Motion Filed by: Counter Defendant Selectbuild Nevada Inc <i>Selectbuild Nevada, Inc.'s Joinder to Apco Construction and Insulpro Projects, Inc.'s Oppositions to Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and order Granting Apco Construction's Motion for Summary Judgment on Priority and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for Rehearing</i> |
| 01/18/2012 |  Statement Filed by: Counter Claimant Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Statement of Claim</i> |
| 01/19/2012 |  Notice of Hearing Filed By: Defendant Scott Financial Corporation <i>Notice of Hearing on Motion For Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment and Denying Scott Financial Corporaiton's Motion for Priority or in the Aleternative, Motion</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

for a Re-Hearing

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| 01/25/2012 | Motion For Reconsideration (9:00 AM) (Judicial Officer: Scann, Susan) Events: 12/12/2011 Motion to Reconsider <i>Defendant's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing</i> |
| 01/25/2012 | Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Brad J. Scott's Joinder To Scott Financial Corporation's Motion For Reconsideration Or In The Alternative, Motion For Re-Hearing</i> |
| 01/25/2012 |  All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i> |
| 01/31/2012 |  Notice Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Notice of Name Change</i> |
| 01/31/2012 |  Affidavit Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Affidavit of Attorneys Fees</i> |
| 01/31/2012 |  Memorandum of Costs and Disbursements Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Memorandum of Costs and Disbursements</i> |
| 02/01/2012 |  Hearing (9:00 AM) (Judicial Officer: Scann, Susan) <i>HEARING: COURT'S DECISION</i> Decision Made; <i>Decision Made</i> |
| 02/01/2012 |  Certificate of Service Filed by: Intervenor Defendant Edelstein, Alex <i>Certificate of Service</i> |
| 02/01/2012 |  Certificate of Service Filed by: Intervenor Defendant Edelstein, Alex <i>Certificate of Service</i> |
| 02/06/2012 |  Motion for Partial Summary Judgment Filed By: Intervenor Steel Structures Inc <i>Steel Structures, Inc.'s Motion for Partial Summary Judgment</i> |
| 02/06/2012 |  Motion for Partial Summary Judgment Filed By: Intervenor Nevada Prefab Engineers Inc <i>Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment</i> |
| 02/14/2012 |  Business Court Order <i>Amended Business Court Scheduling Order Re-Setting Civil Jury Trial, Pre-Trial Conference And Calendar Call</i> |
| 02/14/2012 |  Substitution of Attorney |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| | Filed by: Counter Defendant Fast Glass Inc <i>Substitution of Counsel</i> |
| 02/14/2012 |  Transcript of Proceedings Party: Plaintiff Apco Construction <i>Transcript of Proceedings: Motions</i> |
| 02/15/2012 |  Supplement Filed by: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i> |
| 02/17/2012 |  Motion to Intervene Party: Intervenor National Wood Products, Inc.'s <i>National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof</i> |
| 02/17/2012 |  Declaration Filed By: Intervenor National Wood Products, Inc.'s <i>Declaration of S Judy Hirahara in Support of National Wood Products Incs Motion to Intervene Filed Concurrently herewith</i> |
| 02/28/2012 |  Affidavit in Support Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Supplemental Affidavit of Matthew W. Treu in Support of Plaintiff Ahern Rental, Inc.'s Claim for Attorney's Fees</i> |
| 03/05/2012 |  Order Shortening Time Filed By: Plaintiff Apco Construction <i>APCO's Objection to and Motion to Strike Scott Financial's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 25, 2012, and Request for Order Shortening Time</i> |
| 03/06/2012 |  Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to APCO's Objection and Motion to Strike Scott's Supplement to Motion for Summary Judgment on Order Shortening Time</i> |
| 03/06/2012 |  Joinder Filed By: Intervenor Steel Structures Inc <i>Joinder to APCO's Objection and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time</i> |
| 03/06/2012 |  Opposition to Motion to Dismiss Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Limited Opposition to Alexander Edelstein's Motion to Dismiss</i> |
| 03/06/2012 |  Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to APCO Construction's Objection to and Motion to Strike Scott Financial's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time</i> |
| 03/06/2012 |  Certificate of Mailing Filed By: Intervenor National Wood Products, Inc.'s |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Certificate of Mailing Declaration of S Judy Hirahara in Support of National Wood Products Inc's Motion to Intervene filed Concurrently herewith

03/06/2012



Certificate of Mailing

Filed By: Intervenor National Wood Products, Inc.'s
Certificate of Mailing National Wood Products Inc's Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof

03/06/2012



Joinder

Filed By: Counter Defendant Interstate Plumbing & Air Conditioning
Joinder to APCO's Objection to and Motion to Strike Scott Financial's Supplement to Motion for Summary Judgment as to Priority of Liens, filed February 15, 2012, and Request for Order Shortening Time

03/06/2012



Joinder

Filed By: Intervenor Granite Construction Company
Granite Construction Company's Joinder to APCO's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time

03/07/2012

Motion to Dismiss (9:00 AM) (Judicial Officer: Scann, Susan)

Defendant Alexander Edelstein's Motion to Dismiss
Granted Without Prejudice;
Granted Without Prejudice

03/07/2012

Objection (9:00 AM) (Judicial Officer: Scann, Susan)

APCO's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time
Denied;
Denied

03/07/2012

Joinder (9:00 AM) (Judicial Officer: Scann, Susan)

Joinder to APCO's Objection to and Motion to Strike Scott Financial's Supplement to Motion for Summary Judgment as to Priority of Liens, filed February 15, 2012, and Request for Order Shortening Time
Denied;
Denied

03/07/2012

Joinder (9:00 AM) (Judicial Officer: Scann, Susan)

Granite Construction Company's Joinder to APCO's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time
Denied;
Denied

03/07/2012



All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan)

Matter Heard;
Matter Heard

03/07/2012



Order Granting Motion

Filed By: Intervenor Defendant Edelstein, Alex
Order Granting Defendant Alexander Edelstein's Motion to Dismiss

03/07/2012







Joinder

Filed By: Intervenor Plaintiff Harsco Corporation
Harsco Corporation, EZA, P.C. dba OZ Architecture of Nevada, and Patent Construction Systems, A Division of Harsco Corporation's Joinder to APCO's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228













to Priority of Liens, filed February 15, 2012

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| 03/07/2012 |  Notice of Entry Filed By: Intervenor Defendant Edelstein, Alex <i>Notice of Entry of Order Granting Defendant Alexander Edelstein's Motion to Dismiss</i> |
| 03/07/2012 | Order of Dismissal Without Prejudice (Judicial Officer: Scann, Susan) Debtors: Camco Pacific Construction Co Inc (Intervenor Plaintiff) Creditors: Alex Edelstein (Intervenor Defendant) Judgment: 03/07/2012, Docketed: 03/23/2012 |
| 03/14/2012 |  Notice of Rescheduling Filed By: Plaintiff Apco Construction <i>Rescheduling Hearing</i> |
| 03/14/2012 |  Amended Certificate of Service Party: Intervenor National Wood Products, Inc.'s <i>First Amended Certificate of Mailing National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof</i> |
| 03/14/2012 |  Amended Certificate of Service Party: Intervenor National Wood Products, Inc.'s <i>First Amended Certificate of Mailing Declaration of S Judy Hirahara in Support of National Wood Products Incs Motion to Intervene Filed Concurrently herewith</i> |
| 03/15/2012 |  Order Denying Filed By: Defendant Scott Financial Corporation <i>Order Denying APCO's Objection and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment on Order Shortening Time</i> |
| 03/15/2012 |  Opposition to Motion For Summary Judgment Filed By: Plaintiff Apco Construction <i>APCO's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Lien</i> |
| 03/16/2012 |  Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Order Denying APCO's Objection and Motion to Strike Scott Financial Corporaiton's Supplement to Motion for Summary Judgment on Order Shortening Time</i> |
| 03/16/2012 |  Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Las Vegas Pipeline's Joinder in Apco's Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i> |
| 03/16/2012 |  Notice of Compliance Party: Plaintiff Apco Construction <i>United Subcontractors, Inc. dba Skyline Insulation's Notice of Compliance Regarding Document Production</i> |
| 03/19/2012 |  Joinder Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Joinder to Apco's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i> |
| 03/19/2012 |  Reply in Support |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228











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| | Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Reply in Support of Supplement To Motion for Summary Judgment as to Priority of Liens</i> |
| 03/19/2012 |  Joinder to Opposition to Motion Filed by: Counter Defendant Uintah Investments LLC <i>Uintah Investments, LLC, dba Sierra Reinforcing's Joinder in APCO Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i> |
| 03/20/2012 |  Joinder to Opposition to Motion Filed by: Interpleader Hydropressure Cleaning Inc <i>Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Lien</i> |
| 03/20/2012 |  Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to APCO Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i> |
| 03/20/2012 |  Joinder to Opposition to Motion Filed by: Counter Defendant Selectbuild Nevada Inc <i>SelectBuild Nevada, Inc.'s Joinder to Apco Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i> |
| 03/20/2012 |  Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Trulite Glass & Aluminum Solutions, LLC, f/k/a Arch Aluminum & Glass Co., LLC's Joinder in Apco's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment As To Priority of Liens</i> |
| 03/20/2012 |  Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete, Inc.'s Joinder to Apco's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i> |
| 03/20/2012 |  Joinder to Opposition to Motion Filed by: Intervenor Tri-City Drywall Inc <i>Tri-City Drywall, Inc.'s Joinder to Apco's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i> |
| 03/21/2012 | Hearing (10:00 AM) (Judicial Officer: Scann, Susan) <i>HEARING: ARGUMENT - MOTION FOR SUMMARY JUDGMENT</i> Continued for Chambers Decision; <i>Continued for Chambers Decision</i> |
| 03/21/2012 | Motion for Partial Summary Judgment (10:00 AM) (Judicial Officer: Scann, Susan) <i>Steel Structures, Inc.'s Motion for Partial Summary Judgment</i> Granted; <i>Granted</i> |
| 03/21/2012 | Motion for Partial Summary Judgment (10:00 AM) (Judicial Officer: Scann, Susan) <i>Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment</i> Granted; <i>Granted</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228













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| 03/21/2012 |  All Pending Motions (10:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i> |
| 03/22/2012 |  Motion to Intervene (3:00 AM) (Judicial Officer: Scann, Susan) <i>National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof</i> Granted; <i>Granted</i> |
| 03/27/2012 |  Motion to Withdraw As Counsel Filed By: Counter Defendant Atlas Construction Supply Inc <i>Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening Time</i> |
| 03/29/2012 |  Errata Filed By: Counter Defendant Atlas Construction Supply Inc <i>Errata to Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening Time</i> |
| 03/30/2012 |  Notice of Entry of Order Filed By: Intervenor Nevada Prefab Engineers Inc <i>Notice of Entry of Order</i> |
| 03/30/2012 |  Notice of Entry of Order Filed By: Intervenor Steel Structures Inc <i>Notice of Entry of Order</i> |
| 03/30/2012 |  Notice of Hearing <i>Notice of Hearing</i> |
| 03/30/2012 |  Findings of Fact, Conclusions of Law and Order Filed By: Intervenor Nevada Prefab Engineers Inc <i>Findings of Fact, Conclusions of Law and Order Granting Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment</i> |
| 03/30/2012 |  Findings of Fact, Conclusions of Law and Order Filed By: Intervenor Steel Structures Inc <i>Findings of Fact, Conclusions of Law and Order Granting Steel Structure, Inc.'s Motion for Partial Summary Judgment</i> |
| 04/04/2012 |  Decision (11:00 AM) (Judicial Officer: Scann, Susan) <i>Court's Decision</i> Decision Made; <i>Decision Made</i> |
| 04/05/2012 |  Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>Craig S. Newman, Esq.'s Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening Time</i> Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i> |
| 04/12/2012 |  Order Granting Motion Filed By: Counter Defendant Atlas Construction Supply Inc <i>Order Granting Motion to Withdraw as Attorney of Record for Atlas Construction Supply,</i> |

DISTRICT COURT
CASE SUMMARY
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Inc.

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| 04/12/2012 |  Order Granting Motion Filed By: Intervenor National Wood Products, Inc.'s <i>Order Granting National Wood Products Inc's Motion to Intervene</i> |
| 04/16/2012 |  Recorders Transcript of Hearing Party: Plaintiff Apco Construction <i>Recorder's Transcript Re: Court's Decision</i> |
| 04/16/2012 |  Notice of Entry of Order Filed By: Counter Defendant Atlas Construction Supply Inc <i>Notice of Entry of Order Granting Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc.</i> |
| 04/16/2012 |  Attorney Lien Filed By: Counter Defendant Atlas Construction Supply Inc <i>Fennemore Craig, P.C's Notice of Attorney's Lien</i> |
| 04/18/2012 | CANCELED Motion for Default Judgment (10:00 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> |
| 04/23/2012 |  Transcript of Proceedings <i>Transcript Re: Defendant Alexander Edelstein's Motion to Dismiss; Apco's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens Filed February 15, 2012 and Request for Order Shortening Time</i> |
| 04/23/2012 |  Transcript of Proceedings <i>Transcript Re: Hearing: Argument -- Motion for Summary Judgment; Nevada Prefab Engineers' Motion for Partial Summary Judgment; Steel Structures, Inc's Motion for Partial Summary Judgment</i> |
| 05/04/2012 |  Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order Granting National Wood Products, Inc.'s Motion to Intervene</i> |
| 05/04/2012 |  Certificate of Mailing Filed By: Intervenor National Wood Products, Inc.'s <i>Certificate of Mailing</i> |
| 05/07/2012 |  Decision Filed By: Defendant Scott Financial Corporation <i>Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens</i> |
| 05/07/2012 |  Notice of Entry of Decision and Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens</i> |
| 05/07/2012 | Partial Summary Judgment (Judicial Officer: Scann, Susan) Debtors: Apco Construction (Plaintiff) Creditors: Scott Financial Corporation (Defendant) Judgment: 05/07/2012, Docketed: 05/18/2012 |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228












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| 05/09/2012 |  Status Check: Status of Case (10:00 AM) (Judicial Officer: Scann, Susan) <i>Status Check: Status of Case</i> Matter Continued; On in error. <i>Matter Continued</i> |
| 05/29/2012 |  Motion Filed By: Defendant Scott Financial Corporation <i>Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Further Court Order, And For Posting Of Bond On Order Shortening Time</i> |
| 05/30/2012 |  Judgment By Default <i>A571228</i> |
| 05/31/2012 |  Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt Of Copy</i> |
| 05/31/2012 |  Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt Of Copy</i> |
| 05/31/2012 |  Certificate of Service Filed by: Defendant Scott Financial Corporation <i>Certificate Of Service</i> |
| 05/31/2012 |  Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt Of Copy</i> |
| 06/01/2012 |  Opposition to Motion Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending further Court Order, and for Posting of Bond on Order Shortening Time</i> |
| 06/01/2012 |  Certificate of Service Filed by: Defendant Scott Financial Corporation <i>Certificate Of Service</i> |
| 06/01/2012 |  Order Shortening Time <i>Supplement Affidavit in Support of Application for Order Shortening Time</i> |
| 06/04/2012 |  Joinder to Opposition to Motion Filed by: Intervenor Steel Structures Inc <i>Joinder to Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed With Deposit of Funds Pending Further Court Order, and For Posting of Bond on Order Shortening Time</i> |
| 06/05/2012 |  Joinder to Opposition to Motion Filed by: Intervenor Tri-City Drywall Inc <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Lien Claimants' Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed With Deposit of Funds Pending Further Court Order, and for Posting of Bond on Order Shortening Time</i> |

DISTRICT COURT
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| 06/05/2012 |  Joinder to Opposition to Motion Filed by: Interpleader Hydropressure Cleaning Inc <i>Hydropressure Cleaning, Inc.'s Joinder to PB Lien Claimants' Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order, and for Posting of Bond on Order Shortening Time</i> |
| 06/06/2012 |  Motion (9:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Scott Financial Corp.'s Motion to Lift Stay, Allow Sale to Proceed with deposit of Funds Pending Further Court Order, and for Posting of Bond on Order Shortening Time</i> Per JEA and OST. Hearing Set; <i>Hearing Set</i> |
| 06/11/2012 |  Joinder to Opposition to Motion Filed by: Counter Defendant Selectbuild Nevada Inc <i>SelectBuild Nevada, Inc.'s Joinder to PB Lien Claimants' Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order, and for Posting of Bond on Order Shortening Time</i> |
| 06/26/2012 |  Transcript of Proceedings <i>Transcript Re: Hearing</i> |
| 06/26/2012 |  Order Granting Motion Filed By: Plaintiff Apco Construction <i>Order Granting Scott Financial Corporation's Motion to Reconsider</i> |
| 06/27/2012 |  Reply in Support Filed By: Defendant Scott Financial Corporation <i>Reply In Support Of Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Further Court Order, And For Posting Of Bond On Order Shortening Time</i> |
| 06/27/2012 |  Appendix Filed By: Defendant Scott Financial Corporation <i>Appendix Of Exhibits To Reply In Support Of Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Further Court Order, And For Posting Of Bond On Order Shortening Time</i> |
| 06/27/2012 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Granting Scott Financial Corporation's Motion to Reconsider</i> |
| 06/29/2012 |  Joinder To Motion Filed By: Counter Claimant Club Vista Financial Sevices LLC <i>Tharaldson Defendants' Joinder to Scott Financial Corporation's Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order, and for the Posting of Bond on Order Shortening Time</i> |
| 07/02/2012 |  Objection Filed By: Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Evidentiary Objection to Presentation of Evidence from Representative of Clark County Department of Development Services</i> |
| 07/02/2012 |  Evidentiary Hearing (9:30 AM) (Judicial Officer: Scann, Susan) 07/02/2012, 07/09/2012-07/10/2012 <i>Evidentiary Hearing</i> |

DISTRICT COURT
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Matter Heard;
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| 07/03/2012 |  Notice of Lis Pendens Filed by: Counter Defendant WRG Design Inc <i>WRG Design, Inc.'s Second Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Compliance Solutions LLC's Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Interstate Plumbing and Air Conditioning's Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada, LLC's Second Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Counter Defendant Heinaman Contract Glazing <i>Heinaman Contract Glazing's Second Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Consolidated Case Party HD Supply Waterworks LP <i>HD Supply Waterworks LP's Second Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Counter Defendant Fast Glass Inc <i>Fast Glass Inc.'s Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Intervenor Plaintiff Cactus Rose Construction Inc <i>Cactus Rose Construction's Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Counter Defendant Bruin Painting Corporation <i>Bruin Painting Corp.'s Second Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Counter Defendant Buchele Inc <i>Buchele Inc.'s Amended Notice of Lis Pendens</i> |
| 07/03/2012 |  Notice of Lis Pendens Filed by: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Accuracy Glass & Mirror Co. Inc.'s Second Amended Notice of Lis Pendens</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228







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| 07/03/2012 | CANCELED Evidentiary Hearing (1:00 PM) (Judicial Officer: Scann, Susan) <i>Vacated - per Clerk</i> |
| 07/05/2012 |  NRCP 16.1 Disclosure Statement Filed By: Plaintiff Apco Construction <i>NRAP 26.1(A) Disclosure</i> |
| 07/10/2012 | CANCELED Evidentiary Hearing (2:00 PM) (Judicial Officer: Scann, Susan) <i>Vacated - On In Error</i> |
| 07/11/2012 |  Order to Show Cause Filed by: Plaintiff Apco Construction <i>Order to Show Cause re: Summary Determination of Lien Amounts; and the Possible Sale of the Property</i> |
| 07/12/2012 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>NOTICE OF ENTRY OF ORDER TO SHOW CAUSE RE: SUMMARY DETERMINATION OF LIEN AMOUNTS; and THE POSSIBLE SALE OF THE PROPERTY</i> |
| 07/18/2012 |  Show Cause Hearing (2:00 PM) (Judicial Officer: Scann, Susan) <i>Show Cause Hearing Re: Summary Determination of Lien Amounts; and the Possible Sale of the Property</i> Matter Heard; <i>Matter Heard</i> |
| 07/23/2012 |  Notice of Change of Address Filed By: Counter Defendant Uintah Investments LLC <i>Notice of Change of Address and Telephone Number</i> |
| 07/31/2012 |  Hearing (2:00 PM) (Judicial Officer: Scann, Susan) <i>Hearing Re: Sale of Property</i> Per Law Clerk. Matter Heard; <i>Matter Heard</i> |
| 08/09/2012 |  Order Filed By: Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corp; Counter Defendant Scott Financial Corporation; Counter Defendant Scott, Bradley J; Defendant Scott, Bradley J; Intervenor Defendant Scott Financial Corporation <i>Order Granting In Part And Denying In Part Scott Financial Corporation's Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Further Court Order, And For Posting Of Bond On Order Shortening Time</i> |
| 08/10/2012 |  Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice Of Entry Of Order</i> |
| 08/16/2012 |  Status Check: Status of Case (3:00 PM) (Judicial Officer: Scann, Susan) <i>Status Check: Status of Case</i> Matter Heard; <i>Matter Heard</i> |
| 08/21/2012 |  Telephonic Conference (10:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Matter Heard










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| 08/29/2012 |  Substitution of Attorney Filed by: Other Wiss, Janney, Elstner Associates, Inc. <i>Substitution of Attorneys</i> |
| 08/29/2012 |  Order Filed By: Plaintiff Apco Construction <i>Order for Mediation</i> |
| 08/29/2012 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order for Mediation</i> |
| 09/04/2012 |  Receipt of Copy Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Receipt of Copy</i> |
| 09/26/2012 |  Telephonic Conference (2:00 PM) (Judicial Officer: Scann, Susan) MINUTES  Hearing (10/09/2012 at 1:30 PM) (Judicial Officer: Scann, Susan) 10/09/2012, 10/16/2012 <i>Re: Order</i> <i>Matter Continued</i> Matter Heard; <i>Matter Heard</i> SCHEDULED HEARINGS  Hearing (10/09/2012 at 1:30 PM) (Judicial Officer: Scann, Susan) 10/09/2012, 10/16/2012 <i>Re: Order</i> <i>Matter Continued</i> |
| 10/02/2012 |  Order Vacating Filed By: Plaintiff Apco Construction <i>Order Vacating the Auction Set for October 9, 2012; and Order to Show Cause re: Sale of the Property</i> |
| 10/04/2012 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Vacating the Auction Set for October 9, 2012; and Order to Show Cause re: Sale of the Property</i> |
| 10/09/2012 | CANCELED Hearing (1:30 PM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> HEARING: MANHATTAN WEST AUCTION SALE |
| 10/09/2012 |  Hearing (1:30 PM) (Judicial Officer: Scann, Susan) 10/09/2012, 10/16/2012 <i>Re: Order</i> Matter Continued; Matter Continued; Matter Continued; Matter Continued; <i>Matter Continued</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228














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| 10/16/2012 |  Change of Address Filed By: Other Wiss, Janney, Elstner Associates, Inc. <i>Notice of Change of Address</i> |
| 10/16/2012 |  Change of Address Filed By: Interpleader Hydropressure Cleaning Inc <i>Notice of Change of Address</i> |
| 10/16/2012 |  Change of Address Filed By: Plaintiff Apco Construction <i>Notice of Change of Address</i> |
| 10/17/2012 |  Consent to Service By Electronic Means Filed By: Intervenor National Wood Products, Inc.'s <i>Consent to Service By Electronic Means</i> |
| 10/23/2012 |  Status Check (1:30 PM) (Judicial Officer: Scann, Susan) 10/23/2012, 11/06/2012, 12/06/2012, 02/07/2013, 03/01/2013, 03/07/2013 <i>Status Check: Re: Sale of Property</i> Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Heard; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Heard; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Heard; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Heard; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Heard; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Heard; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Continued; Matter Heard; <i>Matter Continued</i> |
| 10/24/2012 |  Calendar Call (10:30 AM) (Judicial Officer: Scann, Susan) Matter Heard; |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Matter Heard

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| 10/25/2012 |  Motion to Withdraw As Counsel Filed By: Third Party Plaintiff Dave Peterson Framing Inc <i>Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.; Notice of Attorneys' Lien; Motion to Foreclose Attorneys' Lien and Reduce Lien to Judgment Against Dave Peterson Framing, Inc.</i> |
| 10/26/2012 |  Pre-trial Memorandum Filed by: Counter Defendant Ready Mix Inc <i>Ready Mix, Inc.'s Pre-Trial Memorandum</i> |
| 10/29/2012 |  Pre-trial Memorandum Filed by: Plaintiff Apco Construction <i>APCO Construction's Pre-Trial Memorandum for the Ready Mix, Inc. Trial</i> |
| 10/29/2012 | CANCELED Jury Trial (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated</i> |
| 10/30/2012 |  Pre-trial Memorandum Filed by: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Pre-Trial Memorandum</i> |
| 10/30/2012 |  Certificate of Service Filed by: Intervenor Dave Peterson Framing Inc <i>Certificate of Service of Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.; Notice of Attorneys' Lien; Motion to Foreclose Attorneys' Lien and Reduce Lien to Judgment Against Dave Peterson Framing, Inc.</i> |
| 10/30/2012 |  Bench Trial (1:30 PM) (Judicial Officer: Scann, Susan) <i>Bench Trial: Apco Construction and Ready Mix, Inc.</i> <i>Matter Heard;</i> <i>Matter Heard</i> |
| 11/05/2012 |  Stipulation and Order for Dismissal With Prejudice Filed By: Intervenor Granite Construction Company <i>Stipulation and Order to Dismiss With Prejudice</i> |
| 11/05/2012 | Order of Dismissal With Prejudice (Judicial Officer: Scann, Susan) Debtors: APCO Construction (Intervenor Defendant), APCO Construction (Intervenor Defendant) Creditors: Granite Construction Company (Intervenor) Judgment: 11/05/2012, Docketed: 11/15/2012 |
| 11/06/2012 |  Notice of Entry of Order Filed By: Intervenor Granite Construction Company <i>Notice of Entry of Order</i> |
| 11/29/2012 |  Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>T. James Truman, Esq.'s Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.; Notice of Attorneys' Lien; Motion to Foreclose Attorneys' Lien and Reduce Lien to Judgment Against Dave Peterson Framing, Inc.</i> Granted in Part; <i>Granted in Part</i> |
| 11/29/2012 |  Order |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| | <p>Filed By: Plaintiff Apco Construction <i>Order Staying the Case, Except for the Sale of the Property, Pending Resolution of the Writ Petition Before the Nevada Supreme Court</i></p> |
| 11/30/2012 | <p> Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Staying the Case, Except for the Sale of the Property, Pending Resolution of the Writ Petition Before the Nevada Supreme Court</i></p> |
| 12/14/2012 | <p> Stipulation and Order for Dismissal With Prejudice Filed By: Defendant Edelstein, Alexander <i>(A577623) Stipulation and Order for Dismissal with Prejudice as to Defendant Alexander Edelstein Only</i></p> |
| 12/17/2012 | <p> Notice of Entry of Stipulation and Order Filed By: Intervenor Defendant Edelstein, Alex <i>Notice of Entry of Stipulation and Order for Dismissal With Prejudice as to Defendant Alexander Edelstein Only</i></p> |
| 12/19/2012 | <p> Transcript of Proceedings <i>Transcript of Proceedings: Status Hearing, May 9, 2012</i></p> |
| 12/19/2012 | <p> Transcript of Proceedings <i>Transcript of Proceedings: Status Hearing, August 16, 2012</i></p> |
| 12/19/2012 | <p> Transcript of Proceedings <i>Transcript of Proceedings: Apco Construction's Order to Show Cause Re: Summary Determination of Lien Amounts; Possible Sale of the Property, October 9, 2012</i></p> |
| 12/19/2012 | <p> Transcript of Proceedings <i>Transcript of Proceedings: Hearing Re: Sale of Property, October 16, 2012</i></p> |
| 12/19/2012 | <p> Transcript of Proceedings <i>Transcript of Proceedings: Status Check Re: Sale of Property, November 6, 2012</i></p> |
| 12/19/2012 | <p> Transcript of Proceedings <i>Transcript of Proceedings: Status Check Re: Sale of Property, December 6, 2012</i></p> |
| 12/27/2012 | <p> Motion Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues</i></p> |
| 01/02/2013 | <p> Order Granting Filed By: Intervenor Dave Peterson Framing Inc <i>Order Granting in Part Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.</i></p> |
| 01/02/2013 | <p> Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Joinder to Motion to Set Hearing to Discuss Order Approving Private Sale Agreement and Related Issues</i></p> |
| 01/03/2013 | <p> Notice of Entry of Order Filed By: Defendant Nevada Construction Services</p> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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

01/03/2013



Request

Filed by: Intervenor Cell Crete Fireproofing Of NV Inc
Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada Inc's Request and Notice for CourtCall Telephonic Appearance

01/03/2013



Motion (1:30 PM) (Judicial Officer: Scann, Susan)

01/03/2013, 01/16/2013

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

MINUTES



Evidentiary Hearing (02/07/2013 at 10:00 AM) (Judicial Officer: Scann, Susan)

02/07/2013, 03/01/2013, 03/07/2013, 03/12/2013

EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Matter Continued

Per temporary JEA.

Matter Continued;

Matter Heard;

Per temporary JEA.

Matter Continued;

Matter Heard;

Matter Continued

SCHEDULED HEARINGS



Evidentiary Hearing (02/07/2013 at 10:00 AM) (Judicial Officer: Scann, Susan)

02/07/2013, 03/01/2013, 03/07/2013, 03/12/2013

EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Matter Continued

01/23/2013



Order

Filed By: Defendant Scott Financial Corporation

Order

01/24/2013



Stipulation and Order for Dismissal With Prejudice

Filed By: Defendant Edelstein, Alexander

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

01/24/2013

Order of Dismissal With Prejudice (Judicial Officer: Scann, Susan)

Debtors: Ahern Rental Inc (Intervenor Plaintiff)

Creditors: Alex Edelstein (Intervenor Defendant)

Judgment: 01/24/2013, Docketed: 02/01/2013

01/25/2013



Notice of Entry of Stipulation & Order for Dismissal

Filed By: Defendant Edelstein, Alexander

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

01/28/2013



Notice of Entry of Order

Filed By: Defendant Scott Financial Corporation

Notice of Entry of Order

01/29/2013




Application

Filed By: Defendant Scott Financial Corporation











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

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228













On Order Shortening Time

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| 01/29/2013 |  Order to Show Cause Filed by: Defendant Scott Financial Corporation <i>Order to Show Cause</i> |
| 01/29/2013 |  Order to Show Cause Filed by: Defendant Scott Financial Corporation <i>Order To Show Cause Regarding Possible Sale Of The Property</i> |
| 01/30/2013 |  Errata Filed By: Defendant Scott Financial Corporation <i>Errata to Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on Order Shortening Time</i> |
| 01/30/2013 |  Notice of Entry Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Order Shortening Time</i> |
| 01/31/2013 |  Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Order to Show Cause</i> |
| 01/31/2013 |  Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice Of Entry Of Order To Show Cause Regarding Possible Sale Of Property</i> |
| 02/05/2013 |  Notice of Hearing Filed By: Defendant Scott Financial Corporation <i>Notice Of Hearing On Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Time</i> |
| 02/05/2013 |  Show Cause Hearing (10:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on OST</i> Motion Granted; <i>Motion Granted</i> |
| 02/05/2013 |  Motion to Dismiss Filed By: Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Time</i> |
| 02/06/2013 |  Declaration Filed By: Defendant Scott Financial Corporation <i>Declaration Of Bradley J. Scott, In Anticipation Of Evidentiary Hearing</i> |
| 02/07/2013 |  Order to Show Cause Filed by: Defendant Scott Financial Corporation <i>Order To Show Cause</i> |
| 02/07/2013 |  Evidentiary Hearing (10:00 AM) (Judicial Officer: Scann, Susan) 02/07/2013, 03/01/2013, 03/07/2013, 03/12/2013 <i>EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE</i> Matter Continued; |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| | Matter Continued; Matter Continued; Matter Heard; Matter Continued; Matter Continued; Matter Continued; Matter Heard; Matter Continued; Matter Continued; Matter Continued; Matter Heard; Matter Continued; Matter Continued; Matter Continued; Matter Heard; <i>Matter Continued</i> |
| 02/07/2013 |  All Pending Motions (10:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i> |
| 02/08/2013 |  Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry Of Order To Show Cause</i> |
| 02/12/2013 |  Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt of Copy</i> |
| 02/12/2013 |  Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt of Copy</i> |
| 02/12/2013 |  Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt of Copy</i> |
| 02/12/2013 |  Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt Of Copy</i> |
| 02/13/2013 |  Affidavit of Service Filed By: Defendant Scott Financial Corporation <i>Affidavit of Service</i> |
| 02/13/2013 |  Transcript of Proceedings <i>Transcript Re: Show Cause Hearing Re: Summary Determination of Lien Amounts; and The Possible Sale of Property</i> |
| 02/13/2013 |  Transcript of Proceedings <i>Transcript Re: Hearing Re: Sale of Property, July 31, 2012</i> |
| 02/13/2013 |  Transcript of Proceedings <i>Transcript Re: Telephonic Conference, August 21, 2012</i> |
| 02/13/2013 | |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| |  Transcript of Proceedings <i>Transcript Re: Telephonic Conference, September 26, 2012</i> |
| 02/13/2013 |  Transcript of Proceedings <i>Transcript Re: Hearing Re: Sale of Property, October 23, 2012</i> |
| 02/13/2013 |  Transcript of Proceedings <i>Transcript Re: Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues, January 3, 2013</i> |
| 02/13/2013 |  Transcript of Proceedings <i>Transcript Re: Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues, January 16, 2013</i> |
| 02/13/2013 |  Transcript of Proceedings <i>Transcript Re: Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause, February 5, 2013</i> |
| 02/13/2013 |  Transcript of Proceedings <i>Transcript Re: Evidentiary Hearing: Real Estate Commission for the Private Sale, February 7, 2013</i> |
| 02/13/2013 |  Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt Of Copy Of The Notice Of Hearing On Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Time</i> |
| 02/14/2013 | Motion to Dismiss (9:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Scott Financial Corporation's Motion to Dismiss and Expunge Liens on Order Shortening Time</i> Granted; <i>Granted</i> |
| 02/14/2013 | Show Cause Hearing (9:00 AM) (Judicial Officer: Scann, Susan) <i>Order To Show Cause</i> Granted; <i>Granted</i> |
| 02/14/2013 |  All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i> |
| 02/14/2013 |  Order Filed By: Defendant Scott Financial Corporation <i>Order On Defendant Scott Financial Company's Motion To Dismiss And Expunge Liens</i> |
| 02/14/2013 |  Order Filed By: Defendant Scott Financial Corporation <i>Order Regarding Show Cause Hearing</i> |
| 02/14/2013 |  Order Filed By: Defendant Scott Financial Corporation <i>Order Expunging Lien</i> |
| 02/15/2013 |  Order |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Defendant Scott Financial Corporation
Order Expunging Liens

02/15/2013

 Affidavit of Service
Filed By: Plaintiff Apco Construction
Affidavit of Service

02/15/2013

 Affidavit of Service
Filed By: Plaintiff Apco Construction
Affidavit of Service


02/15/2013

 Affidavit of Service
Filed By: Plaintiff Apco Construction
Affidavit of Service


02/15/2013

 Affidavit of Service
Filed By: Plaintiff Apco Construction
Affidavit of Service

02/15/2013

 Affidavit of Service
Filed By: Defendant Scott Financial Corporation
Affidavit of Service

02/15/2013

 Affidavit of Service
Filed By: Defendant Scott Financial Corporation
Affidavit of Service


02/15/2013

 Affidavit of Service
Filed By: Plaintiff Apco Construction
Affidavit of Service


02/15/2013

 Affidavit of Service
Filed By: Plaintiff Apco Construction
Affidavit of Service

02/15/2013

 Notice of Entry of Order
Filed By: Defendant Scott Financial Corporation
Notice Of Entry Of Order Expunging Lien


02/15/2013

 Notice of Entry of Order
Filed By: Defendant Scott Financial Corporation
Notice Of Entry Of Order Regarding Show Cause Hearing

02/15/2013

 Notice of Entry of Order
Filed By: Defendant Scott Financial Corporation
Notice Of Entry Of Order On Defendant Scott Financial Company's Motion To Dismiss And Expunge Liens

02/15/2013














 Affidavit of Service
Filed By: Defendant Scott Financial Corporation
Affidavit of Service

02/19/2013












 Transcript of Proceedings
Partial Transcript: (Testimony of Bradley Scott and Doug Schuster) Hearing Re: Scott

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order and for Posting of Bond, July 2, 2012










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| 02/20/2013 |  Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice Of Entry Of Order Expunging Liens</i> |
| 02/25/2013 |  Brief Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation And Bradley J. Scott's Evidentiary Hearing Brief</i> |
| 02/25/2013 |  Brief Filed By: Intervenor Defendant Gemstone Development West Inc <i>Peel Brimley Lien Claimants' Pre-Hearing Brief and Disclosures</i> |
| 02/25/2013 |  Brief Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Tharaldson Parties' Evidentiary Hearing Brief and Limited Joinder to Peel Brimley Lien Claimants' Pre-hearing Brief and Disclosures</i> |
| 02/26/2013 |  Joinder Filed By: Plaintiff Apco Construction <i>APCO Construction's Joinder to Peel Brimley Lien Claimants' Pre-Hearing Brief and Disclosures</i> |
| 02/26/2013 |  Errata Filed By: Defendant Scott Financial Corporation <i>Errata To Scott Financial Corporation And Bradley J. Scott's Evidentiary Hearing Brief</i> |
| 03/01/2013 |  All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i> |
| 03/05/2013 |  Motion to Withdraw As Counsel Filed By: Intervenor Plaintiff Harsco Corporation <i>Motion to Withdraw as Attorney of Record for Harsco Corporation</i> |
| 03/07/2013 |  Transcript of Proceedings <i>Transcript of Proceedings: Excerpt of Status Check: RE: Sale of Property, Evidentiary Hearing: Real Estate Commission for the Private Sale (Testimony of Bradley Scott) March 1, 2013</i> |
| 03/07/2013 |  All Pending Motions (1:00 PM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i> |
| 03/12/2013 |  Transcript of Proceedings <i>Transcript of Proceedings: Status Check: RE: Sale of Property, Evidentiary Hearing: Real Estate Commission for the Private Sale, March 1, 2013</i> |
| 03/12/2013 |  Transcript of Proceedings <i>Transcript of Proceedings: Status Check: RE: Sale of Property, Evidentiary Hearing: Real Estate Commission for the Private Sale, March 7, 2013</i> |
| 03/26/2013 |  Decision (10:00 AM) (Judicial Officer: Scann, Susan) |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| | 03/26/2013, 04/03/2013 Continued; <i>Continued</i> |
| 04/03/2013 | CANCELED Calendar Call (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - Superseding Order</i> |
| 04/03/2013 |  Notice of Entry of Decision and Order Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Notice of Entry of Decision and Order on Motion to Set Hearing</i> |
| 04/03/2013 |  Decision and Order <i>Decision and Order</i> |
| 04/04/2013 |  Amended Notice Filed By: Intervenor Defendant Gemstone Development West Inc <i>Amended Notice of Entry of Decision and Order on Motion to Set Hearing</i> |
| 04/04/2013 |  Stipulation and Order for Dismissal Filed by: Consolidated Case Party HD Supply Waterworks LP <i>A587168 Stipulation and Order to Dismiss E&E Fire Protection, LLC Only Pursuant to the Terms Stated Below</i> |
| 04/08/2013 | CANCELED Bench Trial (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - Superseding Order</i> |
| 04/08/2013 |  Notice of Entry of Stipulation and Order Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>A587168</i> |
| 04/10/2013 |  Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>Donald H. Williams, Esq's Motion to Withdraw as Attorney of Record for Harsco Corporation</i> Granted; <i>Granted</i> |
| 04/23/2013 |  Order Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Order Approving Sale of Property</i> |
| 04/25/2013 |  Notice of Entry of Order Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Notice of Entry of Order Approving Sale of Property</i> |
| 04/25/2013 |  Motion to Set Aside Filed By: Consolidated Case Party Cisneros, Selina <i>Notice Of Motion And Motion To Set Aside Order Or Judgment</i> |
| 04/25/2013 |  Release Filed By: Defendant Scott Financial Corporation <i>Ahern Rentals, Inc.'s Partial Release of Judgment Lien</i> |
| 04/30/2013 |  Ex Parte Application Party: Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Ex Parte Application for Order To Show Cause</i> |













DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

on Order Shortening Time













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| 05/02/2013 |  Order to Show Cause Filed by: Defendant Scott Financial Corporation <i>Order to Show Cause</i> |
| 05/07/2013 |  Order Granting Motion Filed By: Intervenor Plaintiff Harsco Corporation <i>Order Granting Donald H. Williams, Esq.'s Motion to Withdraw as Attorney of Record for Harsco Corporation</i> |
| 05/08/2013 |  Affidavit of Service Filed By: Consolidated Case Party Cisneros, Selina <i>Affidavit of Service</i> |
| 05/08/2013 | CANCELED Pre Trial Conference (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> |
| 05/09/2013 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i> |
| 05/09/2013 | CANCELED Show Cause Hearing (10:00 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> <i>Show Cause Hearing</i> |
| 05/15/2013 | CANCELED Calendar Call (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> |
| 05/17/2013 |  Release Filed By: Defendant Scott Financial Corporation <i>PCI Group, LLC's Partial Release of Judgment Lien</i> |
| 05/20/2013 | CANCELED Jury Trial (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> |
| 05/22/2013 |  Release Filed By: Defendant Scott Financial Corporation <i>PCI Group LLC's Partial Release of Judgment Lien</i> |
| 05/23/2013 | CANCELED Show Cause Hearing (10:00 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> <i>Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on Order Shortening Time</i> |
| 05/30/2013 |  Motion to Set Aside (9:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Selina Cisneros' Motion To Set Aside Order or Judgment Off Calendar;</i> <i>Off Calendar</i> |
| 06/06/2013 |  Motion for Judgment Filed By: Plaintiff Apco Construction <i>(1) APCO's Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO's Motion for Judgment Against Gemstone Only; and (2) Request for Order Shortening Time</i> |
| 06/12/2013 |  Opposition to Motion |

DISTRICT COURT
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CASE NO. 08A571228












Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to (1) Apco Construction, Inc's Limited Motion to Lift Stay (2) Motion for Judgment Against Gemstone only; and (3) Request for Order Shortening Time

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| 06/13/2013 |  Motion (10:00 AM) (Judicial Officer: Scann, Susan) <i>(1) APCO's Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO's Motion for Judgment Against GEMSTONE Only; and (3) Request for Order Shortening Time</i> Granted; Granted |
| 06/13/2013 |  Stipulation Filed by: Intervenor Defendant Club Vista Financial Services LLC <i>Stipulation Regarding Reconveyance of Deeds of Trust Encumbering Property</i> |
| 01/09/2014 |  Miscellaneous Filing Filed by: Plaintiff Apco Construction <i>Notice of Screening Device</i> |
| 03/18/2014 |  Consent to Service By Electronic Means Filed By: Plaintiff Apco Construction <i>Consent to Service By Electronic Means</i> |
| 03/18/2014 |  Notice Filed By: Counter Defendant Uintah Investments LLC <i>Notice of Change of Handling Attorney</i> |
| 04/22/2014 |  Notice of Substitution of Parties Filed By: Intervenor Plaintiff S R Bray Corp <i>Substitution of Real Party in Interest</i> |
| 04/30/2014 |  Transcript of Proceedings <i>Portion of Transcript: Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order, and for Posting of Bond, July 2, 2012</i> |
| 04/30/2014 |  Transcript of Proceedings <i>Transcript of Proceedings: Evidentiary Hearing, July 9, 2012</i> |
| 04/30/2014 |  Transcript of Proceedings <i>Transcript of Proceedings: Evidentiary Hearing, July 10, 2012</i> |
| 05/28/2014 |  Motion Filed By: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Motion to Lift Stay</i> |
| 06/16/2014 |  Opposition to Motion Filed By: Plaintiff Apco Construction <i>APCO Construction's Opposition to Insulpro Project, Inc.'s Motion to Lift Stay</i> |
| 06/18/2014 |  Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order to Continue the Hearing on Insulpro Projects Inc.'s Motion to Lift Stay</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228












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| 06/19/2014 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order to Continue Hearing on Insulpro Projects Inc.'s Motion to Lift Stay</i> |
| 06/20/2014 |  Opposition Filed By: Defendant Scott Financial Corporation <i>Opposition of Scott Financial Corporation to Insulpro Project, Inc.'s Motion to Lift Stay</i> |
| 06/20/2014 |  Reply to Opposition Filed by: Intervenor Plaintiff Inquipco <i>Insulpro Projects, Inc.'s Reply to Apco Construction's Opposition to Motion to Lift Stay</i> |
| 06/23/2014 |  Opposition Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco Pacific Construction Company, Inc.'s Opposition to Insulpro Projects, Inc.'s Motion to Lift Stay</i> |
| 07/02/2014 |  Reply to Opposition Filed by: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Reply to Camco Pacific Construction Company, Inc.'s Opposition to Motion to Lift Stay</i> |
| 07/15/2014 |  Motion (9:00 AM) (Judicial Officer: Scann, Susan) <i>Insulpro Projects, Inc.'s Motion to Lift Stay</i> Denied; <i>Denied</i> |
| 07/28/2014 |  Order Denying Filed By: Plaintiff Apco Construction <i>Order Denying Insulpro Projects Inc.'s Motion to Lift Stay</i> |
| 07/29/2014 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Denying Insulpro Projects Inc.'s Motion to Lift Stay</i> |
| 03/11/2015 |  Opposition Filed By: Consolidated Case Party Cisneros, Selina <i>Opposition to Affidavit of Renewal of Judgment</i> |
| 07/13/2015 |  Motion to Withdraw As Counsel Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.</i> |
| 08/19/2015 |  Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>The Law Firm of Pezzillo Lloyd's Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.</i> Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i> |
| 08/31/2015 |  Order Granting Motion Filed By: Counter Defendant Northstar Concrete Inc <i>Order Granting Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.</i> |
| 08/31/2015 | |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228












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| |  Notice of Entry of Order <i>Notice of Entry of Order Granting Motion to Withdraw as Counsel of Record for Northstar Concrete Inc.</i> |
| 10/07/2015 |  Notice of Hearing <i>Notice of Hearing for Status Check</i> |
| 10/21/2015 |  Status Check (9:30 AM) (Judicial Officer: Denton, Mark R.) 10/21/2015, 04/21/2016 <i>Status Check: Disbursement of Sale Proceeds & any other Matters Remaining following the S. CT. Decision 131Nev., Adv. Op. 70</i> Matter Continued; Attorney /Judge Conflict -Dept.15 Matter Heard; Matter Continued; Attorney /Judge Conflict -Dept.15 Matter Heard; <i>Matter Continued</i> |
| 11/05/2015 |  Substitution of Attorney Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Substitution of Attorney</i> |
| 03/14/2016 |  Notice of Department Reassignment <i>Notice of Department Reassignment</i> |
| 03/14/2016 | Case Reassigned to Department 15 <i>Reassigned From Judge Susan Scann - Dept 29</i> |
| 03/28/2016 |  Motion Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Motion for Order Shortening Time for Hearing on Joint Motion to Release Sale Proceeds from Court-Controlled Escrow Account</i> |
| 03/28/2016 |  Motion Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Joint Motion to Release Sale Proceeds from Court Controlled Escrow Account on Order Shortening Time</i> |
| 04/05/2016 |  Notice of Appearance Party: Plaintiff Apco Construction <i>Notice of Appearance</i> |
| 04/14/2016 |  Notice of Entry of Order Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Notice of Entry of Order Releasing Sale Proceeds from Court-Controlled Escrow Account</i> |
| 04/14/2016 |  Motion to Release Funds (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Club Vista Financial Services, LLC. and Tharaldson Motels II, Inc.'s Motion for Order Shortening Time for Hearing on Joint Motion to Release Sale Proceeds from Court-Controlled Escrow Account</i> Matter Resolved; <i>Matter Resolved</i> |
| 04/14/2016 |  Order Filed By: Intervenor Defendant Club Vista Financial Services LLC |

DISTRICT COURT
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Order Releasing Sale Proceeds from Court-Controlled Escrow Account

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| 05/06/2016 |  Order <i>Order RE: Status Check</i> |
| 05/09/2016 |  Motion Filed By: Plaintiff Apco Construction <i>Motion to Appoint Special Master</i> |
| 05/18/2016 |  Opposition to Motion Filed By: Third Party Plaintiff Insulpro Projects Inc <i>Insulpro Project's Limited Opposition to Apco Construction's Motion to Appoint Special Master</i> |
| 05/18/2016 |  Motion for Summary Judgment Filed By: Third Party Plaintiff Insulpro Projects Inc <i>Renewed Motion for Partial Summary Judgment</i> |
| 05/18/2016 |  Application Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Application for Order Shortening Time Re: Motion to Withdraw</i> |
| 05/18/2016 |  Motion to Withdraw As Counsel Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Motion to Withdraw</i> |
| 05/20/2016 |  Order Shortening Time Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw</i> |
| 05/23/2016 |  Notice of Entry of Order Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Notice of Entry of Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw</i> |
| 05/24/2016 |  Certificate of Service Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Certificate of Service - Notice of Entry of Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw</i> |
| 05/25/2016 |  Opposition to Motion Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master</i> |
| 05/31/2016 |  Joinder Filed By: Intervenor Steel Structures Inc <i>Joinder to Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master</i> |
| 05/31/2016 |  Opposition to Motion Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master</i> |













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| 05/31/2016 |  Reply in Support Filed By: Plaintiff Apco Construction <i>APCO Construction's Reply in Support of Motion to Appoint Special Master</i> |
| 05/31/2016 |  Joinder to Motion For Partial Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Partial Summary Judgment</i> |
| 06/01/2016 |  Initial Appearance Fee Disclosure Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Fee Disclosure for Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Partial Summary Judgment</i> |
| 06/02/2016 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Granting Movant's Motion to Withdraw</i> |
| 06/02/2016 |  Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Limited Opposition to Lien Claimant Insulpro's Projects, Inc.'s Renewed Motion for Partial Summary Judgment</i> |
| 06/02/2016 | Status Check (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i> |
| 06/02/2016 | Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Smith & Shapiro, PLLC's Motion to Withdraw</i> Granted; <i>Granted</i> |
| 06/02/2016 |  All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i> |
| 06/02/2016 |  Order to Withdraw as Attorney of Record Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Order Granting Movant's Motion to Withdraw</i> |
| 06/06/2016 |  Opposition and Countermotion Filed By: Plaintiff Apco Construction <i>APCO's Opposition to Renewed Motion for Partial Summary Judgment and Joinder thereto; and Countermotion to Dismiss and/or for Summary Judgment Against Insulpro</i> |
| 06/06/2016 |  Opposition Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Opposition to Insulpro's Renewed Motion for Partial Summary Judgment</i> |
| 06/07/2016 |  Initial Appearance Fee Disclosure Filed By: Plaintiff Apco Construction <i>Initial Appearance Fee Disclosure</i> |
| 06/09/2016 |  Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) |














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| | <i>Plaintiff's Motion to Appoint Special Master</i> Motion Granted; <i>Motion Granted</i> |
| 06/09/2016 |  Order Appointing Special Master Filed By: Plaintiff Apco Construction <i>Order: Appointing Special Master</i> |
| 06/13/2016 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i> |
| 06/15/2016 |  Reply in Support Filed By: Intervenor Insulpro Projects Inc <i>Reply in Support of Renewed Motion for Partial Summary Judgment Re: Apco Opposition</i> |
| 06/15/2016 |  Reply in Support Filed By: Intervenor Insulpro Projects Inc <i>Reply in Support of Renewed Motion for Partial Summary Judgment re: Camco Opposition</i> |
| 06/20/2016 | Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Renewed Motion for Partial Summary Judgment</i> Referred; <i>Referred</i> |
| 06/20/2016 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Partial Summary Judgment</i> Referred; <i>Referred</i> |
| 06/20/2016 | Opposition and Countermotion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>APCO's Opposition to Renewed Motion for Partial Summary Judgment and Joinder Thereto; and Countermotion to Dismiss and/or for Summary Judgment Against Insulpro</i> Referred; <i>Referred</i> |
| 06/20/2016 |  All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i> |
| 06/22/2016 |  Notice of Special Master Hearing Filed By: Special Master Hale, Floyd, ESQ <i>Notice of Special Master Hearing</i> |
| 06/28/2016 |  Notice of Special Master Hearing Filed By: Special Master Hale, Floyd, ESQ <i>Notice of Rescheduled Special Master Hearing</i> |
| 07/01/2016 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i> |
| 07/01/2016 |  Order Denying Motion Filed By: Plaintiff Apco Construction |

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| 07/11/2016 |  Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Bench Trial: APCO Construction and Ready Mix, Inc., October 30, 2012</i> |
| 08/02/2016 |  Notice of Special Master Hearing Filed By: Special Master Hale, Floyd, ESQ <i>Notice of Special Master Hearing</i> |
| 08/08/2016 |  Special Master Recommendation and District Court Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Report, Recommendation, and District Court Order</i> |
| 08/23/2016 |  Notice of Appearance Party: Counter Defendant Uintah Investments LLC <i>Notice of Appearance of Counsel for Plaintiff Uintah Investments, LLC dba Sierra Reinforcing</i> |
| 08/31/2016 |  Disclosure of Documents and Witnesses Pursuant to NRCP 16.1 Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's 16.1 Disclosure</i> |
| 09/01/2016 |  Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Order Requiring Completion of Questionnaire</i> |
| 09/22/2016 |  Notice of Compliance Party: Intervenor E & E Fire Protectiong LLC <i>E&E Fire Protection, LLC's Notice of Compliance</i> |
| 09/23/2016 |  Response Filed by: Intervenor National Wood Products, Inc.'s <i>National Wood Products Incs Response to Special Master Questionnaire</i> |
| 09/26/2016 |  Response Filed by: Other United Subcontractors Inc <i>United Subcontractors, Inc. DBA Skyline Insulation's Special Master Questionnaire Response</i> |
| 09/27/2016 |  Disclosure of Documents and Witnesses Pursuant to NRCP 16.1 Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. DBA Skyline Insulation's Consolidated Disclosure Pursuant to NRCP 16.1 and Special Master Order</i> |
| 09/30/2016 |  Request Filed by: Intervenor National Wood Products, Inc.'s <i>Request for Leave to Special Master for Approval of Late Filing and Service of Rule 16.1 Disclosures by National Wood Products, Inc., Judgment Creditor and Intervenor of Claimant Cabinetec, Inc.</i> |
| 10/03/2016 |  Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Order authorizing NATIONAL WOOD PRODUCTS, INC., Intervenor of Cabinetec, Inc. to File and Serve its NRCP 16.1 Disclosures within Ten Days</i> |

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| 10/07/2016 |  Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Order Authorizing United Subcontractors, Inc. dba Skyline Insulation to File and Serve NRCP 16.1 Disclosures</i> |
| 10/07/2016 |  Special Master Recommendation and District Court Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amending Case Agenda</i> |
| 10/12/2016 |  Disclosure of Documents and Witnesses Pursuant to NRCP 16.1 Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. DBA Skyline Insulation's Re-filed, Supplemented and Consolidated Disclosure Pursuant to NRCP 16.1 and Special Master Order</i> |
| 01/06/2017 |  Substitution of Attorney Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Substitution of Attorney</i> |
| 01/09/2017 |  Proof of Service Filed by: Plaintiff Apco Construction <i>Proof of Service</i> |
| 01/13/2017 |  Motion for Order to Show Cause Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Motion for Order to Show Cause Why Grubb & Ellis, Now Known As Newmark Grubb, Should Not be Held in Contempt of Court</i> |
| 01/24/2017 |  Certificate of Service Filed by: Other United Subcontractors Inc <i>Certificate of Service (United Subcontractors, Inc. dba Skyline Insulation's Responses to APCO Construction's First Request for Production of Documents)</i> |
| 01/30/2017 |  Certificate of Service Filed by: Other United Subcontractors Inc <i>Certificate of Service (United Subcontractors, Inc. dba Skyline Insulation's Responses to APCO Construction's First Set of Interrogatories)</i> |
| 01/30/2017 |  Order Setting Civil Non-Jury Trial <i>Order Setting Civil Non-Jury Trial And Calendar Call</i> |
| 02/02/2017 |  Motion to Associate Counsel <i>Motion to Associate Counsel</i> |
| 02/03/2017 |  Proof of Service by Mail Filed by: Other Chapter 7 Trustee <i>Certificate of Service</i> |
| 02/14/2017 |  Stipulation and Order Filed by: Counter Claimant Club Vista Financial Seviles LLC <i>Stipulation and Order for Amended Briefing Schedule and to Continue Hearing on Motion for Order to Show Cause</i> |
| 02/15/2017 |  Motion to Withdraw As Counsel Filed By: Intervenor Defendant Gemstone Development West Inc |

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Motion to Withdraw

02/16/2017



Notice of Special Master Hearing

Filed By: Special Master Hale, Floyd, ESQ

Notice of Special Master Hearing

02/16/2017



Notice of Entry of Stipulation and Order

Filed By: Plaintiff Apco Construction

Notice of Entry of Stipulation and Order for Amended Briefing Schedule and to Continue Hearing on Motion for Order to Show Cause

02/21/2017



Certificate of Service

Filed by: Plaintiff Apco Construction

Certificate of Service

02/23/2017



Opposition

Filed By: Consolidated Case Party Newmark Grubb Knight Frank

Opposition to Motion for Order to Show Cause

02/27/2017



Special Master Order

Filed by: Special Master Hale, Floyd, ESQ

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

02/28/2017



Notice of Motion

Filed By: Consolidated Case Party Cisneros, Selina

Notice of Motion for Hearing

02/28/2017



Motion

Filed By: Consolidated Case Party Cisneros, Selina

Plaintiff Motion to Set Aside Judgment

03/01/2017



Reply in Support

Filed By: Counter Claimant Tharaldson Motels II Inc

Reply in Support of Motion for Order to Show Cause why Grubb & Ellis, now known as Newmark Grubb, Should not be Held in Contempt of Court

03/06/2017

Motion for Order (9:00 AM) (Judicial Officer: Denton, Mark R.)

Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Motion for Order to Show Cause Why Grubb & Ellis, Now Known As Newmark Grubb, Should Not be Held in Contempt of Court

MINUTES

Denied;

Denied

03/06/2017

Motion to Associate Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.)

Plaintiff's Motion to Associate Counsel - Jonathan S. Dabbieri, Esq.

MINUTES

CANCELED Status Check (04/03/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)

Vacated

Status Check Re: SCR 42 Compliance (Jonathan S. Dabbieri, Esq.)

Granted;












Granted

SCHEDULED HEARINGS






CANCELED Status Check (04/03/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)

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Vacated
Status Check Re: SCR 42 Compliance (Jonathan S. Dabbieri, Esq.)

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| 03/06/2017 |  All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i> |
| 03/15/2017 |  Decision and Order <i>Decision and Order</i> |
| 03/15/2017 |  Decision (11:45 AM) (Judicial Officer: Denton, Mark R.) Decision Made; <i>Decision Made</i> |
| 03/17/2017 |  Motion for Summary Judgment Filed By: Plaintiff Apco Construction <i>Plaintiff APCO Construction's Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing</i> |
| 03/20/2017 |  Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Monica J. Caffaratti, Esq.'s Motion to Withdraw</i> Granted; <i>Granted</i> |
| 03/29/2017 |  Order Admitting to Practice Filed By: Other Chapter 7 Trustee <i>Order admitting to Practice</i> |
| 03/29/2017 |  Request Filed by: Intervenor Defendant Gemstone Development West Inc <i>Request to Submit proposed Order</i> |
| 03/29/2017 |  Notice of Entry Filed By: Consolidated Case Party Newmark Grubb Knight Frank <i>Notice of Entry of Decision and Order</i> |
| 03/30/2017 |  Notice of Entry of Order Filed By: Other Chapter 7 Trustee <i>Notice of Entry of Order Approving Motion to Associate Counsel</i> |
| 04/03/2017 |  Opposition to Motion For Summary Judgment Filed By: Counter Defendant Uintah Investments LLC <i>Uintah Investments LLC dba Sierra Reinforcing's Opposition to APCO Construction's Motion for Summary Judgment</i> |
| 04/03/2017 |  Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Notice of Motion for Hearing on Motion to Set Aside</i> MINUTES Denied; <i>Denied</i> |
| 04/03/2017 | CANCELED Status Check (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated</i> <i>Status Check Re: SCR 42 Compliance (Jonathan S. Dabbieri, Esq.)</i> |












DISTRICT COURT
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| 04/07/2017 |  Reply in Support Filed By: Plaintiff Apco Construction <i>Plaintiff APCO Construction's Reply In Support of its Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing</i> |
| 04/14/2017 |  Stipulation and Order Filed by: Intervenor Steel Structures Inc <i>Stipulation and Order to Continue Hearing on APCO Construction's Motion for Summary Judgment Against Uintah Investments, LLC dba Sierra Reinforcing</i> |
| 04/17/2017 |  Notice of Entry of Order Filed By: Intervenor Steel Structures Inc <i>Notice of Entry of Stipulation and Order to Continue Hearing on APCO Construction's Motion for Summary Judgment Against Uintah Investments, LLC dba Sierra Roofing</i> |
| 04/18/2017 |  Minute Order (2:00 PM) (Judicial Officer: Denton, Mark R.) Decision Made; <i>Decision Made</i> |
| 04/20/2017 |  Notice of Bankruptcy Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Notice of Bankruptcy of Accuracy Glass & Mirror Co.</i> |
| 04/27/2017 |  Notice of Deposition Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. d/b/a Skyline Insulation's Notice of 30(b)(6) Deposition of APCO Construction</i> |
| 04/27/2017 |  Notice of Deposition Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. d/b/a Skyline Insulation's Notice of 30(b)(6) Deposition of CAMCO Pacific Construction Co. Inc.</i> |
| 04/27/2017 |  Motion to Associate Counsel Filed By: Intervenor National Wood Products, Inc.'s <i>Motion to Associate Counsel</i> |
| 04/28/2017 |  Motion for Withdrawal Filed By: Adverse Party Accuracy Glass & Mirror Co. <i>Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co. and for Order Shortening Time</i> |
| 05/01/2017 |  Notice of Deposition Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. d/b/a Skyline Insulation's Amended Notice of 30(b)(6) Deposition of APCO Construction</i> |
| 05/08/2017 |  Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Order</i> |
| 05/08/2017 |  Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Report Regarding Discovery Status</i> |

DISTRICT COURT
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| 05/11/2017 |  Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Eric B. Zimbelman, Esq.'s Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co and for order Shortening Time</i> Granted; <i>Granted</i> |
| 05/11/2017 |  Order to Withdraw as Attorney of Record Filed by: Adverse Party Accuracy Glass & Mirror Co. <i>Order Granting Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co. and for Order Shortening Time</i> |
| 05/12/2017 |  Notice of Entry of Order Filed By: Adverse Party Accuracy Glass & Mirror Co. <i>Notice of Entry of Order</i> |
| 05/15/2017 | Motion for Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff APCO Construction's Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing</i> Granted; <i>Granted</i> |
| 05/25/2017 |  Order Filed By: Plaintiff Apco Construction <i>Order</i> |
| 05/25/2017 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i> |
| 05/25/2017 | Summary Judgment (Judicial Officer: Denton, Mark R.) Debtors: Uintah Investments LLC (Counter Defendant) Creditors: APCO Construction (Counter Claimant) Judgment: 05/25/2017, Docketed: 06/01/2017 |
| 05/30/2017 |  Motion to Associate Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Intervenor, National Wood Products INC's Motion to Associate Counsel</i> MINUTES  Status Check (07/31/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Status Check Re: SCR 42 Complaine (S. Judy Hirahara, Esq.)</i> <i>Matter Heard</i> Granted; <i>Granted</i> SCHEDULED HEARINGS  Status Check (07/31/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Status Check Re: SCR 42 Complaine (S. Judy Hirahara, Esq.)</i> <i>Matter Heard</i> |
| 06/09/2017 |  Substitution of Attorney Filed by: Plaintiff Apco Construction <i>Substitution of Attorneys</i> |
| 06/14/2017 |  Order Denying <i>Order Denying Defendant's Motion to Set Aside Judgment</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228


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| 06/16/2017 |  Order Admitting to Practice Filed By: Intervenor National Wood Products, Inc.'s <i>Order Admitting to Practice</i> |
| 06/19/2017 |  Stipulation and Order for Dismissal With Prejudice Filed By: Plaintiff Apco Construction <i>Stipulation and Order for Dismissal With Prejudice of Insulpro Projects, Inc.</i> |
| 06/19/2017 | Order of Dismissal With Prejudice (Judicial Officer: Denton, Mark R.) Debtors: Insulpro Projects Inc (Counter Defendant) Creditors: APCO Construction (Counter Claimant) Judgment: 06/19/2017, Docketed: 06/20/2017 |
| 06/20/2017 |  Notice of Entry of Stipulation & Order for Dismissal Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order</i> |
| 06/21/2017 |  Order Denying Motion Filed By: Counter Defendant APCO Construction <i>Order Denying Defendant's Motion to set aside Judgment</i> |
| 06/26/2017 |  Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of ORder</i> |
| 06/26/2017 |  Motion To Dismiss - Alternative Motion For Summary Judgment Filed By: Plaintiff Apco Construction <i>APCO Construction's Motion to Dismiss or for Summary Judgment on Lien Claimants' NRS Ch 108 Claim for Foreclosure of Mechanic's Lien</i> |
| 06/26/2017 |  Motion Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Uintah Investments LLC <i>Motion to Substitute</i> |
| 06/28/2017 |  Order to Withdraw as Attorney of Record <i>Order Granting Monica Caffaratti's Motion to Withdraw at Attorney</i> |
| 07/05/2017 |  Stipulation and Order for Dismissal With Prejudice Filed By: Intervenor Insulpro Projects Inc <i>Stippulation and Order for Dismissal With Prejudice of Insulpro Projects, Inc.</i> |
| 07/05/2017 | Order of Dismissal With Prejudice (Judicial Officer: Denton, Mark R.) Debtors: Camco Pacific Construction Co Inc (Third Party Defendant) Creditors: Insulpro Projects Inc (Third Party Plaintiff) Judgment: 07/05/2017, Docketed: 07/12/2017 |
| 07/14/2017 |  Motion to Continue Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Joint Motion to Continue Hearing on APCO Construction's Motion to Dismiss or for Summary Judgment on Lien Claimant's NRS CH 108 Claim for Foreclosure of Mechanics Lien on Order Shortening Time (First Request)</i> |
| 07/24/2017 |  Motion to Continue (9:00 AM) (Judicial Officer: Denton, Mark R.) |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Joint Motion to Continue Hearing on APCO Cosntructions Motion to Dismiss or for Summary Judgment on Lien Claimants NRS Ch 108 Claim for Foreclosure of Mechanics's Lien on Order Shortening Time
Granted;
Granted

07/25/2017  **Minute Order** (5:35 PM) (Judicial Officer: Denton, Mark R.)

Minute Order - No Hearing Held;
Minute Order - No Hearing Held

07/26/2017  **Opposition to Motion For Summary Judgment**

Peel Brimley Lien Claimants' Opposition to APCO's Motion for Summary Judgment Re: Lien Claims

07/26/2017  **Joinder to Opposition to Motion**

1. Joinder of Interstate Plumbing & Air Conditioning, LLC to Opposition of Helix Electrical of Nevada, LLC to APCO Construction s Motion to Dismiss or for Summary Judgment on Lien Claimants NRS CH 108 Claim for Foreclosure of Mechanic s Lien

07/26/2017  **Opposition**


Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc. 's Opposition to APCO Construction's Motion to Dismiss or For Summary Judgment on Lien Claimant's NRS CH 108 Claim For Foreclosure of Mechanic's Lien

07/27/2017 **CANCELED Motion** (9:00 AM) (Judicial Officer: Denton, Mark R.)

Vacated - per Judge
Gerdau Reinforcing Steel's Motion to Substitute

07/31/2017  **Status Check** (9:00 AM) (Judicial Officer: Denton, Mark R.)

Status Check Re: SCR 42 Complaince (S. Judy Hirahara, Esq.)
Matter Heard;
Notice of Compliance filed 8/7/17
Matter Heard

07/31/2017  **Motion for Partial Summary Judgment**

Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc. s Motion For Partial Summary Judgment Against APCO Construction

08/01/2017  **Order Granting Motion**

Filed By: Counter Defendant Uintah Investments LLC
Order Granting Gerdau Reinforcing Steel's Motion to Substitute

08/01/2017  **Reply in Support**

Filed By: Plaintiff Apco Construction
Apco Construction's Reply in Support of Motion to Dismiss or for Summary Judgment on Lien Claimants' NRS Ch. 108 Claim for Foreclosure of Mechanic's Lien












08/01/2017  **Notice of Entry**

Filed By: Counter Defendant Gerdau Reinforcing Steel
Notice of Entry of Order Granting Gerdau Reinforcing Steel's Motion to Substitute

08/02/2017  **Motion for Partial Summary Judgment**













Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and Ex-Parte Application for Order Shortening Time

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 08/03/2017 |  Joinder to Motion For Partial Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i> |
| 08/03/2017 |  Joinder Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Gerdau Reinforcing Steel <i>Joinder to Peel Brimley Lien Claimants' Opposition to Apco's Motion for Summary Judgment Re: Lien Claims</i> |
| 08/03/2017 |  Joinder Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Gerdau Reinforcing Steel <i>Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements and Ex Parte Application for Order Shortening Time</i> |
| 08/04/2017 |  Initial Appearance Fee Disclosure Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Gerdau Reinforcing Steel <i>Initial Appearance Fee Disclosure</i> |
| 08/04/2017 |  Joinder to Motion For Partial Summary Judgment Filed By: Other Chapter 7 Trustee <i>Joinder of Interstate Plumbing & Air Conditioning, LLC to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i> |
| 08/07/2017 |  Notice Filed By: Intervenor National Wood Products, Inc.'s <i>Pro Hac Vice Applicant S. Judy Hirahara's Notice of Compliance with SCR 42</i> |
| 08/07/2017 |  Notice of Entry of Order <i>Notice of Entry of Order</i> |
| 08/07/2017 |  Joinder to Motion For Partial Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.' Joinder to Peel Brimley Lien Claimants' Opposition to APCO's Motion for Summary Judgment</i> |
| 08/07/2017 |  Motion to Associate Counsel Filed By: Intervenor National Wood Products, Inc.'s <i>Motion to Associate Counsel</i> |
| 08/07/2017 |  Joinder Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements and Ex Parte Application Shortening Time; and Memorandum of Points and Authorities in Support Thereof</i> |
| 08/08/2017 |  Joinder Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>E & E Fire Protection, LLC's Joinder to Peel Brimley Lien Claimants' Motion for Partial</i> |


DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228


Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements


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| 08/09/2017 |  Initial Appearance Fee Disclosure Filed By: Intervenor National Wood Products, Inc.'s <i>Initial Appearance Fee Disclosure</i> |
| 08/09/2017 |  Initial Appearance Fee Disclosure Filed By: Intervenor National Wood Products, Inc.'s <i>Initial Appearance Fee Disclosure to Join Motion for Partial Summary Judgment</i> |
| 08/10/2017 |  Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>APCO Construction's Motion to Dismiss or for Summary Judgment on Lien Claimants' NRS Ch 108 Claim for Foreclosure of Mechanic's Lien</i> Denied Without Prejudice; <i>Denied Without Prejudice</i> |
| 08/10/2017 |  Initial Appearance Fee Disclosure Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i> |
| 08/11/2017 |  Pre-Trial Disclosure <i>Pre-Trial Disclosures of Interstate Plumbing & Air Conditioning, LLC Pursuant to Rule 16(a)(3) of the Nevada Rules of Civil Procedure</i> |
| 08/11/2017 |  Pre-Trial Disclosure Party: Other Chapter 7 Trustee <i>Amended Pre-Trial Disclosures of Interstate Plumbing & Air Conditioning, LLC Pursuant to Rule 16(a)(3) of the Nevada Rules of Civil Procedure</i> |
| 08/11/2017 |  Joinder to Motion For Partial Summary Judgment Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. dba Skyline Insulation's Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i> |
| 08/11/2017 |  Joinder to Motion For Partial Summary Judgment Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. dba Skyline Insulation's Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i> |
| 08/11/2017 |  Pre-Trial Disclosure Party: Intervenor National Wood Products, Inc.'s <i>Plaintiff in Intervention National Wood Products, Inc.'s Pre-Trial Disclosure Pursuant to NRCP 16.1(a)(3)</i> |
| 08/17/2017 |  Opposition Filed By: Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc <i>Camco's Opposition to Lien Claimants' Motion for Partial Summary Judgment</i> |
| 08/21/2017 |  Notice <i>Notice of Scheduling Settlement Conference</i> |
| 08/21/2017 |  Opposition |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228


Filed By: Plaintiff Apco Construction
APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay if Paid Agreements


08/21/2017  Opposition to Motion
Filed By: Plaintiff Apco Construction
APCO Construction's Opposition to Zitting Brothers Construction Inc.'s Partial Motion for Summary Judgment


08/22/2017  Ex Parte Application
Party: Intervenor National Wood Products, Inc.'s
Ex Parte Application for Order Shortening Time on Motion to Associate Counsel


08/30/2017  Order Denying Motion
Order Denying APCO Construction's Motion for Partial Summary Judgment re: Lien Foreclosure Claims

08/30/2017  Notice of Entry of Order
Notice of Entry of Order

08/31/2017  Order Shortening Time
Filed By: Intervenor National Wood Products, Inc.'s
Order Shortening Time on Hearing for Motion to Associate Counsel

08/31/2017  Stipulation and Order
Filed by: Counter Defendant Zitting Brothers Construction Inc
Stipulation and Order to Continue September 5, 2017 Hearing on Motions for Partial Summary Judgment

09/01/2017  Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Zitting Brothers Construction Inc
Notice of Entry of Stipulation and Order to Continue September 5, 2017 Hearing on Motions for Partial Summary Judgment

09/05/2017  **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Intervening Plaintiff, National Wood Products, Inc.'s Order Shortening Time on Hearing for Motion to Associate Counsel (John B. Taylor)

MINUTES

CANCELED Status Check (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated
Status Check Re: SCR 42 Compliance (John B. Taylor, Esq.)
Granted;
Granted


SCHEDULED HEARINGS

CANCELED Status Check (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated
Status Check Re: SCR 42 Compliance (John B. Taylor, Esq.)











09/05/2017  **Calendar Call** (2:00 PM) (Judicial Officer: Denton, Mark R.)

MINUTES







Status Check (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
Status Check Re: Resetting Trial
Matter Heard

 **Hearing** (09/11/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| | <i>Oral Motion to Dismiss</i> <i>Granted</i> <i>Vacate;</i> <i>Vacate</i> |
| | SCHEDULED HEARINGS |
| | Status Check (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Status Check Re: Resetting Trial</i> <i>Matter Heard</i> |
| |  Hearing (09/11/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Oral Motion to Dismiss</i> <i>Granted</i> |
| 09/06/2017 |  Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order</i> |
| 09/06/2017 |  Order Admitting to Practice Filed By: Intervenor National Wood Products, Inc.'s <i>Order Admitting to Practice</i> |
| 09/06/2017 |  Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order Shortening Time on Hearing for Motion to Associate Counsel</i> |
| 09/06/2017 |  Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order Admitting to Practice</i> |
| 09/07/2017 |  Pre-trial Memorandum Filed by: Other United Subcontractors Inc <i>United Subcontractors, Inc. d/b/a Skyline Insulation's Pre-Trial Statement/Memorandum</i> |
| 09/11/2017 | CANCELED Motion to Associate Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - Duplicate Entry</i> <i>National Wood Products Inc Motion to Associate Counsel</i> |
| 09/11/2017 |  Hearing (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Oral Motion to Dismiss</i> <i>Granted;</i> <i>Granted</i> |
| 09/12/2017 | CANCELED Bench Trial (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Judge</i> |
| 09/20/2017 |  Order Granting Motion Filed By: Plaintiff Apco Construction <i>Order Granting Plaintiff's Motion to Dismiss</i> |
| 09/20/2017 |  Notice of Compliance Party: Intervenor National Wood Products, Inc.'s <i>Pro Hac Vice Applicant John B. Taylor's Notice of Compliance with SCR 42</i> |
| 09/20/2017 |  Stipulation and Order for Dismissal <i>Stipulation and Order of Dismissal of All Claims Relating to Cardno WRG, Inc.</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 09/21/2017 |  Settlement Conference (9:00 AM) Not Settled; <i>Not Settled</i> |
| 09/21/2017 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i> |
| 09/21/2017 |  Notice of Entry of Stipulation & Order for Dismissal <i>Notice of Entry of Stipulation and Order for Dismissal</i> |
| 09/28/2017 |  Reply to Opposition <i>Peel Brimley Lien Claimants' Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i> |
| 09/29/2017 |  Notice of Association of Counsel Filed By: Plaintiff Apco Construction <i>Notice of Association of Counsel</i> |
| 09/29/2017 |  Notice of Appearance Party: Plaintiff Apco Construction <i>Notice of Appearance and Request for Notice</i> |
| 09/29/2017 |  Reply in Support Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Reply In Support of Motion for Partial Summary Judgment Against APCO Construction</i> |
| 10/05/2017 | Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>Zitting Brothers Construction Inc's Motion for Partial Summary Judgement Against APCO Construction</i> MINUTES Continued; Granted; Continued; Granted; <i>Continued</i> |
| 10/05/2017 | Motion for Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements and Ex Parte Application for Order Shortening time</i> MINUTES Continued; Granted; Continued; Granted; <i>Continued</i> |
| 10/05/2017 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i> MINUTES Continued; |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| | Granted; Continued; Granted; <i>Continued</i> |
| 10/05/2017 | Opposition and Countermotion (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>Steel Structures, Inc., Nevada Prefab Engineering, and Gerdau Reinforcing Steel's Joinder to Peel Brimley Lien Claimants' Opposition to Apco's Motion for Summary Judgment Re: Lien Claims</i> MINUTES Continued; Under Advisement; Continued; Under Advisement; <i>Continued</i> |
| 10/05/2017 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>William A. Leonard, Jr.'s Joinder of Interstate Plumbing and Air Conditioning LLC to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i> MINUTES Continued; Granted; Continued; Granted; <i>Continued</i> |
| 10/05/2017 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>National Wood Products Inc's Joinder to Peel Brimley Lien Claimants Motion for Partial Summary Judgment Precluding Defenses Based on Pay If Paid Agreements and Ex Parte Application Shortening Time; and Memorandum of Point and Authorities in Support Thereof</i> MINUTES Continued; Granted; Continued; Granted; <i>Continued</i> |
| 10/05/2017 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>E & E Fire Protection, LLC's Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</i> MINUTES Continued; Granted; Continued; Granted; <i>Continued</i> |
| 10/05/2017 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>United Subcontractors, Inc. dba Skyline Insulation's Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

MINUTES

Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Joinder** (9:00 AM) (Judicial Officer: Denton, Mark R.)

10/05/2017, 11/16/2017

United Subcontractors, Inc. dba Skyline Insulation's Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements

MINUTES


Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Status Check** (9:00 AM) (Judicial Officer: Denton, Mark R.)

Status Check Re: Resetting Trial
Matter Heard;
Matter Heard

10/05/2017 **CANCELED Status Check** (9:00 AM) (Judicial Officer: Denton, Mark R.)


Vacated
Status Check Re: SCR 42 Compliance (John B. Taylor, Esq.)

10/05/2017  **All Pending Motions** (9:00 AM) (Judicial Officer: Denton, Mark R.)


Matter Heard;
Matter Heard

10/13/2017  **Order Setting Civil Non-Jury Trial and Calendar Call**

Order Setting Civil Non- Jury Trial and Calendar Call

10/26/2017  **Motion to Withdraw As Counsel**

Filed By: Counter Defendant Buchele Inc
Motion to Withdraw as Counsel for Buchele, Inc. and for Order Shortening Time

10/26/2017  **Order**

Filed By: Plaintiff Apco Construction
Order

10/30/2017  **Notice of Entry of Order**

Filed By: Plaintiff Apco Construction
Notice of Entry of Order

11/06/2017  **Supplement to Opposition**

Filed By: Plaintiff Apco Construction
Supplemental Briefing in Opposition to Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against Apco Construction, Inc.





11/06/2017  **Motion in Limine**

Filed By: Counter Defendant Helix Electric of Nevada LLC
Helix Electric of Nevada's Motions in Limine Nos. 1-4 (Against APCO Construction)





DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 11/06/2017 |  Motion in Limine Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Motion In Limine To Limit The Defenses of APCO Construction To The Enforceability of Pay-If-Paid Provision</i> |
| 11/06/2017 |  Omnibus Motion In Limine Filed by: Plaintiff Apco Construction <i>APCO Construction Inc.'s Omnibus Motion in Limine</i> |
| 11/06/2017 |  Notice of Hearing Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Hearing on Helix Electric of Nevada's Motions in Limine Nos. 1-4 (Against APCO Construction)</i> |
| 11/06/2017 |  Notice of Hearing Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc <i>Notice of Hearing on Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)</i> |
| 11/06/2017 |  Motion in Limine Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc <i>Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)</i> |
| 11/06/2017 |  Motion in Limine Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff In Intervention, National Wood Products, Inc.'s Motion in Limine to Exclude Evidence Testimony, Documents and Things not Properly Produced by Defendant APCO Construction in Discovery; Declaration of S.Judy Hirahara; and Memorandum of Points and Authorities in Support Thereof</i> |
| 11/07/2017 |  Notice of Hearing Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Hearing on Plaintiff-In-Intervention, National Wood Products, Inc.'s Motion In Limine to Exclude Evidence, Testimony, Documents and Things Not Properly Produced by Defendant APCO Construction in Discovery; Declaration of S. Judy Hirahara; and Memorandum of Points and Authorities in Support Thereof</i> |
| 11/13/2017 |  Notice of Deposition Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff In Intervention National Wood Products, Inc.'s Notice of Deposition of Deposition of Nicholas Cox, Cabinetec's Representative</i> |
| 11/13/2017 |  Notice of Deposition Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Deposition of Kurt Micek, National Wood Products, Inc.'s Person Most Knowledgeable</i> |
| 11/14/2017 |  Objection Filed By: Plaintiff Apco Construction <i>Apco Construction's Objections to National Wood Products, Inc.'s November 13, 2017 Notices of Depositions</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 11/14/2017 |  Notice of Change of Address Filed By: Plaintiff Apco Construction <i>Notice of Change of Address</i> |
| 11/14/2017 |  Opposition to Motion in Limine Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Opposition to APCO Construction's Omnibus Motion In Limine Nos. 3, 6 and 7A</i> |
| 11/14/2017 |  Opposition Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in Limine Nos. 1-4 (Against Apco Construction)</i> |
| 11/14/2017 |  Opposition Filed By: Plaintiff Apco Construction <i>Apco Construction's Opposition to Zitting Brothers Construction, Inc.'s Motion in Limine to Limit the Defenses of Apco Construction to the Enforceability of a Pay-If-Paid Provision</i> |
| 11/14/2017 |  Opposition Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Opposition to Plaintiff-In-Intervention, National Wood Products, Inc.'s Motion in Limine to Exclude Evidence, Testimony, Documents and things not Properly Produced by Defendant Apco Construction in Discovery</i> |
| 11/14/2017 |  Opposition to Motion Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Opposition to APCO Construction's Omnibus Motion in Limine</i> |
| 11/14/2017 |  Joinder Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Counter Defendant Buchele Inc; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Peel Brimley Lien Claimants' Joinder to Oppositions to APCO Construction's Omnibus Motion in Limine</i> |
| 11/14/2017 |  Opposition to Motion in Limine Filed By: Counter Defendant Buchele Inc <i>Buchele, Inc.'s Opposition to APCO Construction's Omnibus Motion in Limine</i> |
| 11/14/2017 |  Opposition to Motion in Limine Filed By: Doing Business As Helix Electric <i>Helix Electric of Nevada's Opposition to APCO Construction's Omnibus Motion in Limine</i> |
| 11/14/2017 |  Joinder Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Joinder to Apco's Objections t National Wood Products, Inc.'s Notices of Deposition</i> |
| 11/14/2017 |  Opposition to Motion in Limine Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Opposition to Lien CLaimants' Motions in Limine Nos. 1-6</i> |

DISTRICT COURT
CASE SUMMARY
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| 11/15/2017 |  Reply in Support Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Reply in Support of its Omnibus Motion in Limine</i> |
| 11/15/2017 |  Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder To Other Lien Claimants' Opposition To APCO Construction's Omnibus Motion in Limine</i> |
| 11/15/2017 |  Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder To Other Lien Claimants' Motions In Limine Against APCO Construction</i> |
| 11/16/2017 | Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 10/26/2017 Motion to Withdraw As Counsel <i>Eric B. Zimbelman, Esq.'s Motion to Withdraw as Counsel for Buchele, Inc. and for Order Shortening Time</i> Granted; <i>Granted</i> |
| 11/16/2017 | Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 11/06/2017 Motion in Limine <i>Zitting Brothers Construction, Inc.'s Motion in Limine to Limit the Defenses of Apco Construction to the Enforceability of Pay-If-Paid Provision</i> MINUTES Granted; <i>Granted</i> |
| 11/16/2017 | Omnibus Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 11/06/2017 Omnibus Motion In Limine <i>Apco Construction, Inc.'s Omnibus Motion in Limine</i> MINUTES  Omnibus Motion In Limine Filed by: Plaintiff Apco Construction <i>APCO Construction Inc.'s Omnibus Motion in Limine</i> Granted in Part; <i>Granted in Part</i> |
| 11/16/2017 | Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 11/06/2017 Notice of Hearing <i>Helix Electric of Nevada's Motions in Limine Nos. 1-4 (Against APCO Construction)</i> MINUTES Granted in Part; <i>Granted in Part</i> |
| 11/16/2017 | Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 11/06/2017 Notice of Hearing <i>Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)</i> MINUTES Granted; <i>Granted</i> |
| 11/16/2017 | Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff In Intervention, Natoinal Wood Products, Inc's Motion in Limine to Exclude Evidence Testimony, Documents and Things not Properly Produced by Defendant APCO</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228












Construction in Discovery; Declaration of S.Judy Hirahara; and Memorandum of Points and Authorities in Support Thereof

MINUTES

no Notice of Motion provided by filer
Granted;
Granted










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| 11/16/2017 | Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 11/06/2017 Motion in Limine <i>Helix Electric of Nevada's Motion in Limine Nos. 1-4 Against APCO Construction</i> |
| 11/16/2017 |  All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i> |
| 11/16/2017 |  Supplement to Response and Opposition Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc. s Response To APCO Construction s Supplemental Opposition To Zitting Brothers Construction, Inc. s Motion For Partial Summary Judgment</i> |
| 11/16/2017 |  Reply in Support Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc s Reply In Support Of Motion In Limine To Limit The Defenses Of APCO Construction (APCO) To The Enforceability Of Pay-If-Paid Provision</i> |
| 11/20/2017 |  Calendar Call (2:00 PM) (Judicial Officer: Denton, Mark R.) Vacated and Reset; <i>Vacated and Reset</i> |
| 11/27/2017 |  Decision <i>Decision</i> |
| 11/27/2017 |  Decision <i>Decision</i> |
| 11/28/2017 | CANCELED Bench Trial (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Judge</i> |
| 11/29/2017 | CANCELED Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated - On in Error</i> <i>Plaintiff's Second Motion to Compel Discovery</i> |
| 11/30/2017 |  Order Setting Civil Non-Jury Trial <i>Order Setting Civil Non-Jury Trial and Calendar Call</i> |
| 12/05/2017 |  Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i> |
| 12/05/2017 |  Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 12/05/2017 |  Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i> |
| 12/05/2017 |  Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i> |
| 12/05/2017 |  Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i> |
| 12/05/2017 | CANCELED Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) <i>Vacated - Duplicate Entry</i> |
| 12/06/2017 |  Motion Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time</i> |
| 12/07/2017 | CANCELED Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) <i>Vacated</i> |
| 12/18/2017 |  Certificate of Service Filed by: Plaintiff Apco Construction <i>Certificate of Service</i> |
| 12/21/2017 |  Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Apco Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time</i> Granted; <i>Granted</i> |
| 12/28/2017 |  Order Granting Motion Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Order Granting Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)</i> |
| 12/28/2017 |  Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC's Motions in Limine (Against APCO Construction)</i> |
| 12/28/2017 |  Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Order Granting in Part and Denying in Part APCO Constructions's Omnibus Motion in Limine</i> |
| 12/29/2017 |  Notice of Entry of Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Entry of Order</i> |
| 12/29/2017 |  Notice of Entry of Order Filed By: Counter Defendant Helix Electric of Nevada LLC |









DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Notice of Entry of Order








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| 12/29/2017 |  Notice of Entry of Order Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Notice of Entry of Order</i> |
| 12/29/2017 |  Findings of Fact, Conclusions of Law and Order Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Findings of Fact, Conclusion of Law, and Order Granting Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against Apco</i> |
| 12/29/2017 | Partial Summary Judgment (Judicial Officer: Denton, Mark R.) Debtors: APCO Construction (Counter Claimant) Creditors: Zitting Brothers Construction Inc (Counter Defendant) Judgment: 12/29/2017, Docketed: 01/18/2018 Total Judgment: 750,807.16 Comment: Certain Cause |
| 01/02/2018 |  Calendar Call (2:00 PM) (Judicial Officer: Denton, Mark R.) Trial Date Set; <i>Trial Date Set</i> |
| 01/02/2018 |  Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: All Pending Motions, October 5, 2017</i> |
| 01/02/2018 |  Recorders Transcript of Hearing <i>Recorder's Transcript of Hearing Re: All Pending Motions, November 16, 2017</i> |
| 01/02/2018 |  Order Granting Motion <i>Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i> |
| 01/02/2018 |  Notice of Entry <i>Notice of Entry of Findings of Fact, Conclusion of Law, and ORder Granting Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against Apco Construction</i> |
| 01/03/2018 |  Notice of Entry of Order Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Notice of Entry of Order</i> |
| 01/04/2018 |  Amended Order Filed By: Intervenor National Wood Products, Inc.'s <i>Amended Nunc Pro Tunc Order Regarding Apco Construction, Inc.'s Omnibus Motion in Limine - Motion in Limine No. 7</i> |
| 01/04/2018 |  Motion <i>Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimants' Partial Motion for Summary Judgment to Preclude Defenses Based on Pay if Paid Provisions on an Order Shrotening Time</i> |
| 01/04/2018 |  Notice of Entry of Order |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Intervenor National Wood Products, Inc.'s
Notice of Entry of Order on Amended Nunc Pro Tunc Order Regarding Apco Construction, Inc.'s Omnibus Motion in Limine - Motion in Limine No. 7

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| 01/08/2018 |  Joinder To Motion Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland <i>Camco's Joinder in Apco's Motion for Reconsideration</i> |
| 01/08/2018 |  Notice of Attorney Lien Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland <i>Notice of Attorney's Lien</i> |
| 01/08/2018 |  Motion Filed By: Plaintiff Apco Construction <i>Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment and Ex Parte Application for Order Shortening Time and to Exceed Page Limit</i> |
| 01/09/2018 | CANCELED Non-Jury Trial (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Judge</i> |
| 01/09/2018 |  Opposition to Motion Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff in Intervention, National Wood Products, Inc.'s Opposition to APCO Construction's Motion for Reconsideration of the Court's Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment to Preclude Defenses of Pay if Paid Provisions</i> |
| 01/09/2018 |  Opposition to Motion Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Peel Brimley Lien Claimants' Opposition to APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</i> |
| 01/09/2018 |  Order Granting Motion Filed By: Intervenor National Wood Products, Inc.'s <i>Order Granting Plaintiff In Intervention, National Wood Products, Inc.'s Motion In Limine</i> |
| 01/10/2018 |  Reply in Support Filed By: Plaintiff Apco Construction <i>Reply in Support of Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimants' Partial Motion for Summary Judgment to Preclude Defenses Based on Pay-If-Paid Provisions on an Order Shortening Time</i> |
| 01/10/2018 |  Opposition to Motion <i>Zitting Brothers Construction, Inc.'s Opposition to APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction's Partial Motion for Summary Judgment</i> |
| 01/10/2018 |  Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order Granting Plaintiff In Intervention National Wood Products, Inc.'s Motion In Limine</i> |

DISTRICT COURT
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CASE NO. 08A571228

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| 01/11/2018 | Motion For Reconsideration (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff's Motion for Reconsideration of Courts Order Granting Peel Brimley Lien Claimants Partial Motion for Summary Judgment to Preclude Defenses Based on Pay if Paid Provisions on and Order Shortening Time</i> Denied; <i>Denied</i> |
| 01/11/2018 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Camco's Joinder to APCO's Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimant's Partial Motion for Summary Judgment to Preclude Defenses Based on Pay if Paid Provisions</i> Denied; <i>Denied</i> |
| 01/11/2018 | Motion For Reconsideration (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff's Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment and Ex Parte Application for Order Shortening Time and to Exceed Page Limit</i> Denied; <i>Denied</i> |
| 01/11/2018 |  All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i> |
| 01/11/2018 |  Motion to Stay Filed By: Plaintiff Apco Construction <i>Plaintiff's Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and (62(H) on Order Shortening Time</i> |
| 01/11/2018 |  Pre-trial Memorandum Filed by: Third Party Plaintiff E & E Fire Protection LLC <i>E&E Fire Protection, LLC's Pretrial Memorandum</i> |
| 01/12/2018 |  Joint Pre-Trial Memorandum Filed By: Plaintiff Apco Construction <i>Joint Pre-Trial Memorandum (for APCO Construction, Inc., the Peel Brimley Lien Claimants, and National Wood Products, LLC Only)</i> |
| 01/16/2018 |  Motion to Stay (9:00 AM) (Judicial Officer: Denton, Mark R.) 01/16/2018, 01/19/2018 <i>Plaintiff's Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and (62(H) on Order Shortening Time</i> Continued; Denied Without Prejudice; Continued; Denied Without Prejudice; <i>Continued</i> |
| 01/16/2018 |  Order Granting Filed By: Plaintiff Apco Construction <i>Order Granting Apco Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time</i> |
| 01/16/2018 |  Notice of Entry Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Granting Apco Construction, Inc.'s Motion to Request Buchele,</i> |

DISTRICT COURT
CASE SUMMARY
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Inc. Comply with EDCR 7.42 on Order Shortening Time

01/16/2018



Trial Brief

Filed By: Plaintiff Apco Construction
Apco Construction, Inc.'s Trial Brief

01/17/2018



Bench Trial (10:00 AM) (Judicial Officer: Denton, Mark R.)
01/17/2018-01/19/2018, 01/23/2018-01/24/2018, 02/06/2018

Trial Continues; Day 1

Trial Continues; Day 2

Trial Continues; Day 3

Trial Continues; Day 4

Trial Continues; Day 5

Trial Continues; Day 6

Trial Continues; Day 1

Trial Continues; Day 2

Trial Continues; Day 3

Trial Continues; Day 4

Trial Continues; Day 5

Trial Continues; Day 6

Trial Continues; Day 1

Trial Continues; Day 2

Trial Continues; Day 3

Trial Continues; Day 4

Trial Continues; Day 5

Trial Continues; Day 6

Trial Continues; Day 1

Trial Continues; Day 2

Trial Continues; Day 3

Trial Continues; Day 4

Trial Continues; Day 5

Trial Continues; Day 6

Trial Continues; Day 1

Trial Continues; Day 2

Trial Continues; Day 3

Trial Continues; Day 4

Trial Continues; Day 5

Trial Continues; Day 6

Trial Continues; Day 1

Trial Continues; Day 2

Trial Continues; Day 3

Trial Continues; Day 4

Trial Continues; Day 5

Trial Continues; Day 6

Trial Continues

01/17/2018



Trial Brief

Filed By: Intervenor National Wood Products, Inc.'s
Plaintiff In Intervention National Wood Products, Inc.'s Trial Brief

01/18/2018



Opposition

Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Opposition To Motion To Stay Pending Entry Of Final Judgment Pursuant To NRCP 62(B) and 62(H)













01/18/2018



Stipulation and Order

Stipulation and Order Regarding Trial Exhibits Admitted into Evidence














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| 01/18/2018 |  Notice of Entry of Stipulation and Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order Regarding Trial Exhibits Admitted into Evidence</i> |
| 01/19/2018 | Minute Order (3:00 AM) (Judicial Officer: Williams, Timothy C.) |
| 01/19/2018 |  Order Denying Motion Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</i> |
| 01/19/2018 |  Notice of Entry of Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Entry of Order</i> |
| 01/25/2018 |  Notice of Change Filed By: Other United Subcontractors Inc <i>Notice of Change of Firm Affiliation and Address</i> |
| 01/25/2018 |  Order Denying Motion <i>Oder Denying APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment</i> |
| 01/29/2018 |  Memorandum of Costs and Disbursements Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Verified Memorandum of Costs</i> |
| 01/29/2018 |  Memorandum Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Memorandum In Support of APCO Construction, Inc.'s Payment of Attorneys' Fees, Costs, and Interest to Zitting Brothers Construction, Inc.</i> |
| 01/31/2018 |  Notice of Entry of Order <i>Notice of Entry of Order Denying APCO Contruction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment</i> |
| 01/31/2018 |  Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day One, January 17, 2018</i> |
| 01/31/2018 |  Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day Two, January 18, 2018</i> |
| 01/31/2018 |  Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day Three, January 19, 2018</i> |
| 01/31/2018 |  Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day Five, January 24, 2018</i> |
| 02/05/2018 |  Stipulation and Order for Dismissal Filed by: Plaintiff Apco Construction <i>Stipulation and Order to Dismiss Third Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against Apco Construction, Inc. with Prejudice</i> |













DISTRICT COURT
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| 02/15/2018 |  Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day Six, February 6, 2018</i> |
| 02/16/2018 |  Notice of Appeal Filed By: Plaintiff Apco Construction <i>Notice of Appeal</i> |
| 02/16/2018 |  Case Appeal Statement Filed By: Plaintiff Apco Construction <i>Case Appeal Statement</i> |
| 02/16/2018 |  Opposition Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Opposition to Zitting Brothers, Inc.'s Memorandum In Support of Apco Construction, Inc.'s Payment of Attorneys' Fees, Costs and Interest to Zitting Construction Brothers, Inc.</i> |
| 02/26/2018 |  Reply in Support Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Reply in Support of Its Memorandum in Support of APCO Construction, Inc.'s Payment of Attorneys' Fees, Costs, and Interest</i> |
| 02/28/2018 |  Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order to Extend Deadline to file Proposed Findings of Fact, Conclusions of Law and Post-Trial Briefs</i> |
| 02/28/2018 |  Finding of Fact and Conclusions of Law Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>(Proposed) E&E Fire Protections, LLC's Findings of Facts and Conclusions of Law - Proposed</i> |
| 02/28/2018 |  Notice of Entry of Stipulation and Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order to Extend Deadline to File Proposed Findings of Fact, Conclusions of Law and Post-Trial Briefs</i> |
| 03/01/2018 |  Hearing (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Hearing Re: ZBCI Attorney's Fees and Costs</i> Under Advisement; <i>Under Advisement</i> |
| 03/08/2018 |  Trial Brief Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff In Intervention, National Wood Products, Inc.'s Post Trial Brief</i> |
| 03/08/2018 |  Trial Brief Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Post-Trial Brief</i> |
| 03/08/2018 |  Trial Brief Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland <i>Camco's Post Trial Brief</i> |

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| 03/23/2018 |  Respondent's Answering Brief Filed by: Intervenor National Wood Products, Inc.'s <i>Plaintiff in Intervention, National Wood Products, Inc.'s Response to CAMCO Pacific Construction Company, Inc.'s Post-Trial Brief</i> |
| 03/23/2018 |  Respondent's Answering Brief Filed by: Intervenor National Wood Products, Inc.'s <i>Plaintiff in Intervention, National Wood Products, Inc.'s Response to APCO Construction, Inc.'s Post-Trial Brief</i> |
| 03/23/2018 |  Response Filed by: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada, LLC's Response to APCO Construction's Post-Trial Brief</i> |
| 03/23/2018 |  Response <i>Peel Brimley Lien Claimants' Response to Camco's Post-Trial Brief</i> |
| 03/23/2018 |  Opposition to Motion Filed By: Plaintiff Apco Construction <i>APCO Construction, Inc.'s Opposition to Camco Pacific Construction Company's Post-Trial Brief</i> |
| 03/27/2018 |  Decision <i>Decision</i> |
| 04/25/2018 |  Findings of Fact, Conclusions of Law and Order <i>Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO</i> |
| 04/26/2018 |  Finding of Fact and Conclusions of Law Filed By: Plaintiff Apco Construction <i>Findings of Fact and Conclusion of Law Re Camco</i> |
| 04/26/2018 |  Finding of Fact and Conclusions of Law Filed By: Plaintiff Apco Construction <i>Findings of Fact and Conclusions of Law as to the Claims of Fast Glass, INC.</i> |
| 04/26/2018 |  Finding of Fact and Conclusions of Law Filed By: Plaintiff Apco Construction <i>Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction CO.,INC.</i> |
| 04/26/2018 |  Finding of Fact and Conclusions of Law Filed By: Plaintiff Apco Construction <i>Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing</i> |
| 04/26/2018 |  Finding of Fact and Conclusions of Law Filed By: Plaintiff Apco Construction <i>Findings of Fact and Conclusions of Law as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction Inc.</i> |
| 04/26/2018 |  Finding of Fact and Conclusions of Law Filed By: Plaintiff Apco Construction <i>E&E Fire Protection,LLC'S Findings of Fact and Conclusions of Law</i> |

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| 04/26/2018 |  Finding of Fact and Conclusions of Law Filed By: Plaintiff Apco Construction <i>Findings of Fact and Conclusions of Law as to the Claims of SWPPP Compliance Solutions Inc.</i> |
| 04/26/2018 |  Order Filed By: Plaintiff Apco Construction <i>Order Re Submission of Proposed Judgments</i> |
| 05/01/2018 |  Memorandum of Costs and Disbursements Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>E&E Fire Protection's Memorandum of Costs and Disbursements</i> |
| 05/03/2018 |  Memorandum of Costs and Disbursements Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)</i> |
| 05/03/2018 |  Memorandum of Costs and Disbursements Filed By: Counter Defendant Heinaman Contract Glazing <i>Memorandum of Costs and Disbursements (Heinaman Contract Glazing)</i> |
| 05/03/2018 |  Memorandum of Costs and Disbursements Filed By: Counter Defendant Fast Glass Inc <i>Memorandum of Costs and Disbursements (Fast Glass, Inc.)</i> |
| 05/03/2018 |  Memorandum of Costs and Disbursements Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Memorandum of Costs and Disbursements (Cactus Rose Construction, Inc.)</i> |
| 05/03/2018 |  Memorandum of Costs and Disbursements Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Memorandum of Costs and Disbursements (SWPPP Compliance Solutions, LLC)</i> |
| 05/03/2018 |  Memorandum of Costs and Disbursements <i>Apco Construction, Inc.'s Memorandum of Costs and Disbursements (Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, LLC)</i> |
| 05/04/2018 |  Order <i>Order Regarding Plaintiff's Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and 62(H) on Order Shortening Time</i> |
| 05/04/2018 |  Motion for Attorney Fees Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>E&E Fire Protection's Motion for Attorney Fees Against Camco Pacific Construction Company</i> |
| 05/08/2018 | Order (Judicial Officer: Denton, Mark R.) Debtors: APCO Construction (Counter Claimant) Creditors: Zitting Brothers Construction Inc (Counter Defendant) Judgment: 05/08/2018, Docketed: 05/08/2018 Total Judgment: 185,443.95 |
| 05/08/2018 |  Order <i>Order Determining Amount of Zitting Brothers Construction, Inc's Attorney's Fees, Costs,</i> |










DISTRICT COURT
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and Prejudgment Interest

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| 05/08/2018 |  Motion to Retax Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff In Intervention, National Wood Products, Inc.'s Notice of Motion and Motion to Retax Costs Re: Defendant APCO Construction's Memorandum of Costs and Disbursements Against Plaintiff In Intervention National Wood Products, Inc.</i> |
| 05/08/2018 |  Joinder To Motion Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff In Intervention National Wood Products, Inc.'s, Joinder to Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO Construction's Memorandum of Costs and Disbursements</i> |
| 05/08/2018 |  Motion to Retax Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada, LLC's Motion to Retax Costs re: Defendant APCO Construction's Memorandum of Costs and Disbursements</i> |
| 05/08/2018 |  Joinder To Motion Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada, LLC's Joinder to National Wood's Motion to Retax Costs re: Defendant APCO Construction's Memorandum of Costs and Disbursements</i> |
| 05/08/2018 |  Motion for Attorney Fees and Costs Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Motion for Attorney's Fees and Costs against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.</i> |
| 05/11/2018 |  Notice of Entry of Order <i>Notice of Entry of Order Determining Amount of Zitting Brothers Construction, Inc.'s Attorney's Fees, Costs, and Prejudgment Interest</i> |
| 05/16/2018 | Judgment Plus Interest (Judicial Officer: Denton, Mark R.) Debtors: Camco Pacific Construction Co Inc (Third Party Defendant) Creditors: E & E Fire Protection LLC (Third Party Plaintiff) Judgment: 05/16/2018, Docketed: 05/16/2018 Total Judgment: 6,481,088.31 |
| 05/16/2018 | Judgment (Judicial Officer: Denton, Mark R.) Debtors: Fidelity & Deposit Co Of Maryland (Third Party Defendant) Creditors: E & E Fire Protection LLC (Third Party Plaintiff) Judgment: 05/16/2018, Docketed: 05/16/2018 Total Judgment: 50,000.00 |
| 05/16/2018 |  Judgment Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>Judgment in Favor of E&E Fire Protection and Against CAMCO Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland</i> |
| 05/17/2018 |  Notice of Entry of Judgment Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>Notice of Entry of Judgment in Favor of E&E Fire Protection and Against Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland</i> |
| 05/21/2018 |  Notice of Appearance Party: Intervenor Defendant Fidelity & Deposit Company Of Maryland |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Notice of Appearance

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| 05/23/2018 | Judgment Plus Interest (Judicial Officer: Denton, Mark R.) Debtors: APCO Construction (Counter Claimant) Creditors: Zitting Brothers Construction Inc (Counter Defendant) Judgment: 05/23/2018, Docketed: 05/24/2018 Total Judgment: 2,623,309.38 |
| 05/23/2018 |  Judgment <i>Judgment in Favor of Zitting Brothers Construction, Inc.</i> |
| 05/24/2018 |  Notice of Entry of Judgment <i>Notice of Entry of Judgment in Favor of Zitting Brothers Construction, Inc.</i> |
| 05/25/2018 | Order of Dismissal With Prejudice (Judicial Officer: Denton, Mark R.) Debtors: Nevada Prefab Engineers Inc (Intervenor), Steel Structures Inc (Intervenor), Gerdau Reinforcing Steel (Counter Defendant) Creditors: Apco Construction (Plaintiff) Judgment: 05/25/2018, Docketed: 05/25/2018 |
| 05/25/2018 |  Stipulation and Order for Dismissal With Prejudice Filed By: Plaintiff Apco Construction <i>Stipulation and Order for Dismissal with Prejudice</i> |
| 05/25/2018 |  Notice of Entry of Stipulation and Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order</i> |
| 05/25/2018 |  Motion to Withdraw As Counsel Filed By: Counter Claimant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Motion to Withdraw as Counsel of Record And For Entry of Final Judgment for Fees and Costs</i> |
| 05/26/2018 |  Supplemental Points and Authorities <i>APCO Construction, Inc.'s Supplement to its Motion for Attorneys Fees and Costs Against Helix Electric of Nevada, LLC and National Wood Products, Inc.</i> |
| 05/29/2018 |  Substitution of Attorney Filed by: Intervenor Defendant Fidelity & Deposit Company Of Maryland <i>Substitution of Attorneys</i> |
| 05/30/2018 |  Stipulation and Order Filed by: Counter Defendant Helix Electric of Nevada LLC <i>Stipulation and Order to Continue Hearings and Extend Briefing Deadlines</i> |
| 05/30/2018 |  Notice of Entry of Stipulation and Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Entry of Stipulation and Order</i> |
| 05/30/2018 | Judgment (Judicial Officer: Denton, Mark R.) Debtors: Camco Pacific Construction Co Inc (Intervenor Defendant) Creditors: SWPPP Compliance Solutions LLC (Intervenor Plaintiff) Judgment: 05/30/2018, Docketed: 05/31/2018 |
| 05/30/2018 | Judgment (Judicial Officer: Denton, Mark R.) |


DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228


Debtors: Camco Pacific Construction Co Inc (Counter Claimant)
Creditors: Fast Glass Inc (Counter Defendant)
Judgment: 05/30/2018, Docketed: 05/31/2018


05/30/2018 **Judgment** (Judicial Officer: Denton, Mark R.)
Debtors: Camco Pacific Construction Company Inc (Counter Claimant)
Creditors: Helix Electric of Nevada LLC (Counter Defendant), Helix Electric (Doing Business As)
Judgment: 05/30/2018, Docketed: 05/31/2018


05/30/2018 **Judgment** (Judicial Officer: Denton, Mark R.)
Debtors: Camco Pacific Construction Inc (Counter Defendant)
Creditors: Cactus Rose Construction (Counter Claimant)
Judgment: 05/30/2018, Docketed: 05/31/2018


05/30/2018 **Judgment** (Judicial Officer: Denton, Mark R.)
Debtors: Camco Pacific Construction Company Inc (Counter Claimant)
Creditors: Heinaman Contract Glazing (Counter Defendant)
Judgment: 05/30/2018, Docketed: 05/31/2018


05/30/2018  **Judgment**
Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC
Judgment [As to the Claims of SWPPP Compliance Solutions, Inc. Against Camco Construction Co., Inc.]

05/30/2018  **Judgment**
Filed By: Counter Defendant Fast Glass Inc
Judgment [As to the Claims of Fast Glass, Inc. Against Camco Construction Co., Inc.]


05/30/2018  **Judgment**
Filed By: Counter Defendant Helix Electric of Nevada LLC
Judgment [As to the Claims of Helix Electric of Nevada Against Camco Construction Co., Inc.]

05/30/2018  **Judgment**
Filed By: Intervenor Plaintiff Cactus Rose Construction Inc
Judgment [As to the Claims of Cactus Rose Construction Co., Inc. Against Camco Construction Co., Inc.]

05/30/2018  **Judgment**
Filed By: Counter Defendant Heinaman Contract Glazing
Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]













05/30/2018  **Order Shortening Time**
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland
Order Shortening Time for Hearing on Motion to Withdraw

05/31/2018 **Judgment** (Judicial Officer: Denton, Mark R.)
Debtors: Helix Electric of Nevada LLC (Counter Defendant), National Wood Products, Inc.'s (Intervenor)
Creditors: APCO Construction (Counter Claimant)
Judgment: 05/31/2018, Docketed: 05/31/2018









05/31/2018  **Judgment**
Filed By: Plaintiff Apco Construction

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Judgment [As to the Claims of Helix Electric of Nevada LLC and Plaintiff in Intervention National Wood Products Inc's Against Apco Construction Inc]

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| 05/31/2018 |  Notice of Entry of Judgment Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Notice of Entry of Judgment</i> |
| 05/31/2018 |  Notice of Entry of Judgment Filed By: Counter Defendant Fast Glass Inc <i>Notice of Entry of Judgment</i> |
| 05/31/2018 |  Notice of Entry of Judgment Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Entry of Judgment</i> |
| 05/31/2018 |  Notice of Entry of Judgment Filed By: Counter Defendant Heinaman Contract Glazing <i>Notice of Entry of Judgment</i> |
| 05/31/2018 |  Notice of Entry of Judgment Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Notice of Entry of Judgment</i> |
| 05/31/2018 |  Opposition to Motion Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Peel Brimley Lien Claimants' Limited Opposition to Motion of Camco Counsel to Withdraw and for Judgment on Attorney's Lien</i> |
| 05/31/2018 |  Motion to Enforce Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. dba Skyline Insulation's Motion to Enforce Settlement Agreement and Enter Judgment</i> |
| 05/31/2018 |  Opposition and Countermotion Filed By: Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Fidelity and Deposit Company of Maryland's Opposition to Motion to Withdraw as Counsel of Record and for Entry of Final Judgment For Fees & Costs and Countermotion for Sanctions</i> |
| 06/01/2018 |  Notice of Entry of Judgment Filed By: Plaintiff Apco Construction <i>Notice of Entry of Judgment</i> |
| 06/01/2018 |  Motion for Attorney Fees and Costs Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada, LLC's Motion for Attorney's Fees, Interest and Costs</i> |
| 06/01/2018 |  Motion for Attorney Fees and Costs Filed By: Counter Defendant Heinaman Contract Glazing <i>Heinaman Contract Glazing's Motion for Attorney's Fees, Interest and Costs</i> |
| 06/01/2018 |  Motion for Attorney Fees and Costs Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Compliance Solution Inc.'s Motion for Attorney's Fees, Interest and Costs</i> |














DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/01/2018 |  Motion for Attorney Fees and Costs Filed By: Counter Defendant Fast Glass Inc <i>Fast Glass, Inc.'s Motion for Attorney's Fees, Interest and Costs</i> |
| 06/01/2018 |  Motion for Attorney Fees and Costs Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Cactus Rose Construction Co., Inc.'s Motion for Attorney's Fees, Interest and Costs</i> |
| 06/04/2018 | Motion for Attorney Fees (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>E&E Fire Protection's Motion for Attorney Fees Against Camco Pacific Construction Company</i> Granted; <i>Granted</i> |
| 06/04/2018 | Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Motion to Withdraw as Counsel of Record And For Entry of Final Judgment for Fees and Costs</i> Granted in Part; <i>Granted in Part</i> |
| 06/04/2018 | Opposition and Countermotion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Fidelity and Deposit Company of Maryland's Opposition to Motion to Withdraw as Counsel of Record and for Entry of Final Judgment For Fees & Costs and Countermotion for Sanctions</i> Denied; <i>Denied</i> |
| 06/04/2018 |  All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i> |
| 06/04/2018 |  Order Granting Motion Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>Order Granting E&E Fire Protection's Motion for Attorney Fees Against CAMCO Pacific Construction Company, Inc.</i> |
| 06/04/2018 |  Notice of Entry of Order Filed By: Counter Defendant E & E Fire Protection LLC <i>Notice of Entry of Order Granting E&E Fire Protection's Motion for Attorney Fees Against Camco Pacific Construction Company</i> |
| 06/04/2018 | Judgment (Judicial Officer: Denton, Mark R.) Debtors: Camco Pacific Construction Co Inc (Third Party Defendant) Creditors: E & E Fire Protection LLC (Third Party Plaintiff) Judgment: 06/04/2018, Docketed: 06/06/2018 Total Judgment: 66,421.16 |
| 06/07/2018 |  Motion Filed By: Intervenor Defendant Fidelity and Deposit Company of Maryland <i>Fidelity and Deposit Company of Maryland's Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond, and Dismissal</i> |
| 06/08/2018 |  Amended Notice of Appeal <i>Amended Notice of Appeal</i> |
| 06/08/2018 |  Amended Case Appeal Statement <i>Amended Case Appeal Statement</i> |



DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/08/2018 |  Motion Filed By: Plaintiff Apco Construction <i>Plaintiff's Motion for 54(b) Certification and for Stay Pending Appeal on Order Shortening Time</i> |
| 06/11/2018 |  Response Filed by: Third Party Plaintiff E & E Fire Protection LLC <i>E&E Fire Protection's Response to Fidelity and Deposit Company of Maryland's Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal; and E&E Fire Protection's Motion to Disburse Funds to E&E Fire Protection</i> |
| 06/14/2018 |  Response Filed by: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>The PB Judgment Creditors' Response to Fidelity's Motion to Interplead Bond Proceeds and Objection to E&E Fire's Response</i> |
| 06/15/2018 |  Declaration Filed By: Intervenor National Wood Products, Inc.'s <i>Declaration of S. Judy Hirahara</i> |
| 06/15/2018 |  Request Filed by: Plaintiff Apco Construction <i>Request for Transcript of Proceedings</i> |
| 06/15/2018 |  Opposition Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada's Opposition to APCO Construction's Motion for Attorney's Fees and Costs</i> |
| 06/15/2018 |  Opposition <i>Apco Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Motions to Retax Costs</i> |
| 06/15/2018 |  Opposition to Motion Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff-In-Intervention National Wood Products, Inc.'s Opposition to APCO Construction's Motion for Attorneys' Fees and Costs</i> |
| 06/18/2018 |  Joinder to Opposition to Motion Filed by: Intervenor National Wood Products, Inc.'s <i>Plaintiff In Intervention, National Wood Products, Inc.'s Joinder to Helix Electric of Nevada, LLC's Opposition to APCO Construction's Motion for Attorney's Fees and Costs</i> |
| 06/19/2018 |  Opposition Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers' Construction, Inc.'s Limited Opposition to APCO Construction, Inc.'s Motion for 54(b) Certification and for Stay Pending Appeal on Order Shortening Time</i> |
| 06/21/2018 |  Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff's Motion for 54(b) Certification and for Stay Pending Appeal on Order Shortening Time</i> Motion Granted; <i>Motion Granted</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

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| 06/21/2018 |  Notice of Non Opposition Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Compliance Solution Inc.'s Notice of Non Opposition to Its Motion for Attorney's Fees, Interest and Costs</i> |
| 06/21/2018 |  Notice of Non Opposition Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Cactus Rose Construction Co., Inc.'s Notice of Non Opposition to Its Motion for Attorney's Fees, Interest and Costs</i> |
| 06/21/2018 |  Notice of Non Opposition Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada, LLC's Notice of Non Opposition to Its Motion for Attorney's Fees, Interest and Costs</i> |
| 06/21/2018 |  Notice of Non Opposition Filed By: Counter Defendant Heinaman Contract Glazing <i>Heinaman Contract Glazing's Notice of Non Opposition to Its Motion for Attorney's Fees, Interest and Costs</i> |
| 06/21/2018 |  Notice of Non Opposition Filed By: Counter Defendant Fast Glass Inc <i>Fast Glass, Inc.'s Notice of Non Opposition to Its Motion for Attorney's Fees, Interest and Costs</i> |
| 06/26/2018 |  Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: All Pending Motions, January 11, 2018</i> |
| 06/26/2018 |  Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Plaintiff's Motion For 54(b) Certification And For Stay Pending Appeal On Order Shortening Time, June 21, 2018</i> |
| 06/28/2018 |  Notice of Appeal Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Appeal</i> |
| 06/28/2018 |  Case Appeal Statement Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Case Appeal Statement</i> |
| 06/29/2018 |  Reply to Motion Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada, LLC's Reply Re: Motion to Retax Costs</i> |
| 06/29/2018 |  Reply to Motion Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Reply in Support of its Motion to Retax Costs</i> |
| 06/29/2018 |  Case Appeal Statement Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Case Appeal Statement</i> |
| 06/29/2018 |  Reply in Support |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228


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| | Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Reply in Support of its Motion for Attorney's Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.</i> |
| 06/29/2018 |  Notice of Appeal Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Notice of Appeal</i> |
| 07/02/2018 | Motion to Enforce (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>United Subcontractors, Inc. dba Skyline Insulation's Motion to Enforce Settlement Agreement and Enter Judgment</i> Granted; <i>Granted</i> |
| 07/02/2018 | Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Helix Electric of Nevada, LLC's Motion for Attorney's Fees, Interest and Costs</i> Granted; <i>Granted</i> |
| 07/02/2018 | Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Heinaman Contract Glazing's Motion for Attorney's Fees, Interest and Costs</i> Granted; <i>Granted</i> |
| 07/02/2018 | Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Swapp Compliance Solution Inc's Motion for Attorney's Fees and Costs</i> Granted; <i>Granted</i> |
| 07/02/2018 | Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Fast Glass, Inc.'s Motion for Attorney's Fees, Interest and Costs</i> Granted; <i>Granted</i> |
| 07/02/2018 | Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Cactus Rose Construction Co., Inc.'s Motion for Attorney's Fees, Interest and Costs</i> Granted; <i>Granted</i> |
| 07/02/2018 |  All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i> |
| 07/02/2018 | Judgment Plus Interest (Judicial Officer: Denton, Mark R.) Debtors: Camco Pacific Construction Co Inc (Counter Claimant) Creditors: Heinaman Contract Glazing (Counter Defendant) Judgment: 07/02/2018, Docketed: 07/02/2018 Total Judgment: 262,010.64 Comment: a571228 |
| 07/02/2018 | Judgment Plus Interest (Judicial Officer: Denton, Mark R.) Debtors: Camco Pacific Construction Co Inc (Counter Claimant) Creditors: Cactus Rose Construction (Counter Claimant) Judgment: 07/02/2018, Docketed: 07/02/2018 Total Judgment: 326,244.84 Comment: a571228 |
| 07/02/2018 | Judgment Plus Interest (Judicial Officer: Denton, Mark R.) Debtors: Camco Pacific Construction Co Inc (Counter Claimant) Creditors: Fast Glass Inc (Counter Defendant) |


DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228


Judgment: 07/02/2018, Docketed: 07/02/2018
Total Judgment: 280,927.71
Comment: A571228


07/02/2018 **Judgment Plus Interest** (Judicial Officer: Denton, Mark R.)
Debtors: Camco Pacific Construction Co Inc (Counter Claimant)
Creditors: Helix Electric of Nevada LLC (Counter Defendant)
Judgment: 07/02/2018, Docketed: 07/02/2018
Total Judgment: 1,277,601.82


07/02/2018 **Judgment Plus Interest** (Judicial Officer: Denton, Mark R.)
Debtors: Camco Pacific Construction Co Inc (Intervenor Plaintiff)
Creditors: SWPPP Compliance Solutions LLC (Intervenor Plaintiff)
Judgment: 07/02/2018, Docketed: 07/02/2018
Total Judgment: 157,846.63
Comment: a571228

07/02/2018  Order Granting Motion
Filed By: Counter Defendant Heinaman Contract Glazing
Order Granting Heinaman Contract Glazing's Motion for Attorney's Fees, Interest and Costs


07/02/2018  Order Granting Motion
Filed By: Intervenor Plaintiff Cactus Rose Construction Inc
Order Granting Cactus Rose Construction Co., Inc.'s Motion for Attorney's Fees, Interest and Costs


07/02/2018  Order Granting Motion
Filed By: Counter Defendant Fast Glass Inc
Order Granting Fast Glass, Inc.'s Motion for Attorney's Fees, Interest and Costs


07/02/2018  Order Granting Motion
Filed By: Counter Defendant Helix Electric of Nevada LLC
Order Granting Helix Electric of Nevada, LLC's Motion for Attorney's Fees, Interest and Costs

07/02/2018  Order Granting Motion
Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC
Order Granting SWPPP Compliance Solution Inc.'s Motion for Attorney's Fees, Interest and Costs











07/02/2018  Notice of Entry of Order
Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC
Notice of Entry of Order

07/02/2018  Notice of Entry of Order
Filed By: Counter Defendant Helix Electric of Nevada LLC
Notice of Entry of Order



07/02/2018  Notice of Entry of Order
Filed By: Counter Defendant Heinaman Contract Glazing
Notice of Entry of Order

07/02/2018  Notice of Entry of Order
Filed By: Counter Defendant Fast Glass Inc
Notice of Entry of Order

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228












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| 07/02/2018 |  Notice of Entry of Order Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Notice of Entry of Order</i> |
| 07/03/2018 |  Notice of Posting Bond Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Posting and Acceptance of Appeal Bond</i> |
| 07/03/2018 |  Notice of Posting of Cost Bond Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada, LLC's Notice of Filing Cash Bond</i> |
| 07/05/2018 | CANCELED Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - On in Error</i> <i>Helix Electric of Nevada, LLC's Motion for Attorney's Fees, Interest and Costs</i> |
| 07/06/2018 |  Memorandum of Costs and Disbursements Filed By: Intervenor National Wood Products, Inc.'s <i>Memorandum of Costs and Disbursements (National Wood Products, Inc.)</i> |
| 07/11/2018 |  Motion for Order Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>Motion for Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond</i> |
| 07/11/2018 |  Ex Parte Motion Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>E&E Fire's Ex Parte Motion for Order Shortening Time to Hear Motion for Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond</i> |
| 07/12/2018 |  Joinder To Motion Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Peel Brimley Judgment Creditors' Joinder to E&E's Motion to Disburse Funds</i> |
| 07/12/2018 |  Judgment Filed By: Intervenor National Wood Products, Inc.'s <i>Judgment [as to the Claim of National Wood Products, Inc. against CAMCO Construction Company, Inc. and Gemstone Development West, Inc.]</i> |
| 07/17/2018 |  Ex Parte Motion Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs</i> |
| 07/17/2018 |  Motion for Leave to File Party: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs</i> |
| 07/19/2018 | Motion to Retax (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff In Intervention, National Wood Products, Inc.'s Notice of Motion and Motion to</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228











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| | <i>Retax Costs Re: Defendant APCO Construction's Memorandum of Costs and Disbursements Against Plaintiff In Intervention National Wood Products, Inc.</i> Under Advisement; <i>Under Advisement</i> |
| 07/19/2018 | Motion to Retax (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Helix Electric of Nevada, LLC's Motion to Retax Costs re: Defendant APCO Construction's Memorandum of Costs and Disbursements</i> Under Advisement; <i>Under Advisement</i> |
| 07/19/2018 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Helix Electric of Nevada, LLC's Joinder to National Wood's Motion to Retax Costs re: Defendant APCO Construction's Memorandum of Costs and Disbursements</i> Under Advisement; <i>Under Advisement</i> |
| 07/19/2018 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff In Intervention National Wood Products, Inc.'s, Joinder to Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO Construction's Memorandum of Costs and Disbursements</i> Under Advisement; <i>Under Advisement</i> |
| 07/19/2018 | Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Apco Construction, Inc.'s Motion for Attorney's Fees and Costs against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.</i> Under Advisement; <i>Under Advisement</i> |
| 07/19/2018 | Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Fidelity and Deposit Company of Maryland's Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond, and Dismissal</i> Granted; <i>Granted</i> |
| 07/19/2018 | Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Motion for Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond</i> Granted; <i>Granted</i> |
| 07/19/2018 | Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Peel Brimley Judgment Creditors' Joinder to E&E's Motion to Disburse Funds</i> Granted; <i>Granted</i> |
| 07/19/2018 | Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs</i> Granted; <i>Granted</i> |
| 07/19/2018 |  All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i> |
| 07/19/2018 |  Notice of Entry of Judgment Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Judgment [as to the claim of NATIONAL WOOD PRODUCTS, INC.]</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

against CAMCO CONSTRUCTION COMPANY, INC., and GEMSTONE DEVELOPMENT WEST, INC>]

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| 07/19/2018 |  Order Granting Motion Filed By: Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond, and Dismissal</i> |
| 07/19/2018 |  Notice of Entry of Order Filed By: Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Notice of Entry of Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond, and Dismissal</i> |
| 07/19/2018 |  Reply to Opposition Filed by: Intervenor National Wood Products, Inc.'s <i>Plaintiff in Intervention National Wood Products, Inc.'s Surreply to APCO Construction's Reply to Plaintiff in Intervention National Wood Products, Inc's Opposition to Motion for Attorneys Fees and Costs</i> |
| 07/26/2018 |  Order Approving Filed By: Intervenor Defendant E & E Fire Protection LLC <i>Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond</i> |
| 07/27/2018 |  Notice of Entry Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>Notice of Entry of Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond</i> |
| 07/30/2018 |  Notice of Deposit Filed By: Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Notice of Deposit and Compliance with Court's Order Dated July 19, 2018</i> |
| 07/30/2018 |  Order Granting Motion Filed By: Plaintiff Apco Construction <i>Order Granting Motion for 54(b) Certification and for Stay Pending Appeal</i> |
| 07/30/2018 | Partial Summary Judgment (Judicial Officer: Denton, Mark R.) Debtors: APCO Construction (Counter Claimant) Creditors: Zitting Brothers Construction Inc (Counter Defendant) Judgment: 07/30/2018, Docketed: 08/01/2018 Total Judgment: 1,516,723.46 |
| 07/31/2018 |  Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i> |
| 08/08/2018 |  Decision and Order <i>Decision and Order</i> |
| 08/08/2018 |  Motion for Attorney Fees Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Motion for Attorneys' Fees and Costs</i> |
| 08/08/2018 |  Amended Notice of Appeal Party: Plaintiff Apco Construction <i>Second Amended Notice of Appeal</i> |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

| | |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/08/2018 |  Amended Case Appeal Statement Party: Plaintiff Apco Construction <i>Second Amended Case Appeal Statement</i> |
| 08/23/2018 | Judgment Plus Interest (Judicial Officer: Denton, Mark R.) Debtors: Camco Pacific Construction Co Inc (Counter Claimant) Creditors: Steven L Morris Ltd (Other) Judgment: 08/23/2018, Docketed: 08/23/2018 Total Judgment: 193,612.39 |
| 08/23/2018 |  Order Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Order Granting Motion to Withdraw as Counsel of Record and Entry of Final Judgement for Fees & Costs</i> |
| 08/30/2018 |  Notice of Non Opposition Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Notice of Non Opposition by CAMCO Pacific Construction Company, Inc. to its Motion for Attorney's Fees and Costs</i> |
| 09/10/2018 |  Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>National Wood Products, Inc.'s Motion for Attorneys' Fees and Costs</i> Granted; <i>Granted</i> |
| 09/11/2018 |  Notice of Posting Bond <i>Apco Construction, Inc.'s Notice of Posting Supersedeas Bond</i> |
| 09/19/2018 |  Order to Statistically Close Case <i>Civil Order to Statistically Close Case</i> |
| 09/19/2018 |  Notice of Posting Bond <i>Apco Construction, Inc.'s Notice of Posting Signed Supersedeas Bond</i> |
| 09/19/2018 | Amended Judgment Plus Interest (Judicial Officer: Denton, Mark R.) Debtors: Gemstone Development West Inc (Intervenor Defendant), Camco Pacific Construction Co Inc (Intervenor Defendant) Creditors: National Wood Products, Inc.'s (Intervenor) Judgment: 09/19/2018, Docketed: 08/01/2018 Total Judgment: 1,184,820.77 Debtors: Camco Pacific Construction Co Inc (Intervenor Defendant) Creditors: National Wood Products, Inc.'s (Intervenor) Judgment: 09/19/2018, Docketed: 09/20/2018 Total Judgment: 68,865.86 |
| 09/19/2018 |  Order Granting Motion Filed By: Intervenor National Wood Products, Inc.'s <i>Order Granting National Wood Products, Inc.'s Motion for Attorneys' Fees and Costs</i> |
| 09/20/2018 |  Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order Granting National Wood Products, Inc.'s Motion for Attorneys' Fees and Costs</i> |
| 09/27/2018 |  Order |

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Plaintiff Apco Construction

Order (1) Granting Apco Construction, Inc. Motion for Attorneys Fees and Costs (2) Granting Apco Construction, Inc.'s Memorandum of costs in Part (3) Granting Helix Electric of Nevada LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to file a Surreply

09/27/2018

Order (Judicial Officer: Denton, Mark R.)

Debtors: Helix Electric of Nevada LLC (Counter Defendant)

Creditors: Apco Construction (Plaintiff)

Judgment: 09/27/2018, Docketed: 09/27/2018

Total Judgment: 103,307.54

Debtors: National Wood Products, Inc.'s (Intervenor)

Creditors: Apco Construction (Plaintiff)

Judgment: 09/27/2018, Docketed: 09/27/2018

Total Judgment: 78,307.54

09/28/2018



Notice of Entry

Notice of Entry of Order (1) Granting Apco Construction Inc. Motion for Attorneys Fees and Costs (2) Granting Apco Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff Intervention National Wood Products LLC's Motion to retax in Part and Denying in Part and (5) Granting National Wood Products, Inc. Motion to File a Surreply

10/25/2018



Amended Case Appeal Statement

Party: Counter Defendant Helix Electric of Nevada LLC

Amended Case Appeal Statement

10/25/2018



Amended Notice of Appeal

Party: Counter Defendant Helix Electric of Nevada LLC

Amended Notice of Appeal

10/26/2018



Notice of Appeal

Filed By: Plaintiff Apco Construction

Notice of Cross-Appeal

10/26/2018



Case Appeal Statement

Filed By: Plaintiff Apco Construction

Case Appeal Statement

CIVIL COVER SHEET

Clark County, Nevada

Case No. _____

(Assigned by Clerk's Office)

A571 228
xvi

I. Party Information

Plaintiff(s) (name/address/phone):

APCO Construction

Attorney (name/address/phone):

Gwen Rutar Mullins

3800 Howard Hughes Pkwy., Suite 1400

Las Vegas, NV 89169

Defendant(s) (name/address/phone):

Gemstone Development West, Inc.

Attorney (name/address/phone):

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

☐ Arbitration Requested

Civil Cases

| Real Property | Torts | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning | <input type="checkbox"/> Negligence <input type="checkbox"/> Negligence – Auto <input type="checkbox"/> Negligence – Medical/Dental <input type="checkbox"/> Negligence – Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence – Other | <input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition |
| Probate | Other Civil Filing Types | |
| <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate | <input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input checked="" type="checkbox"/> Breach of Contract <input checked="" type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal | <input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment – Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters |

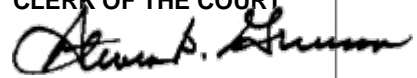
III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only.)

- | | | |
|-----------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> NRS Chapters 78-88 | <input type="checkbox"/> Investments (NRS 104 Art. 8) | <input type="checkbox"/> Enhanced Case Mgmt/Business |
| <input type="checkbox"/> Commodities (NRS 90) | <input type="checkbox"/> Deceptive Trade Practices (NRS 598) | <input type="checkbox"/> Other Business Court Matters |
| <input type="checkbox"/> Securities (NRS 90) | <input type="checkbox"/> Trademarks (NRS 600A) | |

9-9-08

Date

Signature of Initiating party or representative



ODR

Spencer Fane LLP

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com
RJefferies@spencerfane.com
MBacon@spencerfane.com

-and-

Marquis Aurbach Coffing

Jack Chen Min Juan, Esq. (Bar No. 6367)
Cody S. Mounteer, Esq. (Bar No. 11220)
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
jjuan@maclaw.com
cmounteer@maclaw.com

Attorneys for APCO Construction

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

vs.

GEMSTONE DEVELOPMENT WEST, INC., A
Nevada corporation,

Defendant.

Case No.: A571228
Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718 and
A590319

ORDER:

**(1) GRANTING APCO CONSTRUCTION,
INC. MOTION FOR ATTORNEYS FEES
AND COSTS**

**(2) GRANTING APCO CONSTRUCTION,
INC.'S MEMORANDUM OF COSTS IN
PART**

**(3) GRANTING HELIX ELECTRIC OF
NEVADA LLC'S MOTION TO RETAX IN
PART AND DENYING IN PART**

RECEIVED

SEP 14 2018

DISTRICT COURT DEPT#13

AND ALL RELATED MATTERS

(5) GRANTING NATIONAL WOOD PRODUCTS, INC.'S MOTION TO FILE A SURREPLY

On July 19, 2018, the Court heard the following motions: (1) APCO Construction Inc.'s Motion for Attorneys Fees and Costs; (2) APCO Construction, Inc.'s Memorandum of Costs [Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.]; (3) Plaintiff in Intervention National Wood Products, Inc.'s Motion to Retax Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and Disbursements Against Plaintiff in Intervention National Wood Products, Inc. with Joinder by Helix Electric of Nevada, LLC, (4) Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and Disbursements with Joinder by Plaintiff in Intervention National Wood Products, Inc., and (5) National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.

John Randall Jefferies, Esq. and Mary Bacon, Esq. of the law firm of Spencer Fane appeared on behalf of APCO Construction, Inc. (“APCO”); Eric Zimbleman, Esq. of the law firm of Peel Brimley appeared on behalf of Helix Electric of Nevada, LLC (“Helix”), and John Taylor, Esq. and S. Judy Hirahara, Esq. of the law firm of Cadden Fuller and Richard Tobler, Esq. of the law firm Richard Tobler, Ltd. appeared on behalf of Plaintiff in Intervention National Wood Products, Inc. (“National Wood”), the Court having heard oral argument and examined the records and documents on file in the above-entitled matter and being fully advised on the premises, hereby ORDERS as follows, having rendered its Decision filed on August 8, 2018:

1 **1. APCO Construction, Inc.'s Motion for Attorneys Fees and Costs Against**
2 **Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.**
3 **and APCO Construction, Inc.'s Memorandum of Costs and Disbursements [Against Helix**
4 **Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.].**

5 APCO requested attorney's fees from Helix and National Wood pursuant to the
6 subcontracts at issue and pursuant to APCO's November 13, 2018 offers of judgment. APCO
7 also sought an award of attorney's fees against Helix pursuant to NRS 108.237(3). The Court
8 finds that although there are certainly viable bases supporting APCO's contention that
9 contractual provisions in the repesective subcontracts and equitable estoppel can support an
10 award of attorney's fees going back in time to a point long before making of the November 13,
11 2018 offers of judgment, the Court determines, in the context of this complex case, involving
12 multiple parties and claims and consolidation of cases and periodic party alignments and
13 realignments and contractual reconfigurations, that the best basis for attorney fee awards is
14 NRCP 68.

15 NRCP 68 provides in part that at "any time more than 10 days before trial, any party may
16 serve an offer in writing to allow judgment to be taken in accordance with its terms and
17 conditions."¹ "If the offer is not accepted within 10 days after service, it shall be considered
18 rejected by the offeree and deemed withdrawn by the offeror."² And "[i]f the offeree rejects an
19 offer and fails to obtain a more favorable judgment, (1) the offeree cannot recover any costs or
20 attorney's fees and shall not recover interest for the period after the service of the offer and
21 before the judgment; and (2) the offeree shall pay the offeror's post-offer costs, applicable
22 interest on the judgment from the time of the offer to the time of entry of the judgment and
23 reasonable attorney's fees, if any be allowed, actually incurred by the offeror from the time of
24 the offer."³

25 The purpose of NRCP 68 is to promote and encourage settlement and save time and
26 money for the court system, the parties, and the taxpayers.⁴ It rewards a party who makes a

27 ¹ NRCP 68(a).

28 ² NRCP 68(e).

29 ³ NRCP 68(f).

30 ⁴ *Muije v. A N. Las Vegas Cab Co.*, 106 Nev. 664, 667, 799 P.2d 559, 561 (1990).

1 reasonable offer to settle a lawsuit and punishes the party who refuses to accept such an offer.⁵
2 “NRCp 68 encourages the settlement of lawsuits by raising the stakes for a litigant who receives
3 an offer of judgment. An offeree must balance the uncertainty of receiving a more favorable
4 judgment against the risk of receiving a less favorable judgment and being forced to pay the
5 offeror's costs and attorney's fees.”⁶ In reviewing an application for an award of attorney’s fee
6 pursuant to NRCp 68, “the trial court must carefully evaluate the following factors: (1) whether
7 the plaintiff's claim was brought in good faith; (2) whether the defendants' offer of judgment was
8 reasonable and in good faith in both its timing and amount; (3) whether the plaintiff's decision to
9 reject the offer and proceed to trial was grossly unreasonable or in bad faith; and (4) whether the
10 fees sought by the offeror are reasonable and justified in amount.”⁷ “After weighing the
11 foregoing factors, the district judge may, where warranted, award up to the full amount of fees
12 requested.”⁸ An award will not be disturbed if the record is clear that the district court
13 considered the factors and the court’s award is not arbitrary or capricious.⁹ No single factor
14 under *Beattie* is determinative. The district court has broad discretion to grant the request as long
15 as all appropriate factors are at least considered.¹⁰

16 On November 13, 2018, APCO made an offer of judgment to Helix for \$25,000 and an
17 offer of judgment to National Wood for \$35,000. Neither party accepted APCO’s offer.

18 Preliminarily, APCO’s offers were timely.¹¹ Helix and National Wood argued that the
19 November 13, 2018 offers of judgment were untimely because (i) in 2012 the Court (per Judge
20 Susan Scann) issued an Order, which was prepared and submitted by and at the behest of APCO,
21 by and through its then-attorneys, that “[t]rial of this consolidated matter commenced on October
22 30, 2012,” and (ii) this action has never been bifurcated or de-consolidated. However, the Court
23

24 ⁵ *Dillard Dep’t Stores, Inc. v. Beckwith*, 115 Nev. 372, 382, 989 P.2d 882, 888 (1999).

25 ⁶ *Bergmann v. Boyce*, 109 Nev. 670, 678, 856 P.2d 560, 565 (1993).

26 ⁷ *Beattie v. Thomas*, 99 Nev. 579, 588–89, 668 P.2d 268, 274 (1983)

27 ⁸ *Beattie v. Thomas*, 99 Nev. 579, 588–89, 668 P.2d 268, 274 (1983)

28 ⁹ *Uniroyal Goodrich Tire Co. v. Mercer*, 111 Nev.
318, 324, 890 P.2d 785, 789 (1995), superseded by statute on other grounds as stated in *RTTC*

Comm’n’s, LLC v. Saratoga Flier, Inc., 121 Nev. 34, 41–42 & n. 20, 110 P.3d 24, 29 & n. 20 (2005).

¹⁰ *Arnoult*, 114 Nev. at 252 n.16, 955 P.2d at 673 n.16.

¹¹ *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 994–95, 860 P.2d 720, 724 (1993).

1 is persuaded by APCO's contention that its offers of judgment were timely relative to the
2 applicability of NRCP 68 and *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 994–95, 860 P.2d 720,
3 724 (1993).

4 The Court assesses the *Beattie* factors as follows:

- 5 • Helix's and National Wood's (CabineTec's) claims were brought in good faith.
- 6 • APCO's offers were reasonable and in good faith in both timing and amount.
- 7 • Helix's and National Wood's decisions to reject the offers and proceed to trial against
8 APCO were not grossly unreasonable or in bad faith.
- 9 • The fees sought by APCO are reasonable,¹² *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev.
10 345, 349, 455 P.2d 31, 33 (1969), but an order that Helix and National Wood pay them in
11 their entirety would not be justified given the balancing of the *Beattie* factors.

12 Accordingly, APCO's Motion for Attorney's Fees and Costs is GRANTED pursuant to
13 NRCP 68 with an award of attorneys' fees against Helix in the sum of \$85,000.00, and an award
14 of attorneys' fees against National Wood in the sum of \$60,000.00.

15 APCO requested \$57,228.89 in costs, the Court GRANTS APCO's Motion for Costs and
16 Memorandum for Costs subject to the following deductions: \$3,942.38 for travel and lodging,
17 \$6,013.42 for photocopies¹³ and \$10,500 related to an accounting audit.¹⁴ In total, APCO is
18 awarded a total of \$36,615.08 in costs; \$18,307.54 due from Helix and \$18,307.54 due from
19 National Wood.

20 In total, APCO is awarded a total of \$103,307.54 in fees and costs against Helix and a total
21 of \$78,307.54 in fees and costs against National Wood.

22
23
24 ¹² APCO's post-offer fees attributable to Helix total \$130,933.73 and APCO's post-offer fees attributable
25 to National Wood total \$106,882.23.

26 ¹³ Spencer Fane initially asked for \$15,013.42 for photocopies and reproductions for trial. With the \$6,013.42
deduction, APCO is awarded \$9,000 for photocopies and reproductions for trial.

27 ¹⁴ For the sake of judicial efficiency, the Court incorporates APCO's briefing on its costs from its 05/26/2018 *APCO*
Construction, Inc.'s Supplement to its of its Motion for Attorneys' Fees, APCO Construction, Inc. 06/29/2018 Reply
in Support of its Motion for Attorney's Fees and related briefing.

1 2. Plaintiff in Intervention National Wood Products, Inc.'s Motion to Retax
2 Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and
3 Disbursements Against Plaintiff in Intervention National Wood Products, Inc. with Joinder
4 by Helix Electric of Nevada, LLC

5 National Wood asserted various reasons for retaxing certain costs. National Wood's
6 Motion to Retax is granted in part as follows: First, the Court retaxes and reduces \$3,942.38 of
7 APCO's expenses related travel and lodging since these amounts were not incurred for
8 depositions. Since only half of the total travel costs were initially allocated to National Wood,
9 the Court retaxes and reduces the \$1,971.19 that APCO initially attributed to National Wood to
10 \$0.00 (zero dollars). Next, the court retaxes \$6,013.42 of the \$15,013.42 APCO requested for
11 photocopies and reduces the same to \$9,000.00. Again, because APCO only asked for half of the
12 total \$15,013.42 in photocopies against National Wood, the Court retaxes and reduces these
13 amounts as to National Wood to \$4,500.00

14 In total, APCO is awarded \$18,307.54 in costs against National Wood.

15 3. Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO
16 Construction, Inc.'s Memorandum of Costs and Disbursements with Joinder by Plaintiff in
17 Intervention National Wood Products, Inc.


18 Helix's Motion to Retax Costs is also granted in part. First, Helix is entitled to the same
19 deductions awarded to National Wood such that (i) the Court retaxes and reduces the \$1,971.19
20 that APCO initially attributed to Helix to \$0.00 (zero dollars) and (ii) the court retaxes \$6,013.42
21 of the \$15,013.42 APCO requested for photocopies and reduces Helix's portion of the same to
22 \$4,500.00. In addition, the Court will retax \$10,500 of accounting costs.

23 APCO is awarded \$18,307.54 in costs against Helix.
24
25
26
27
28

APCO did not oppose National Wood's Motion for Order Shortening Time to Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs. As such, the Motion is granted.

DATED this _____ day of _____, 2018.

Respectfully submitted by:

By: 
John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
Attorneys for Apco Construction, Inc.

RICHARD L. TOBLER, LTD.

By: Richard L. Tobler, Esq.
Nevada Bar No. 4070
3654 N. Rancho Drive, Suite 102
Las Vegas, Nevada 89130
Attorneys for Plaintiff in Intervenor
NATIONAL WOOD PRODUCTS

Page 7 of 7

1 **4. National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to**
2 **Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply**
3 **to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.**

4 APCO did not oppose National Wood's Motion for Order Shortening Time to Hear
5 Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National
6 Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs. As such, the Motion
7 is granted.

8 IT IS SO ORDERED.

9 DATED this 25th day of September, 2018.

10 
11 _____
12 DISTRICT COURT JUDGE

13 Respectfully submitted by:

14 **SPENCER FANE LLP**

15 By:

16 John H. Mowbray, Esq. (Bar No. 1140)
17 John Randall Jefferies, Esq. (Bar No. 3512)
18 Mary E. Bacon, Esq. (Bar No. 12686)
19 300 S. Fourth Street, Suite 950
20 Las Vegas, NV 89101
21 Telephone: (702) 408-3411
22 Facsimile: (702) 408-3401
23 *Attorneys for Apco Construction, Inc.*


24 **Approved as to form by:**

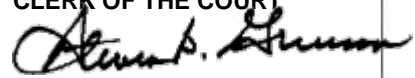
25 **RICHARD L. TOBLER, LTD.**

26 **PEEL BRIMLEY**

27 By:

28 Richard L. Tobler, Esq.
29 Nevada Bar No. 4070
30 3654 N. Rancho Drive, Suite 102
31 Las Vegas, Nevada 89130
32 *Attorneys for Plaintiff in Intervention,*
33 **NATIONAL WOOD PRODUCTS, INC.**

34 
35 _____
36 ERIC B. ZIMBELMAN,
37 Nevada Bar No. 9407
38 RICHARD L. PEEL, ESQ.
39 Nevada Bar No. 4359
40 3333 E. Serene Avenue, Suite 200
41 Henderson, NV 89074-6571
42 *Attorneys for Helix Electric of Nevada,*
43 **LLC,**



SPENCER FANE LLP

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com
RJJefferies@spencerfane.com
MBacon@spencerfane.com

-and-

MARQUIS AURBACH COFFING

Jack Chen Min Juan, Esq. (Bar No. 6367)
Cody S. Munteer, Esq. (Bar No. 11220)
10001 Park Run Drive
Las Vegas, NV 89145
Telephone: 702.207.6089
Email: jjuan@maclaw.com
cmunteer@maclaw.com

Attorneys for Apco Construction, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

v.

GEMSTONE DEVELOPMENT WEST,
INC., A Nevada corporation,

Defendant.

Case No.: A571228

Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718;
and A590319

NOTICE OF ENTRY OF ORDER (1)
GRANTING APCO CONSTRUCTION,
INC. MOTION FOR ATTORNEYS FEES
AND COSTS (2) GRANTING APCO
CONSTRUCTION, INC.'S
MEMORANDUM OF COSTS IN PART
(3) GRANTING HELIX ELECTRIC OF
NEVADA LLC'S MOTION TO RETAX
IN PART AND DENYING IN PART (4)
GRANTING PLAINTIFF

**INTERVENTION NATIONAL WOOD
PRODUCTS LLC'S MOTION TO
RETAX IN PART AND DENYING IN
PART AND (5) GRANTING NATIONAL
WOOD PRODUCTS, INC.'S MOTION
TO FILE A SURREPLY**

AND ALL RELATED MATTERS

TO: All parties herein and their respective counsel:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that on the 27th day of September, 2018, a **ORDER (1) GRANTING APCO CONSTRUCTION, INC. MOTION FOR ATTORNEYS FEES AND COSTS (2) GRANTING APCO CONSTRUCTION, INC.'S MEMORANDUM OF COSTS IN PART (3) GRANTING HELIX ELECTRIC OF NEVADA LLC'S MOTION TO RETAX IN PART AND DENYING IN PART (4) GRANTING PLAINTIFF INTERVENTION NATIONAL WOOD PRODUCTS LLC'S MOTION TO RETAX IN PART AND DENYING IN PART AND (5) GRANTING NATIONAL WOOD PRODUCTS, INC.'S MOTION TO FILE A SURREPLY** was entered in the above case. A copy is attached.

DATED: September 28, 2018.

SPENCER FANE LLP

By: /s/ Mary E. Bacon

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
Attorneys for Apco Construction, Inc.

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- 2
- 3
- 4
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Plaintiff: Apco Construction

Rosie Wesp (rwesp@maclaw.com)

Third Party Plaintiff: E & E Fire Protection LLC

TRACY JAMES TRUMAN (DISTRICT@TRUMANLEGAL.COM)

Other Service Contacts

"Caleb Langsdale, Esq." . (caleb@langsdalelaw.com)

"Cody Munteer, Esq." . (cmunteer@marquisaurbach.com)

"Cori Mandy, Legal Secretary" . (cori.mandy@procopio.com)

"Donald H. Williams, Esq." . (dwilliams@dhwilawlv.com)

"Marisa L. Maskas, Esq." . (mmaskas@pezzilloloyd.com)

"Martin A. Little, Esq." . (mal@juww.com)

"Martin A. Little, Esq." . (mal@juww.com)

Aaron D. Lancaster . (alancaster@gerrard-cox.com)

Agnes Wong . (aw@juww.com)

Amanda Armstrong . (aarmstrong@peelbrimley.com)

Andrew J. Kessler . (andrew.kessler@procopio.com)

Becky Pintar . (bpintar@gglt.com)

Benjamin D. Johnson . (ben.johnson@btjd.com)

Beverly Roberts . (broberts@trumanlegal.com)

Brad Slighting . (bslighting@djplaw.com)

1 Caleb Langsdale . (Caleb@Langsdalelaw.com)
2 Calendar . (calendar@litigationservices.com)
3 Cheri Vandermeulen . (cvandermeulen@dickinsonwright.com)
4 Christine Spencer . (cspencer@dickinsonwright.com)
5 Christine Taradash . (CTaradash@maazlaw.com)
6 Cindy Simmons . (csimmons@djplaw.com)
7 Courtney Peterson . (cpeterson@maclaw.com)
8 Cynthia Kelley . (ckelley@nevadafirm.com)
9 Dana Y. Kim . (dkim@caddenfuller.com)
10 David J. Merrill . (david@djmerillpc.com)
11 David R. Johnson . (djohnson@watttieder.com)
12 Debbie Holloman . (dholloman@jamsadr.com)
13 Debbie Rosewall . (dr@juww.com)
14 Debra Hitchens . (dhitchens@maazlaw.com)
15 Depository . (Depository@litigationservices.com)
16 District filings . (district@trumanlegal.com)
17 Donna Wolfbrandt . (dwolfbrandt@dickinsonwright.com)
18 Douglas D. Gerrard . (dgerrard@gerrard-cox.com)
19 E-File Desk . (EfileLasVegas@wilsonelser.com)
20 Elizabeth Martin (em@juww.com)
21 Eric Dobberstein . (edobberstein@dickinsonwright.com)
22 Eric Zimbelman . (ezimbelman@peelbrimley.com)
23 Erica Bennett . (e.bennett@kempjones.com)
24 Floyd Hale . (fhale@floydhale.com)
25 George Robinson . (grobinson@pezzillolloyd.com)
26 Glenn F. Meier . (gmeier@nevadafirm.com)
27 Gwen Rutar Mullins . (grm@h2law.com)
28 Hrustyk Nicole . (Nicole.Hrustyk@wilsonelser.com)
I-Che Lai . (I-Che.Lai@wilsonelser.com)
Jack Juan . (jjuan@marquisaurbach.com)
Jennifer Case . (jcase@maclaw.com)
Jennifer MacDonald . (jmacdonald@watttieder.com)
Jennifer R. Lloyd . (Jlloyd@pezzillolloyd.com)
Jineen DeAngelis . (jdeangelis@foxrothschild.com)

1 Jorge Ramirez . (Jorge.Ramirez@wilsonelser.com)
2 Kathleen Morris . (kmorris@mcdonaldcarano.com)
3 Kaytlyn Bassett . (kbassett@gerrard-cox.com)
4 Kelly McGee . (kom@juww.com)
5 Kenzie Dunn . (kdunn@btjd.com)
6 Lani Maile . (Lani.Maile@wilsonelser.com)
7 Legal Assistant . (rrlegalassistant@rookerlaw.com)
8 Linda Compton . (lcompton@ggits.com)
9 Marie Ogella . (mogella@gordonrees.com)
10 Michael R. Ernst . (mre@juww.com)
11 Michael Rawlins . (mrawlins@rookerlaw.com)
12 Pamela Montgomery . (pym@kempjones.com)
13 Phillip Aurbach . (paurbach@maclaw.com)
14 Rachel E. Donn . (rdonn@nevadafirm.com)
15 Rebecca Chapman . (rebecca.chapman@procopio.com)
16 Receptionist . (Reception@nvbusinesslawyers.com)
17
18 Renee Hoban . (rhoban@nevadafirm.com)
19 Richard I. Dreitzer . (rdreitzer@foxrothschild.com)
20 Richard Tobler . (rltldck@hotmail.com)
21 Rosey Jeffrey . (rjeffrey@peelbrimley.com)
22 Ryan Bellows . (rbellows@mcdonaldcarano.com)
23 S. Judy Hirahara . (jhirahara@caddenfuller.com)
24 Sarah A. Mead . (sam@juww.com)
25 Steven Morris . (steve@gmdlegal.com)
26 Tammy Cortez . (tcortez@caddenfuller.com)
27 Taylor Fong . (tfong@marquisaurbach.com)
28 Terri Hansen . (thansen@peelbrimley.com)
Timothy E. Salter . (tim.salter@procopio.com)
Wade B. Gochmour . (wbg@h2law.com)

/s/ Elizabeth Kuchman
An employee of Spencer Fane LLP



ODR

Spencer Fane LLP

John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com
RJefferies@spencerfane.com
MBacon@spencerfane.com

-and-

Marquis Aurbach Coffing

Jack Chen Min Juan, Esq. (Bar No. 6367)
Cody S. Mounteer, Esq. (Bar No. 11220)
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
jjuan@maclaw.com
cmounteer@maclaw.com

Attorneys for APCO Construction

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

vs.

GEMSTONE DEVELOPMENT WEST, INC., A
Nevada corporation,

Defendant.

Case No.: A571228
Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718 and
A590319

ORDER:

**(1) GRANTING APCO CONSTRUCTION,
INC. MOTION FOR ATTORNEYS FEES
AND COSTS**

**(2) GRANTING APCO CONSTRUCTION,
INC.'S MEMORANDUM OF COSTS IN
PART**

**(3) GRANTING HELIX ELECTRIC OF
NEVADA LLC'S MOTION TO RETAX IN
PART AND DENYING IN PART**

RECEIVED

SEP 14 2018

DISTRICT COURT DEPT#13

**(4) GRANTING PLAINTIFF IN
INTERVENTION NATIONAL WOOD
PRODUCTS LLC'S MOTION TO RETAX
IN PART AND DENYING IN PART**

-AND-

**(5) GRANTING NATIONAL WOOD
PRODUCTS, INC.'S MOTION TO FILE A
SURREPLY**

AND ALL RELATED MATTERS

On July 19, 2018, the Court heard the following motions: (1) APCO Construction Inc.'s Motion for Attorneys Fees and Costs; (2) APCO Construction, Inc.'s Memorandum of Costs [Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.]; (3) Plaintiff in Intervention National Wood Products, Inc.'s Motion to Retax Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and Disbursements Against Plaintiff in Intervention National Wood Products, Inc. with Joinder by Helix Electric of Nevada, LLC, (4) Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and Disbursements with Joinder by Plaintiff in Intervention National Wood Products, Inc., and (5) National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.

John Randall Jefferies, Esq. and Mary Bacon, Esq. of the law firm of Spencer Fane appeared on behalf of APCO Construction, Inc. ("APCO"); Eric Zimbleman, Esq. of the law firm of Peel Brimley appeared on behalf of Helix Electric of Nevada, LLC ("Helix"), and John Taylor, Esq. and S. Judy Hirahara, Esq. of the law firm of Cadden Fuller and Richard Tobler, Esq. of the law firm Richard Tobler, Ltd. appeared on behalf of Plaintiff in Intervention National Wood Products, Inc. ("National Wood"), the Court having heard oral argument and examined the records and documents on file in the above-entitled matter and being fully advised on the premises, hereby ORDERS as follows, having rendered its Decision filed on August 8, 2018:

1 **1. APCO Construction, Inc.'s Motion for Attorneys Fees and Costs Against**
2 **Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.**
3 **and APCO Construction, Inc.'s Memorandum of Costs and Disbursements [Against Helix**
4 **Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.].**

5 APCO requested attorney's fees from Helix and National Wood pursuant to the
6 subcontracts at issue and pursuant to APCO's November 13, 2018 offers of judgment. APCO
7 also sought an award of attorney's fees against Helix pursuant to NRS 108.237(3). The Court
8 finds that although there are certainly viable bases supporting APCO's contention that
9 contractual provisions in the repesective subcontracts and equitable estoppel can support an
10 award of attorney's fees going back in time to a point long before making of the November 13,
11 2018 offers of judgment, the Court determines, in the context of this complex case, involving
12 multiple parties and claims and consolidation of cases and periodic party alignments and
13 realignments and contractual reconfigurations, that the best basis for attorney fee awards is
14 NRCP 68.

15 NRCP 68 provides in part that at "any time more than 10 days before trial, any party may
16 serve an offer in writing to allow judgment to be taken in accordance with its terms and
17 conditions."¹ "If the offer is not accepted within 10 days after service, it shall be considered
18 rejected by the offeree and deemed withdrawn by the offeror."² And "[i]f the offeree rejects an
19 offer and fails to obtain a more favorable judgment, (1) the offeree cannot recover any costs or
20 attorney's fees and shall not recover interest for the period after the service of the offer and
21 before the judgment; and (2) the offeree shall pay the offeror's post-offer costs, applicable
22 interest on the judgment from the time of the offer to the time of entry of the judgment and
23 reasonable attorney's fees, if any be allowed, actually incurred by the offeror from the time of
24 the offer."³

25 The purpose of NRCP 68 is to promote and encourage settlement and save time and
26 money for the court system, the parties, and the taxpayers.⁴ It rewards a party who makes a

27 ¹ NRCP 68(a).

28 ² NRCP 68(e).

29 ³ NRCP 68(f).

30 ⁴ *Muije v. A N. Las Vegas Cab Co.*, 106 Nev. 664, 667, 799 P.2d 559, 561 (1990).

1 reasonable offer to settle a lawsuit and punishes the party who refuses to accept such an offer.⁵
2 “NRCP 68 encourages the settlement of lawsuits by raising the stakes for a litigant who receives
3 an offer of judgment. An offeree must balance the uncertainty of receiving a more favorable
4 judgment against the risk of receiving a less favorable judgment and being forced to pay the
5 offeror's costs and attorney's fees.”⁶ In reviewing an application for an award of attorney’s fee
6 pursuant to NRCP 68, “the trial court must carefully evaluate the following factors: (1) whether
7 the plaintiff's claim was brought in good faith; (2) whether the defendants' offer of judgment was
8 reasonable and in good faith in both its timing and amount; (3) whether the plaintiff's decision to
9 reject the offer and proceed to trial was grossly unreasonable or in bad faith; and (4) whether the
10 fees sought by the offeror are reasonable and justified in amount.”⁷ “After weighing the
11 foregoing factors, the district judge may, where warranted, award up to the full amount of fees
12 requested.”⁸ An award will not be disturbed if the record is clear that the district court
13 considered the factors and the court’s award is not arbitrary or capricious.⁹ No single factor
14 under *Beattie* is determinative. The district court has broad discretion to grant the request as long
15 as all appropriate factors are at least considered.¹⁰

16 On November 13, 2018, APCO made an offer of judgment to Helix for \$25,000 and an
17 offer of judgment to National Wood for \$35,000. Neither party accepted APCO’s offer.

18 Preliminarily, APCO’s offers were timely.¹¹ Helix and National Wood argued that the
19 November 13, 2018 offers of judgment were untimely because (i) in 2012 the Court (per Judge
20 Susan Scann) issued an Order, which was prepared and submitted by and at the behest of APCO,
21 by and through its then-attorneys, that “[t]rial of this consolidated matter commenced on October
22 30, 2012,” and (ii) this action has never been bifurcated or de-consolidated. However, the Court
23

24 ⁵ *Dillard Dep’t Stores, Inc. v. Beckwith*, 115 Nev. 372, 382, 989 P.2d 882, 888 (1999).

25 ⁶ *Bergmann v. Boyce*, 109 Nev. 670, 678, 856 P.2d 560, 565 (1993).

26 ⁷ *Beattie v. Thomas*, 99 Nev. 579, 588–89, 668 P.2d 268, 274 (1983)

27 ⁸ *Beattie v. Thomas*, 99 Nev. 579, 588–89, 668 P.2d 268, 274 (1983)

28 ⁹ *Uniroyal Goodrich Tire Co. v. Mercer*, 111 Nev.

318, 324, 890 P.2d 785, 789 (1995), superseded by statute on other grounds as stated in *RTTC Commc’ns, LLC v. Saratoga Flier, Inc.*, 121 Nev. 34, 41–42 & n. 20, 110 P.3d 24, 29 & n. 20 (2005).

¹⁰ *Arnoult*, 114 Nev. at 252 n.16, 955 P.2d at 673 n.16.

¹¹ *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 994–95, 860 P.2d 720, 724 (1993).

1 is persuaded by APCO's contention that its offers of judgment were timely relative to the
2 applicability of NRCP 68 and *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 994–95, 860 P.2d 720,
3 724 (1993).

4 The Court assesses the *Beattie* factors as follows:

- 5 • Helix's and National Wood's (CabineTec's) claims were brought in good faith.
- 6 • APCO's offers were reasonable and in good faith in both timing and amount.
- 7 • Helix's and National Wood's decisions to reject the offers and proceed to trial against
8 APCO were not grossly unreasonable or in bad faith.
- 9 • The fees sought by APCO are reasonable,¹² *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev.
10 345, 349, 455 P.2d 31, 33 (1969), but an order that Helix and National Wood pay them in
11 their entirety would not be justified given the balancing of the *Beattie* factors.

12 Accordingly, APCO's Motion for Attorney's Fees and Costs is GRANTED pursuant to
13 NRCP 68 with an award of attorneys' fees against Helix in the sum of \$85,000.00, and an award
14 of attorneys' fees against National Wood in the sum of \$60,000.00.

15 APCO requested \$57,228.89 in costs, the Court GRANTS APCO's Motion for Costs and
16 Memorandum for Costs subject to the following deductions: \$3,942.38 for travel and lodging,
17 \$6,013.42 for photocopies¹³ and \$10,500 related to an accounting audit.¹⁴ In total, APCO is
18 awarded a total of \$36,615.08 in costs; \$18,307.54 due from Helix and \$18,307.54 due from
19 National Wood.

20 In total, APCO is awarded a total of \$103,307.54 in fees and costs against Helix and a total
21 of \$78,307.54 in fees and costs against National Wood.

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24 ¹² APCO's post-offer fees attributable to Helix total \$130,933.73 and APCO's post-offer fees attributable
25 to National Wood total \$106,882.23.

26 ¹³ Spencer Fane initially asked for \$15,013.42 for photocopies and reproductions for trial. With the \$6,013.42
27 deduction, APCO is awarded \$9,000 for photocopies and reproductions for trial.

28 ¹⁴ For the sake of judicial efficiency, the Court incorporates APCO's briefing on its costs from its 05/26/2018 *APCO*
Construction, Inc.'s Supplement to its of its Motion for Attorneys' Fees, APCO Construction, Inc. 06/29/2018 Reply
in Support of its Motion for Attorney's Fees and related briefing.

1 2. Plaintiff in Intervention National Wood Products, Inc.'s Motion to Retax
2 Costs Re: Defendant APCO Construction, Inc.'s Memorandum of Costs and
3 Disbursements Against Plaintiff in Intervention National Wood Products, Inc. with Joinder
4 by Helix Electric of Nevada, LLC

5 National Wood asserted various reasons for retaxing certain costs. National Wood's
6 Motion to Retax is granted in part as follows: First, the Court retaxes and reduces \$3,942.38 of
7 APCO's expenses related travel and lodging since these amounts were not incurred for
8 depositions. Since only half of the total travel costs were initially allocated to National Wood,
9 the Court retaxes and reduces the \$1,971.19 that APCO initially attributed to National Wood to
10 \$0.00 (zero dollars). Next, the court retaxes \$6,013.42 of the \$15,013.42 APCO requested for
11 photocopies and reduces the same to \$9,000.00. Again, because APCO only asked for half of the
12 total \$15,013.42 in photocopies against National Wood, the Court retaxes and reduces these
13 amounts as to National Wood to \$4,500.00

14 In total, APCO is awarded \$18,307.54 in costs against National Wood.

15 3. Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO
16 Construction, Inc.'s Memorandum of Costs and Disbursements with Joinder by Plaintiff in
17 Intervention National Wood Products, Inc.

18 Helix's Motion to Retax Costs is also granted in part. First, Helix is entitled to the same
19 deductions awarded to National Wood such that (i) the Court retaxes and reduces the \$1,971.19
20 that APCO initially attributed to Helix to \$0.00 (zero dollars) and (ii) the court retaxes \$6,013.42
21 of the \$15,013.42 APCO requested for photocopies and reduces Helix's portion of the same to
22 \$4,500.00. In addition, the Court will retax \$10,500 of accounting costs.

23 APCO is awarded \$18,307.54 in costs against Helix.
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1 **4. National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to**
2 **Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply**
3 **to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.**

4 APCO did not oppose National Wood's Motion for Order Shortening Time to Hear
5 Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National
6 Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs. As such, the Motion
7 is granted.


8 IT IS SO ORDERED.

9 DATED this ____ day of _____, 2018.

10
11 _____
12 DISTRICT COURT JUDGE

13 Respectfully submitted by:

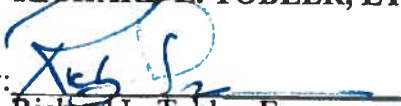
14 **SPENCER FANE LLP**


15 By: 
16 John H. Mowbray, Esq. (Bar No. 1140)
17 John Randall Jefferies, Esq. (Bar No. 3512)
18 Mary E. Bacon, Esq. (Bar No. 12686)
19 300 S. Fourth Street, Suite 950
20 Las Vegas, NV 89101
21 Telephone: (702) 408-3411
22 Facsimile: (702) 408-3401
23 *Attorneys for Apco Construction, Inc.*

24 Approved as to form by:

25 **RICHARD L. TOBLER, LTD.**

26 **PEEL BRIMLEY**

27 By: 
28 Richard L. Tobler, Esq.
29 Nevada Bar No. 4070
30 3654 N. Rancho Drive, Suite 102
31 Las Vegas, Nevada 89130
32 *Attorneys for Plaintiff in Intervention,*
33 *NATIONAL WOOD PRODUCTS, INC.*

34 
35 ERIC B. ZIMBELMAN,
36 Nevada Bar No. 9407
37 RICHARD L. PEEL, ESQ.
38 Nevada Bar No. 4359
39 3333 E. Serene Avenue, Suite 200
40 Henderson, NV 89074-6571
41 *Attorneys for Helix Electric of Nevada,*
42 *LLC,*

1 **4. National Wood Products, Inc.'s Ex Parte Motion for Order Shortening Time to**
2 **Hear Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply**
3 **to National Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs.**

4 APCO did not oppose National Wood's Motion for Order Shortening Time to Hear
5 Motion for Order Permitting Leave to File Surreply to APCO Construction's Reply to National
6 Wood Products, Inc.'s Opposition to Motion for Attorneys' Fees and Costs. As such, the Motion
7 is granted.

8 IT IS SO ORDERED.

9 DATED this 25th day of September, 2018.

10 
11 DISTRICT COURT JUDGE

12 Respectfully submitted by:

13 **SPENCER FANE LLP**

14 By:

15 John H. Mowbray, Esq. (Bar No. 1140)
16 John Randall Jefferies, Esq. (Bar No. 3512)
17 Mary E. Bacon, Esq. (Bar No. 12686)
18 300 S. Fourth Street, Suite 950
19 Las Vegas, NV 89101
20 Telephone: (702) 408-3411
21 Facsimile: (702) 408-3401
22 *Attorneys for Apco Construction, Inc.*


23 Approved as to form by:

24 **RICHARD L. TOBLER, LTD.**

25 **PEEL BRIMLEY**

26 By:

27 Richard L. Tobler, Esq.
28 Nevada Bar No. 4070
29 3654 N. Rancho Drive, Suite 102
30 Las Vegas, Nevada 89130
31 *Attorneys for Plaintiff in Intervention,*
32 *NATIONAL WOOD PRODUCTS, INC.*

33 
34 ERIC B. ZIMBELMAN,
35 Nevada Bar No. 9407
36 RICHARD L. PEEL, ESQ.
37 Nevada Bar No. 4359
38 3333 E. Serene Avenue, Suite 200
39 Henderson, NV 89074-6571
40 *Attorneys for Helix Electric of Nevada,*
41 *LLC,*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 12, 2009

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

May 12, 2009 9:00 AM Motion to Amend

HEARD BY: Walsh, Jessie **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Teri Berkshire

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED motion GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 20, 2009

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

May 20, 2009

3:00 AM

Motion to Intervene

HEARD BY: Walsh, Jessie

COURTROOM: RJC Courtroom 14B

COURT CLERK: Teri Berkshire

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, motion GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 03, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 03, 2009 9:00 AM All Pending Motions

HEARD BY: Walsh, Jessie **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Susan Todd

RECORDER: Victoria Boyd

REPORTER:

PARTIES

| | | |
|-----------------|---------------------|----------|
| PRESENT: | Craft, Christopher | Attorney |
| | Gochmour, Wade B. | Attorney |
| | Jones, Mark Merrill | Attorney |
| | Meier, Glenn F | Attorney |
| | Pintar, Becky | Attorney |
| | Woods, Anjuli | Attorney |

JOURNAL ENTRIES

- Mr. Gochmour argued the case needs to be consolidated to determine the appropriate lien priority among the lien claimants and to ensure all parties and entities are in the case. Mr. Jones argued consolidating the cases is premature and will only complicate issues with the sub-contractors and their mechanics liens, although this case would be appropriate for Business Court. Further, Mr. Jones argued the issue of trial is another complex issue, as his client has a clause in the contract stating matters to be handled by a non-jury trial and if the other parties demand a jury in the consolidation of the cases now, this would only increase the complexity. Mr. Meier argued the oppositions filed are by those companies who issues are not complex; however, these are complex issues and should all stay together. Ms. Woods and Mr. Dachelet opposed the consolidation of their cases. Further arguments by counsel. COURT ORDERED, Motion GRANTED IN PART as follows, the following cases shall be CONSOLIDATED; A574391, A574792, A577623, A583289, A584730, and A587168 and DENIED as to case A579963. FURTHER ORDERED, all cases TRANSFERRED to Business Court.

08A571228

CLERK'S NOTE: Corrected case # from A571792 to A574792, Susan C. Todd/06/24/09.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 06, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 06, 2009 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Susan Burdette

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

| | | |
|-----------------|-------------------|----------|
| PRESENT: | Maskas, Marisa | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Perkins, Robin E. | Attorney |

JOURNAL ENTRIES

- Hydropressure Cleaning's Motion to Intervene ... Tri-City Drywall's Joinder in Hydropressure Cleaning's Motion to Intervene and Tri-City Drywall's Request to Intervene ... The Masonry Group Nevada's Motion to Intervene ... Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing

Becky Pintar, Esq., also present on behalf of Masonry Group.

Court stated he has a note that counsel for Fennemore Craig called and stated this would be continued.

As to Hydropressure Cleaning's Motion to Intervene and Tri-City Drywall's Joinder in Hydropressure Cleaning's Motion to Intervene and Tri-City Drywall's Request to Intervene: Ms. Maskas noted that Tri-City Drywall filed a joinder in the Motion to Intervene and has not received an Opposition; noted Tri-City Drywall filed their Statement of Facts in February, and joined the Motion to Intervene. Ms. Perkins stated she does not have any information to be heard. COURT ORDERED,

Joinder Motion GRANTED.

As to The Masonry Group Nevada's Motion to Intervene: Ms. Pintar referred to the Motions to Intervene; noted that on June 29, Department X issued an Order as to filing a Complaint for Intervention; and stated her Motion to Intervene can be taken off calendar as it appears that Department X granted that as to all parties. COURT ORDERED, motion MOOT.

As to Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing: Court noted no one is here from Fennemore Craig. Arguments by counsel as to there being no contract; letter dated December 8, 2008, by Janet Griffith; Affidavit from Peter Smith; and no claims against the project nor against Gemstone themselves. COURT ORDERED, matter taken UNDER ADVISEMENT to review the briefs.

Mr. Morris stated he renoticed the motion after the consolidation; noted there were other motions that were filed; and referred to the calendar. Following further colloquy, COURT ORDERED ruling RESCINDED; motion CONTINUED given the circumstances as to someone calling that this would be continued; and noted that if the Court decides to give it a special time, counsel will be notified by fax. Upon Court's inquiry, Mr. Morris stated it should not take long to argue. COURT ORDERED, rulings on the other motions to STAND.

07-27-09 9:00 AM Defts Camco Pacific Construction and Fidelity and Deposit Co of
Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 20, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

| | | | |
|----------------------|----------------|----------------------------------------|-----------------------------------------------------------------|
| July 20, 2009 | 9:00 AM | Motion for Default Judgment | Harsco Corporation's Motion for Default Judgment |
|----------------------|----------------|----------------------------------------|-----------------------------------------------------------------|

HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Carol Donahoo**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES**

| | | |
|-----------------|--------------------|----------|
| PRESENT: | Meier, Glenn F | Attorney |
| | Williams, Donald H | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- Mr. Williams advised he would like to WITHDRAW his Motion for Default Judgment. There being no opposition, COURT ORDERED, matter OFF CALENDAR.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 27, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

| | | | |
|----------------------|----------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| July 27, 2009 | 9:00 AM | Motion to Dismiss | Third Party Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing |
|----------------------|----------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Susan Todd
Lorraine Williams**RECORDER:****REPORTER:****PARTIES**

| | | |
|-----------------|-------------------|----------|
| PRESENT: | Dixon, Stephen M. | Attorney |
| | Meier, Glenn F | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- Mr. Sheryl T. Parker, Esq., Attorney for Plaintiff. Zittig Brothers Construction, Inc.

Colloquy regarding motions to intervene. Arguments by counsel regarding alleged contract between Camco and Gemstone. There being questions of fact whether contract existed, COURT ORDERED, motion DENIED WITHOUT PREJUDICE; summary judgment will not be considered at this time.

Mr. Dixon requested a Rule 16 Conference. COURT FURTHER ORDERED, this department to SET Rule 16 Conference at a later time. Mr. Meier to prepare order, and opposing counsel to approve as to form and content.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 12, 2009**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

October 12, 2009**9:00 AM****All Pending Motions**

**DEFT SCOTT
FINANCIAL
CORPORATION'S
MOTION TO
DISMISS CLUB
VISTA FINANCIAL
SERVICES AND
THARALDSON
MOTELS II'S
COUNTERCLAIM...
DEFT SCOTT
FINANCIAL CORP'S
MOTION TO
DESIGNATE THIS
ACTION AS
COMPLEX
PURSUANT TO
NRCP 16.1(f), AND
MOTION TO SET A
DISCOVERY
CONFERENCE
PURSUANT TO
NRCP 16**

HEARD BY: Bonaventure, Joseph T.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES**

PRINT DATE: 10/30/2018

Page 10 of 200

Minutes Date: May 12, 2009

| | | |
|----------|---------------------|----------|
| PRESENT: | Carter, Matthew S. | Attorney |
| | CAWLEY, REUBEN | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Koch, Richard Allen | Attorney |
| | Meier, Glenn F | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Perkins, Robin E. | Attorney |
| | Williams, Donald H | Attorney |

JOURNAL ENTRIES

- Brian K. Berman, Esq., present on behalf of Pltf. Ready Mix Inc.

As there were no objections and there being good cause, COURT ORDERED, Motion to Deem Case as Complex GRANTED; matter SET for Rule 16 Conference.

COURT FURTHER ORDERED, Motion to Dismiss CONTINUED.

Mr. Meier to prepare Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 19, 2009**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

October 19, 2009**9:00 AM****Motion for Sanctions**

**DEFT NEVADA
CONSTRUCTION
SERVICES MOTION
FOR SANCTIONS
PURSUANT TO
NRCP 11**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:**

Morris, Steven L.

Attorney

Attorney

Vlastic, Charles

Attorney

Williams, Donald H

Attorney

Attorney

JOURNAL ENTRIES

- Arguments by counsel regarding number of allegations that are "wrong-doing," lack of written findings, and number of requests to look at Nevada Construction Services' books.

As Rule 11 was NOT violated, COURT ORDERED, motion DENIED.

Mr. Morris to prepare Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

October 26, 2009

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

October 26, 2009 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E. **COURTROOM:** Phoenix Building Courtroom - 11th Floor

COURT CLERK: Lorraine Williams
Melissa Benson

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

| | | |
|-----------------|----------------------|----------|
| PRESENT: | Blake, David | Attorney |
| | Carter, Matthew S. | Attorney |
| | CAWLEY, REUBEN | Attorney |
| | Craft, Christopher | Attorney |
| | Dixon, Stephen M. | Attorney |
| | Dobberstein, Eric | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Gutke, John H. | Attorney |
| | Meier, Glenn F | Attorney |
| | Muckleroy, Martin A. | Attorney |
| | Perkins, Robin E. | Attorney |

JOURNAL ENTRIES

- Christine Taradash, Esq., present Pro Hac Vice on behalf of Counter Claimants Gary Tharaldson, Tharaldson Motels II and Club Vista Financial Services.

Ms. Taradash advised she is waiting only on Order to appear pro hac vice and requested he be allowed to proceed as such; COURT SO ORDERED. As to Deft. Scott Financial's Motion to Dismiss

and all related: Arguments by counsel regarding compulsory counter claim and priority of liens. COURT ORDERED, Motion to Dismiss and all joinders GRANTED.

As to Deft. Camco's renewed Motion for Clarification: Arguments by counsel regarding contractual and procedural issues, bond requirements and need for evidentiary hearing. COURT FURTHER ORDERED, Motion for Clarification/Reconsideration CONTINUED. Fraud claims will not be undone; anything relating to counterclaim is STRICKEN.

Mr. Meier to prepare detailed Order so there will be no room for confusion.

11/03/09 9:00 AM DEFT CAMCO'S RENEWED MTN FOR CLAIFICATION OR RECONSIDERATION OF 4/66/09 RULING RE: EXEC PLASTERIN'S APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGEMENT WRIT OF ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER NOTICE...ALL JOINDERS...CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 03, 2009**

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

| | | | |
|--------------------------|----------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| November 03, 2009 | 9:00 AM | Motion to Reconsider | DEFT CAMCO'S RENEWED MTN FOR CLARIFICATION OR RECONSIDERATIO N OF ARIL 6, 2009 RULING RE: EXECUTIVE PLASTERING'S APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGMENT WRIT OF ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER NOTICE (CONSOLIDATED CASE) |
|--------------------------|----------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams
Melissa Benson**RECORDER:****REPORTER:**

PARTIES

PRESENT: Blake, David Attorney

JOURNAL ENTRIES

- Mr. Blake advised he sent a letter and has had no response.

As there are concerns of how this case was handled, COURT ORDERED, motion GRANTED;
Prejudgment Writ of Attachment STRICKEN.

COURT NOTED, there was no bond filed. Mr. Blake to prepare Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 19, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**November 19, 2009 10:00 AM Mandatory Rule 16
 Conference**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

| | | |
|-----------------|-------------------------------|----------------------|
| PRESENT: | Craft, Christopher | Attorney |
| | Dobberstein, Eric | Attorney |
| | Gemstone Development West Inc | Defendant |
| | | Intervenor Defendant |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Gutke, John H. | Attorney |
| | Meier, Glenn F | Attorney |
| | Muckleroy, Martin A. | Attorney |
| | Pawlowski, Matthew P. | Attorney |
| | Perkins, Robin E. | Attorney |
| | Pintar, Becky | Attorney |
| | Rycraft Jr., Dale R. | Attorney |
| | Vlastic, Charles | Attorney |
| | Walters, Brian K. | Attorney |

JOURNAL ENTRIES

- Colloquy regarding missing consolidated cases and 06/29/09 consolidation Order. COURT NOTED the following cases were missed from consolidation into this case: A584960, A590319,

A596924, A597089, and A592826. Further colloquy regarding discovery.

COURT ORDERED Mr. Meier to amend his proposed Order in section 4 to also require that all lenders produce all documents by deadline; trial will be set for sometime during January, 2012; Court will fill in all discovery deadlines upon receipt of Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 23, 2009**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

November 23, 2009**9:00 AM****Motion to Withdraw as
Counsel****KOCH'S MOTION
TO WITHDRAW AS
COUNSEL OF
RECORD FOR
REPUBLIC CRANE
SERVICES LLC****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:** Koch, Richard Allen Attorney**JOURNAL ENTRIES**

- Mr. Koch advised he will submit a file stamped copy of Errata that has Affidavit with last known address and phone number of Republic Crane Services.

COURT ORDERED, motion CONDITIONALLY GRANTED; Mr. Koch to submit proposed order with file stamped copy of Errata.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 07, 2009**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

December 07, 2009**9:00 AM****Motion to Withdraw as
Counsel**

**WATKINS'
MOTION TO
WITHDRAW AS
ATTORNEY OF
RECORD FOR
INTERVENOR/LIEN
CLAIMANT
CABINETEC, INC**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:** Watkins, Justin L.

Attorney
Attorney

JOURNAL ENTRIES

- As Mr. Watkins' client failed to pay fees owed and failed to communicate, COURT ORDERED, motion GRANTED; Mr. Watkins to prepare Order and submit within 10 days.

Mr. Watkins advised an amended Affidavit with his client's last known telephone number was e-Filed this day.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 08, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

| | | | |
|--------------------------|----------------|--------------------------------------|----------------------------------------------------------------------------------------------|
| December 08, 2009 | 9:00 AM | Motion to Amend Complaint | HARSCO CORP'S MOTION FOR SECOND AMENDED COMPLAINT IN INTERVENTION |
|--------------------------|----------------|--------------------------------------|----------------------------------------------------------------------------------------------|

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES**

PRESENT: Williams, Donald H Attorney
 Attorney

JOURNAL ENTRIES

- As there was no Opposition, COURT ORDERED, motion GRANTED; Selina Cisneros to be added to Complaint.

Mr. Williams to prepare Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 23, 2009**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

December 23, 2009**9:00 AM****Motion to Withdraw as
Counsel****CALLISTER'S
MOTION TO
WITHDRAW AS
COUNSEL OF
RECORD FOR PLTF
EXECUTIVE
PLASTERING INC****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:** Pawlowski, Matthew P. Attorney**JOURNAL ENTRIES**

- As there was no opposition, COURT ORDERED, motion CONDITIONALLY GRANTED; Mr. Pawlowski to submit with proposed Order a file stamped copy of Errata for the Affidavit that includes the last known telephone number of Executive Plastering.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 25, 2010**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**January 25, 2010 9:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Delaney, Kathleen E. **COURTROOM:** Phoenix Building Courtroom -
 11th Floor

COURT CLERK: Susan Botzenhart

RECORDER:

REPORTER:

PARTIES

| | | |
|-----------------|-------------------|----------|
| PRESENT: | CAWLEY, REUBEN | Attorney |
| | Dixon, Stephen M. | Attorney |
| | Oblad, John T. | Attorney |
| | Routheaux, Jenny | Attorney |

JOURNAL ENTRIES

- Additional appearance made by counsel: Brian Berman, Esq.: for Pltf. Ready Mix Inc. in case 08A577623.

There being no opposition, COURT ORDERED, Motion GRANTED. Mr. Berman advised he is appearing on behalf of Southwest, and to also monitor on the aspect of this matter as a business entity cannot represent itself in proper person. Colloquy. COURT ORDERED, matter SET for status check on confirmation of counsel.

2/22/10 9:00 AM STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS. GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN

*****THIS IS A LEAD CASE CONSOLIDATED WITH 08A574391, 08A574792, 08A577623, 09A580889, 09A583289, 09A584730, 09A584960, 09A587168, 09A589195, 09A590319, 09A592826, 09A596924, AND

08A571228

09A597089*****

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 22, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

February 22, 2010**9:00 AM****Status Check**

**STATUS CHECK:
CONFIRMATION
OF COUNSEL FOR
DEFTS GEMSTONE
DEVELOPMENT
WEST INC,
GEMSTONE
DEVELOPMENT
LLC, AND
EDELSTEIN**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams
Dawn Jackson**RECORDER:****REPORTER:****PARTIES
PRESENT:**

JOURNAL ENTRIES

- Brian K. Berman, Esq., present on behalf of Pltf. Ready Mix Inc. Reuben Cawley, Esq., present on behalf of Pltf. Zitting Brothers Construction Inc.

Colloquy regarding possible Order to Show Cause. Counsel advised Deft. Gemstone Development faxed a letter to all parties stating they do not have money to hire counsel.

COURT NOTED it will not issue Default against Deft. Gemstone at this time, but counsel may take

appropriate measures as Deft. Gemstone fails to participate.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 09, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

March 09, 2010**9:00 AM****Show Cause Hearing**

**HEARING RE:
SHOW CAUSE WHY
LIENHOLDERS
NOT
PARTICIPATING IN
CONSOLIDATED
ACTION SHOULD
NOT BE HELD IN
CONTEMPT**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

CAWLEY, REUBEN

Attorney

Meier, Glenn F

Attorney

Muckleroy, Martin A.

Attorney

JOURNAL ENTRIES

- John Gruel, owner of Freedom Fire Prevention, also present.

Mr. Meir advised Proofs were filed. Counsel all submitted on pleadings.

As 25 parties did not comply with Court's Order and submit necessary pleadings by 03/01/10,
COURT FINDS those 25 parties in contempt; therefore, COURT ORDERED Motion GRANTED; 25
Liens of non-responsive parties EXPUNGED.

Colloquy regarding Mr. Gruel's presence. Mr. Meir further advised he will work with Mr. Gruel regarding this issue.

COURT'S PREVIOUS RULING STRICKEN. COURT FINDS 24 parties in contempt; therefore COURT ORDERED Motion GRANTED as to 24 parties; 24 Liens of non-responsive parties EXPUNGED (Freedom Fire now excluded as well).

Colloquy regarding counsel for Freedom Fire.

COURT FURTHER ORDERED Freedom Fire to have 10 DAYS to file into this case.

Mr. Meier to prepare Order.

CLERK'S NOTE: Pursuant to Order Granting Deft. Scott Financial Corp's Application for Order to Show Cause (signed 03/25/10), COURT ORDERED THIS MINUTE ORDER VACATED in its ENTIRETY. LMW 03/25/10

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 30, 2010**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

| | | | |
|-----------------------|----------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| March 30, 2010 | 9:00 AM | Motion for Partial Summary Judgment | Pltf. Ahern Rentals Inc.'s Motion for Partial Summary Judgment Against Deft. Edelstein Only |
|-----------------------|----------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES**

| | | |
|-----------------|----------------------|----------|
| PRESENT: | Caffaratti, Monica | Attorney |
| | Meier, Glenn F | Attorney |
| | Muckleroy, Martin A. | Attorney |
| | Perkins, Robin E. | Attorney |

JOURNAL ENTRIES

- Martin I. Melendrez, Esq., present on behalf of Pltf. HD Supply Construction Supply Inc.

Ms. Perkins advised Counter-Deft. Ahern Rentals is NOT attempting to foreclose on lien and that her motion is limited to Intervenor Deft. Edelstein ONLY. Colloquy. Ms. Caffaratti advised Intervenor Deft. Edelstein does NOT deny liability, only amounts owed. Arguments by counsel regarding what Counter-Deft. Ahern Rentals provided as proof and the Intervenor Deft. Edelstein s failure to provide any contradictory evidence to amounts owed.

COURT ORDERED motion GRANTED IN PART as to liability ONLY; DENIED WITHOUT PREJUDICE as to damages.

Ms. Perkins to prepare Order, and present counsel to approve as to form and content.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 05, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

April 05, 2010**9:00 AM****Motion for Partial
Summary Judgment****Pltf. Atlas
Construction Supply,
Inc.'s Motion for
Partial Summary
Judgment Against
Gemstone
Development West,
Inc.****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:**

CAWLEY, REUBEN

Attorney

Dachelet, David W

Attorney

Dobberstein, Eric

Attorney

Gebhart, Michael T.

Attorney

Meier, Glenn F

Attorney

Williams, Donald H

Attorney

Attorney

JOURNAL ENTRIES

- Dana Howell, Esq., present on behalf of Intervenor Cell-Crete Fireproofing of Nevada Inc. and PCI Group LLC.

Mr. Dachelet advised Discovery ends this day. Arguments by counsel regarding lien claimants,

08A571228

Gemstone's failures to appear and obtain counsel, priority, and unjust enrichment claims.

COURT ORDERED matter CONTINUED for further discussion.

CONTINUED TO: 04/13/10 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 13, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

April 13, 2010**9:00 AM****All Pending Motions**

Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company,

and Design Space
Modular Buildings
Inc.)...Pltf. Atlas
Construction Supply,
Inc.'s Motion for
Partial Summary
Judgment Against
Gemstone
Development West,
Inc.

HEARD BY: Delaney, Kathleen E.

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Lorraine Williams

RECORDER:

REPORTER:

PARTIES

| | | |
|-----------------|---------------------|----------|
| PRESENT: | CAWLEY, REUBEN | Attorney |
| | Clifford, David S | Attorney |
| | | Attorney |
| | Dachelet, David W | Attorney |
| | Dobberstein, Eric | Attorney |
| | Gebhart, Michael T. | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Reade, Robert C. | Attorney |
| | Williams, Donald H | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- Gary Hayes, Esq., present on behalf of Lien Claimant Sunstate Companies Inc. Anthony Vizl, President, present as representative of Lien Claimant Anthony Vizl/SWPPP Compliance Solutions LLC. Dennis Kersee, Credit Manager, present as representative of Lien Claimant S R Bray Corp Power Plus. Brian Keith Berman, Esq., present on behalf of Pltf. Ready Mix Inc.

Colloquy regarding both lien claimants now present who were not present at last hearing and those that were present last hearing who are not present this time. Mr. Hayes advised he will E-file a Notice of Appearance for his client in this matter. COURT NOTED to all present in Proper Person

that it cannot give legal advice of any kind or answer any legal questions. Colloquy regarding length of time needed for lien claimants to file any necessary documents.

COURT ORDERED lien claimants present on this matter have until 04/23/10 by 5:00 p.m. to file Statement of Claims and take any other appropriate action, otherwise claims will be DISMISSED; ALL liens from lien claimants named that were not present this day are EXPUNGED for failure to appear.

Mr. Meier to prepare Order with all affected entities listed.

COURT FURTHER ORDERED lien claimants present are responsible for preparing case management order. MATTER TRAILED.

MATTER RECALLED: Mr. Reade advised A584960 was not properly consolidated into the lead case (A571228) as it is not a lien claim and requested matter be deconsolidated. Colloquy.

As A584960 was consolidated into A571228 in ERROR, COURT ORDERED, A584960 DECONSOLIDATED and REMANDED back to its original department. MATTER TRAILED.

MATTER RECALLED: Mr. Dachelet now present. Arguments by counsel as to whether Pltf. Atlas Construction possesses the correct set of circumstances to not follow case management order because they were just the equipment renter. Mr. Berman requested Court order Gemstone to appear for issue of Summary Judgment as they are necessary. Further arguments by counsel regarding lien perfection, whether evidence exists to challenge amounts owed, and discovery.

COURT ORDERED Motion for Partial Summary Judgment GRANTED IN PART as to issues of lien perfection, unjust enrichment, and amounts ONLY; DENIED as to priority; Order to Show Cause to ISSUE against Gemstone Development Inc.

COURT NOTED it does not believe all lien claimants will have good reason for Summary Judgment as Atlas Construction did here, but depending on what happens next in this matter, the Case Management Order may need to be amended.

Mr. Dachelet to prepare Findings of Fact and Conclusions of Law for Summary Judgment. Colloquy regarding N.R.C.P. 60.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 03, 2010**

| | |
|-----------|---------------------------------------------------------------------------------------|
| 08A571228 | Apco Construction, Plaintiff(s) vs. Gemstone Development West Inc, Defendant(s) |
|-----------|---------------------------------------------------------------------------------------|

| | | | |
|---------------------|----------------|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| May 03, 2010 | 9:00 AM | Motion for Substitution | LIEN CLAIMANT ARCH ALUMINUM AND GLASS COMPANY'S MOTION TO SUBSTITUTE PROPER PARTY PURSUANT TO NRCP 25 |
|---------------------|----------------|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:** Wittig, Donna Attorney

JOURNAL ENTRIES

- As Court was absent during the scheduled time for hearing and as matter was unopposed, COURT ORDERED, motion GRANTED.

Ms. Wittig to submit Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 05, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

May 05, 2010**9:00 AM****Show Cause Hearing**

Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b)

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom - 11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

Caffaratti, Monica

Attorney

Gebhart, Michael T.

Attorney

Smith, P. Kyle

Attorney

JOURNAL ENTRIES

- Kyle Smith, Esq., was present on behalf of Intervenor Deft. Alex Edelstein.

Ms. Caffaratti Advised she will be withdrawing as counsel for Gemstone Development. COURT NOTED Ms. Caffaratti never formally appeared for either Defts. Gemstone Development or Alex Edelstein. Mr. Smith advised Deft. Gemstone Development has no intent on obtaining new counsel for this matter.

COURT ORDERED matter CONTINUED; counsel to prepare Order to move all outstanding Motions for Summary Judgment and related Joinders with this Show Cause Hearing.

COURT FURTHER NOTED if no Opposition is received from Deft. Gemstone Development, it is likely any and all Motions for Summary Judgment against them will be granted at next hearing.

CONTINUED TO: 05/17/10 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 17, 2010**

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

| | | | |
|---------------------|----------------|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| May 17, 2010 | 9:00 AM | All Pending Motions | Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc 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 Development West Inc SWPP Compliance Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc Bruin Painting Corporation's Motion |
|---------------------|----------------|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

for Partial Summary
Judgment Against
Gemstone
Development West
Inc Cactus Rose
Construction Inc.'s
Motion for Partial
Summary Judgment
Against Gemstone
Development West
Inc HD Supply
Waterworks LP's
Motion for Summary
Judgment Against
Gemstone
Development West
Inc Heinaman
Contract Glazing's
Motion for Partial
Summary Judgment
Against Gemstone
Development West
Inc S.R. Bray Corp's
Motion for Partial
Summary Judgment
Against Gemstone
Develop

HEARD BY: Delaney, Kathleen E.

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Lorraine Williams

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

| | | |
|-----------------|---------------------|----------|
| PRESENT: | CAWLEY, REUBEN | Attorney |
| | Gebhart, Michael T. | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Koch, David | Attorney |
| | Meier, Glenn F | Attorney |

PRINT DATE: 10/30/2018

Page 40 of 200

Minutes Date: May 12, 2009

| | |
|--------------------|----------|
| Parry, Zachariah | Attorney |
| Peel, Richard L. | Attorney |
| Reade, Robert C. | Attorney |
| Williams, Donald H | Attorney |
| | Attorney |
| Wittig, Donna | Attorney |

JOURNAL ENTRIES

- Kyle Smith, Esq., present on behalf of Deft. Alex Edelstein.

Colloquy regarding previous hearing on new counsel for Gemstone Development. COURT NOTED no appearance on behalf of Gemstone Development and no indication there would be representation for Gemstone Development.

As Gemstone Development failed to obtain counsel and failed to proceed, COURT ORDERED, Gemstone Development's Answer STRICKEN and DEFAULT entered. Court will prepare Order.

Colloquy regarding perfection of liens and Erratas to be filed by SWPPP Compliance Solutions and Cactus Rose Construction. Mr. Peel advised the Notice of Lien did not record fast enough for it to be included with filing.

COURT ORDERED Mr. Peel to file Supplement with actual recorded document.

Mr. Meier argued that parties should have opportunity to litigate as evidence shows instead of just turning over bills. Further arguments by counsel regarding discovery and claim amounts. COURT NOTED priority does NOT have to be done first.

As there was NO issue as to perfection, COURT ORDERED, Motions and Joinders for Summary Judgment GRANTED IN PART; GRANTED as to Perfection; DENIED WITHOUT PREJUDICE as to Amounts; Matter SET for Status Check to set a date certain for Mr. Meier to challenge amounts pursuant to NRS 108.2275.

COURT NOTED Motions for Summary Judgment and any related Joinders will be considered as Oppositions should Deft. Scott Financial proceed with challenging amounts. Colloquy regarding Status Check setting.

Mr. Peel to prepare Joint Order for all Motions that includes Status Check setting.

06/16/10 9:00 AM STATUS CHECK: SET DATE CERTAIN (AMOUNT CHALLENGES)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 14, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

June 14, 2010**9:00 AM****Motion for Partial
Summary Judgment****Pltf. Selectbuild
Nevada Inc.'s Motion
for Partial Summary
Judgment Against
Defendant Gemstone
Development West
Inc.****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

Meier, Glenn F

Attorney

Walters, Brian K.

Attorney

Wittig, Donna

Attorney

JOURNAL ENTRIES

- COURT NOTED it did not receive Opposition until this morning. Ms. Wittig advised she was prepared to proceed, however, if certain issues were to arise, she would request time to file Reply Brief. Colloquy regarding continuing matter.

COURT ORDERED Motion CONTINUED to Wednesday, 06/16/10; future date to be determined at that time.

CONTINUED TO: 06/16/10 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 16, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

June 16, 2010**9:00 AM****All Pending Motions**

**Pltf. APCO
Construction's
Motion to
Consolidate A608717
Into
A571228...Defendant/
Counterclaimant
Camco Pacific
Construction Inc. and
Fidelity and Deposit
Company of
Maryland's Motion to
Consolidate Case No.
A09-606730 and Case
No. A10-608718 With
Pending
Action...Status Check:
Set Date
Certain...Pltf.
Selectbuild Nevada
Inc.'s Motion for
Partial Summary
Judgment Against
Defendant Gemstone
Development West
Inc.**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:**

REPORTER: Brenda Schroeder

PARTIES

| | | |
|-----------------|---------------------------|----------|
| PRESENT: | Albregts, Jeffrey Richard | Attorney |
| | CAWLEY, REUBEN | Attorney |
| | Gebhart, Michael T. | Attorney |
| | Gochnour, Wade B. | Attorney |
| | | Attorney |
| | Haze, Airene | Attorney |
| | Howell, Dana Lee | Attorney |
| | Meier, Glenn F | Attorney |
| | Perkins, Robin E. | Attorney |
| | Shapiro, James E. | Attorney |
| | Walters, Brian K. | Attorney |
| | Wittig, Donna | Attorney |

JOURNAL ENTRIES

- Martin I. Melendrez, Esq., was present on behalf of Pltf. HD Supply Construction Supply Inc. Robert B. Ziems, Esq., was present on behalf of Pltf. Wiss Janney Elstner Associates Inc. Michael D. Rawlins, Esq., present on behalf of Pltf. United Subcontractors Inc. Zachariah Parry, Esq., present telephonically on behalf of Counter-claimant Camco Pacific Construction Company Inc.

Mr. Gochnour advised Pltf. Apco Construction had no opposition to the Motion to Consolidate. Mr. Rawlins noted his limited Opposition. Colloquy regarding extending discovery for Pltf. United Subcontractors Inc.

COURT ORDERED both Motions to Consolidate GRANTED; A606730, A608717, and A608718 CONSOLIDATED into lead case A571228.

Mr. Gochnour to prepare Order.

Zachariah Parry, Esq., now present telephonically. Mr. Parry apologized for being late as he thought the matter was at 11:00 a.m. Court informed Mr. Parry of its earlier decision granting the Motions to Consolidate. Mr. Walters advised he had not received documents from Mr. Meier. Colloquy regarding documents, whether there will be any challenges to the Notice or amounts, and materials being moved from the site. Arguments by counsel regarding how soon case will be ready for trial and whether summary judgment was appropriate.

COURT ORDERED Motion for Summary Judgment CONTINUED; briefing schedule SET: all Supplemental Briefs DUE 07/06/10.

COURT FURTHER ORDERED ALL Summary Judgment Motions RESET to 07/12/10 at 10:00 a.m.;

08A571228

any forthcoming Motions for Summary Judgment may be filed with Orders Shortening Time.

CONTINUED TO: 07/12/10 10:00 AM

CLERK S NOTE: All future minutes will be entered into lead case A571228 ONLY. LMW

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 27, 2010

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 27, 2010 10:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E. **COURTROOM:** Phoenix Building Courtroom - 11th Floor

COURT CLERK: Nicole McDevitt

RECORDED:

REPORTER: Brenda Schroeder

PARTIES

| | | |
|-----------------|---------------------------|----------|
| PRESENT: | Albregts, Jeffrey Richard | Attorney |
| | | Attorney |
| | Berman, Brian Keith | Attorney |
| | CAWLEY, REUBEN | Attorney |
| | Dachelet, David W | Attorney |
| | Dobberstein, Eric | Attorney |
| | Dreitzer, Richard I | Attorney |
| | Fisher, Mindy C. | Attorney |
| | Gebhart, Michael T. | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Haze, Airene | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Melendrez, Martin I. | Attorney |
| | Muckleroy, Martin A. | Attorney |
| | Parry, Zachariah | Attorney |
| | Reade, Robert C. | Attorney |
| | Sechrist, Jared M. | Attorney |
| | Shapiro, James E. | Attorney |
| | Truman, T. James | Attorney |

Walters, Brian K.
Williams, Donald H

Attorney
Attorney
Attorney
Attorney

JOURNAL ENTRIES

- CUSTOM SELECT BILLINGS, INC.'S MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANT GEMSTONE DEVELOPMENT WEST, INC. OR, ALTERNATIVELY, MOTION FOR PERMANENT WRIT OF POSSESSION AND FOR CERTIFICATION OF FINAL JUDGMENT PURSUANT TO NRCP 54(B)...HYDROPRESSURE CLEANING, INC.'S MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANT GEMSTONE DEVELOPMENT WEST, INC. AND FOR CERTIFICATION OF FINAL JUDGMENT PURSUANT TO NRCP 54(B)... ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION FOR SUMMARY JUDGMENT AGAINST GEMSTONE DEVELOPMENT WEST, INC. AND FOR CERTIFICATION OF FINAL JUDGMENT PURSUANT TO NRCP 54(B)...ATLAS CONSTRUCTION SUPPLY, INC.'S MOTION FOR SUMMARY JUDGMENT REGARDING THE COMMENCEMENT OF WORK AND PRIORITY OF ITS MECHANIC'S LIEN...FERGUSON FIRE & FABRICATION, INC'S MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING PERFECTION, VALIDITY, AND PRIORITY OF ITS MECHANIC'S LIEN... INSULPRO PROJECTS, INC.'S MOTION FOR PARTIAL SUMMARY AGAINST GEMSTONE DEVELOPMENT, INC., APCO CONSTRUCTION AND CAMCO PACIFIC CONSTRUCTION CO., INC...LIEN CLAIMANT/PLAINTIFF CELL CRETE FIREPROOFING OF NEVADA, INC'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST GEMSTONE DEVELOPMENT WEST INC., ON ISSUE OF LIEN PERFECTION...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 DEVELOPMENT WEST, INC...LAS VEGAS PIPELINE'S MOTION FOR SUMMARY JUDGMENT AGAINST GEMSTONE DEVELOPMENT WEST, INC...ARCH ALUMINUM AND GLASS LLC'S MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING PRIORITY AMONG LIEN CLAIMANTS ORDER SHORTENING TIME...HARSCO CORPORATION, EZA, P.C., DBA OZ ARCHITECTURE OF NEVADA, AND PATENT CONSTRUCTION SYSTEMS, A DIVISION OF HARSCO CORPORATION'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...ATLAS CONSTRUCTION SUPPLY, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...GRANITE CONSTRUCTION COMPANY'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...FERGUSON FIRE AND FABRICATION, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...PLAINTIFF/LIEN CLAIMANT SELECTBUILD NEVADA, INC.'S JOINDER TO APCO CONSTRUCTION'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...PLAINTIFF/LIEN CLAIMANT HD SUPPLY CONSTRUCTION SUPPLY, L.P. D/B/A WHITE CAP CONSTRUCTION SUPPLY, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...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 CONSTRUCTION INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON LIEN PRIORITY AS AGAINST ALL LENDER PARTIES...PLAINTIFF, WISS, JANNEY, ELSTNER ASSOCIATES, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...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 GROUT COMPANY AND PROFESSIONAL DOORS AND MILLWORKS, LLC'S NOTICE OF JOINDER IN APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...PLTF. SELECTBUILD NEVADA INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANT GEMSTONE DEVELOPMENT WEST INC...RENAISSANCE POOLS AND SPAS S JOINDER TO APCO S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...ZITTING BROTHERS CONSTRUCTIN, INC.'S JOINDER TO APCO CONSTRUCTION'S MOTION FOR PARITAL SUMMARY JUDGMENT AS TO PRIORITY OF LIENS...INSULPRO PROJECTS, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...STEEL STRUCTURES, INC. AND NEVADA PREFAB ENGINEERS, INC.'S JOINDER TO APCO CONSTRUCTION'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...APCO'S OPPOSITION TO INSULPRO PROJECTS, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND COUNTERMOTION FOR SUMMARY JUDGMENT...STATUS CHECK: PRIOR HEARINGS

John Moshier, Pro Hoc also present. Following arguments by counsel, Court stated it would like to review this matter further and ORDERED, matter TAKEN UNDER ADVISEMENT until 7/28/2010.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

August 30, 2010

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

August 30, 2010 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E. **COURTROOM:** Phoenix Building Courtroom - 11th Floor

COURT CLERK: Sylvia Courtney

RECORDED:

REPORTER:

PARTIES

PRESENT: Muckleroy, Martin A. Attorney
Oblad, John T. Attorney

JOURNAL ENTRIES

- CLUB VISTA FINANCIAL SERVICES, THARALDSON MOTELS II INC AND GARY D.
THARALDSON'S MOTION TO ASSOCIATE COUNSEL ... MOTION TO ASSOCIATE COUNSEL

Court noted no opposition filed. Mr. Muckleroy appeared by telephone conference. Court stated rules have been complied with and therefore, COURT ORDERED, motions to associate counsel, Stephanie M. Samuels and K. Layne Morrill, GRANTED; Mr. Muckleroy to prepare order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****September 08, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

September 08, 2010**9:00 AM****All Pending Motions**

**E&E Fire Protection's
Motion for Partial
Summary Judgment
Against Gemstone
Development West,
Inc...Professional
Doors and
Millworks' Motion
for Partial Summary
Judgment Against
Gemstone
Development West,
Inc.**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Billie Jo Craig**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- E&E FIRE PROTECTION'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST
GEMSTONE DEVELOPMENT WEST, INC...PROFESSIONAL DOORS AND MILLWORKS'
MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST GEMSTONE DEVELOPMENT WEST,
INC

Mr. Truman and Mr. Oblad present.

PRINT DATE: 10/30/2018

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Minutes Date: May 12, 2009

Court noted its Law Clerk advised there was opposition. Colloquy regarding status of case. COURT ORDERED, matter UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 02, 2010

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

November 02, 2010 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Sylvia Courtney

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

| | | |
|-----------------|----------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Cawley, Reuben | Attorney |
| | Dobberstein, Eric | Attorney |
| | Fisher, Mindy C. | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Miller, William | Attorney |
| | Muckleroy, Martin A. | Attorney |
| | Parry, Zachariah | Attorney |
| | Pintar, Becky | Attorney |
| | Rutar Mullins, Gwen | Attorney |
| | | Attorney |
| | Williams, Donald H | Attorney |
| | | Attorney |
| | Ziems, Robert B. | Attorney |

JOURNAL ENTRIES

- INSULPRO PROJECTS INC'S JOINDER TO SCOTT FINANCIAL CORPORATION'S MOTION TO STAY FURTHER ACTIVITY IN THIS CASE UNTIL THE ISSUE OF PRIORITY ISSUE HAS BEEN RESOLVED . . . SCOTT FINANCIAL CORPORATION'S MOTION TO STAY FURTHER ACTIVITY

IN THIS CASE UNTIL THE ISSUE OF PRIORITY ISSUE HAS BEEN RESOLVED

Court noted multiple joinders have been filed and all do not appear in Odyssey as yet; and it appears no one is opposed to stay in this case; the matters are well briefed. Court acknowledged there are still matters under advisement, and intends to issue a decision by 11/08/10; COURT ORDERED, motion and joinder GRANTED; status check set on pending matters.

12/09/10 09:00 AM STATUS CHECK: MATTERS UNDER ADVISEMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 22, 2010**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

| | | | |
|--------------------------|----------------|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| November 22, 2010 | 9:00 AM | Motion to Withdraw as Counsel | Shumway, Van & Hansen, CHTD's Motion To Withdraw As Attorney Of Record for HA Fabricators, Inc. |
|--------------------------|----------------|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Susan Botzenhart**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Robert Ryan, Esq., appeared on behalf of Michael Van, Esq., (Shumway, Van & Hansen) (Movant) for HA Fabricators, Inc.

There being no opposition, COURT ORDERED, Motion GRANTED. Order SIGNED IN OPEN COURT.

***** THIS IS A LEAD CASE CONSOLIDATED WITH 08A574391, 08A574792, 08A577623, 09A580889, 09A583289, 09A584730, 09A587168, 09A589195, 09A589677, 09A590319, 09A592826, 09A596924, 09A597089, 09A606730, A-10-608717 and A-10-608718. *****

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 09, 2010

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

December 09, 2010 9:00 AM Status Conference

HEARD BY: Delaney, Kathleen E.

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Sylvia Courtney

RECORDER:

REPORTER:

PARTIES

| | | |
|-----------------|-----------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Cawley, Reuben | Attorney |
| | Dobberstein, Eric | Attorney |
| | Gebhart, Michael T. | Attorney |
| | Haze, Airene | Attorney |
| | Lloyd-Robinson, Jennifer R. | Attorney |
| | | Attorney |
| | Meier, Glenn F | Attorney |
| | Muckleroy, Martin A. | Attorney |
| | Rutar Mullins, Gwen | Attorney |
| | | Attorney |
| | Sechrist, Jared M. | Attorney |
| | Shapiro, James E. | Attorney |
| | Williams, Donald H | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- Court addressed matters under advisement, specifically for today, the outcome of the priority issue for Scott Financial. COURT FINDS, Scott Financial has standing to dispute mechanics' lien motions, amounts and priorities; its interests are adverse to lien claimants and all opposition has been taken

into account; as for the competing motions for summary judgment on priority, the decision in Bratcher v. Buckner, 90 Cal.App. 4th 1177 (2001) is not persuasive and Court does find Apco's argument persuasive that Mezzanine deeds of trust are behind the construction deeds; Court is not persuaded that partial subordination is operative. The lien claimants are in first priority and the basis will be spelled out in Court's written decision, which will also set forth amounts in detail. Mr. Meier requested the Court to set a status check after the Court's written decision has been issued. Mr. Gebhart raised the issue that there are motions which have been previously decided and other motions still pending; Court stated written decision will clarify those matters as they preceded the decision on Scott's standing to oppose; Court will include next status check date in the written order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 09, 2011

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

November 09, 2011 9:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|-------------------------|----------|
| PRESENT: | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Dachelet, David W | Attorney |
| | Dobberstein, Eric | Attorney |
| | Gebhart, Michael T. | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Jones, Jon Randall | Attorney |
| | Kessler, Andrew J., ESQ | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Sechrist, Jared M. | Attorney |
| | Shapiro, James E. | Attorney |
| | Walters, Brian K. | Attorney |
| | Williams, Donald H | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...APCO CONSTRUCTION'S RENEWED MOTION TO CONSOLIDATE CASE NO.

A579963...HYDRO PRESSURE CLEANING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...CUSTOM SELECT BILLING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...TRI-CITY DRYWALL, INC. AND NORTH STAR CONCRETE, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...LIEN CLAIMANT/ PLAINTIFF CELL-CRETE FIREPROOFING OF NEVADA, INC.'S JOINDER IN SUPPORT OF PLAINTIFF APCO CONSTRUCTION INC.'S MOTION FOR AN ORDER OF PRIORITY ON ORDER SHORTENING TIME...ARCH ALUMINUM AND GLASS, LLC 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 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 CONSTRUCTIONS' RENEWED MOTION TO CONSOLIDATE CASE NO. A579963...HYDRO PRESSURE 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 PROJECT, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME

Attorney Rachel Bickel-Stone, Bar No. 11057, appearing for Wiss, Janney, Elstner Associates, Inc.

Attorney David Merrill, Bar No. 6060, present for Alexander Edelstein.

Attorneys James Shapiro and Andrew Kessler participated telephonically through CourtCall.

Attorney Rachel Donn, Bar No. 10568, also appearing with Attorney Meier for the Defendant.

Court ADVISED, Judge Delaney is signing today the proposed original Findings and Order that APCO submitted, which was attached to the Motion. Attorney Gochmour stated he will deliver the Order to Judge Delaney's Chambers today. Judge Delaney will do some annotations and additional findings. COURT ORDERED, the issue of the priorities between the Lien Claimant and the lender's side of the traction will be CONSOLIDATED into this Department, but the cases will NOT BE Consolidated.

Statements by Attorney Jones questioning Defendant Tharaldson being a party in this case. Court STATED, Defendant Tharaldson is listed as a Counter Claimant in the Caption of this case. Counsel questioned if Judge Delaney would be addressing the perfection issues and the amounts of the liens. Court INFORMED Counsel that it was told Judge Delaney would be getting those Orders out. Attorney Gochmour advised that Scott financial Corporation is the lender for all of the loans. Attorney Meier requested a continuance until after the parties review Judge Delaney's Order. COURT ORDERED, Motions regarding Priority are CONTINUED. Court STATED, a new 16.1 Conference will need to be set next date. Attorney Reuben Cawley requested that his Motion For Summary Judgment also be set for next date, and the COURT SO ORDERED. Court SUGGESTED

that Counsel submit a list of any outstanding issues.

11/15/11 10:00 AM APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...HYDRO PRESSURE CLEANING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...CUSTOM SELECT BILLING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...TRI-CITY DRYWALL, INC. AND NORTH STAR CONCRETE, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...LIEN CLAIMANT/ PLAINTIFF CELL-CRETE FIREPROOFING OF NEVADA, INC.'S JOINDER IN SUPPORT OF PLAINTIFF APCO CONSTRUCTION INC.'S MOTION FOR AN ORDER OF PRIORITY ON ORDER SHORTENING TIME...ARCH ALUMINUM AND GLASS, LLC 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 MOTION FOR ISSUANCE OF ORDER ON PRIORITY... INSULPRO PROJECT, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...ZITTING BROTHERS CONSTRUCTION, INC'S MOTION FOR SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 15, 2011

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

November 15, 2011 10:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Carol Foley

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|--------------------------|------------------|
| PRESENT: | Cawley, Reuben | Attorney |
| | Dachelet, David W | Attorney |
| | Dobberstein, Eric | Attorney |
| | Dreitzer, Richard I | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Jones, Jon Randall | Attorney |
| | Maskas, Marisa | Attorney |
| | Reade, Robert C. | Attorney |
| | Sechrist, Jared M. | Attorney |
| | Tharaldson Motels II Inc | Counter Claimant |
| | Tharaldson, Gary D | Counter Claimant |
| | Walters, Brian K. | Attorney |

JOURNAL ENTRIES

- Counsel on speakerphone: James Shapiro for Las Vegas Pipeline, and Andrew Kessler for Uintah Investments.

Counsel also present: Morgan Shah for Alexander Edelstein.

APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...THE MASONRY GROUP NEVADA, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF ORDER ON PRIORITY...ARCH ALUMINUM AND GLASS, LLC'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY... CELL-CRETE FIREPROOFING OF NEVADA, INC.'S JOINDER IN SUPPORT OF APCO CONSTRUCTION INC.'S MOTION FOR AN ORDER OF PRIORITY...TRI-CITY DRYWALL, INC. AND NORTHSTAR CONCRETE, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY. ..CUSTOM SELECT BILLING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY...HYDROPRESSURE CLEANING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ...INSULPRO PROJECTS, INC'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY...ZITTING BROTHERS CONSTRUCTION, INC'S MOTION FOR SUMMARY JUDGMENT

Court gave Mr. Gochmour Judge Delaney's Decision and Order regarding priority. Mr. Gochmour requested a Rule 16.1 conference to get discovery back on track. Mr. Gochmour noted there was a stay pending issuance of this order and that will have to be lifted.

Mr. Gochmour noted he has the order granting consolidation and it was submitted to counsel. Mr. Gochmour provided it to Court. Court reviewed it and returned it to Mr. Gochmour to resubmit after adding that the remainder of case stays in front of Judge Denton.

Court noted there are a number of summary judgment motions brought by lien claimants for perfection and amounts that it is her understanding Judge Delaney will be issuing orders granting: Custom Select Billings, Hydropressure Cleaning, Zitting Brothers, Insulpro Projects, CellCrete Fireproofing, Tri-City Drywall, Selectbuild Nevada, Las Vegas Paving, and Ferguson Fire and Fabrication. Mr. Shapiro asked if it is Las Vegas Pipeline instead of Las Vegas Paving. Mr. Gochmour noted Las Vegas Paving is not in this case. Court noted her list indicates Las Vegas Paving, but it probably should be Las Vegas Pipeline.

Court noted there are other outstanding motions regarding rank among lien claimants that may be re-filed in this department. COURT ORDERED, new 16.1 conference set. Deadlines will be coordinated then. Mr. Kessler asked if counsel is required to appear. Court noted it would be a good idea.

12/1/11 9:30 AM MANDATORY RULE 16 CONFERENCE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 01, 2011**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**December 01, 2011 9:30 AM Mandatory Rule 16
 Conference**

HEARD BY: Scann, Susan**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

| | | |
|-----------------|-------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Cawley, Reuben | Attorney |
| | Dachelet, David W | Attorney |
| | Dobberstein, Eric | Attorney |
| | Dreitzer, Richard I | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Haze, Airene | Attorney |
| | Kessler, Andrew J., ESQ | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Sechrist, Jared M. | Attorney |
| | Shapiro, James E. | Attorney |
| | Williams, Donald H | Attorney |
| | | Attorney |
| | Wittig, Donna | Attorney |

JOURNAL ENTRIES

- Attorney David Merrill, Bar No 6060, present for Alexander Edelstein.

Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Jon Carlston, Bar No. 10869, appearing for Cell Crete Fireproofing Of NV Inc.

Attorney Robert Domico, Bar No. 6272, present for Selectbuild Nevada Inc..

Attorney Michael Ernst, Bar No. 11957, present for Counter Defendant.

Colloquy regarding current case status including the previous Case Management Order of 1/28/10, the Stay that should be lifted, and Summary Judgments which are still Under Submission. COURT ORDERED, you now have a Priority Decision, and the STAY is hereby LIFTED. Attorney Dachelet explained that Summary Judgment has been Granted to some parties, and they should be allowed to limit future expenses, and only deal with the issue that was not resolved, the priorities amongst the Lien Claimants themselves. Discussion regarding Discovery, current condition of the property, possible sale of the property with the preference of a marketable sale. Attorney Ferrario suggested that what is needed is to figure out an orderly way for the Lien Claimants to prove their case, and set up a Discovery Schedule.

COURT FURTHER ORDERED, Statement Claims by anyone making a Counterclaim against the lender, that has not already filed in some form, has until 1/13/12 to do so, and the deadline for any responses is 2/17/12. Court and Counsel determined new Case Management dates. COURT ADDITIONALLY ORDERED, matter SET for Trial.

COURT ORDERED, a Status Check SET, only the parties that have Summary Judgments Under Submission need to attend. Lien Claimants may also submit a proposed Order. Attorney Gochnour to prepare the new Case Management Order.

1/11/12 10:00 AM STATUS CHECK: PARTIES WITH SUMMARY JUDGMENTS UNDER SUBMISSION

4/3/12 10:30 AM CALENDAR CALL

4/8/12 10:30 AM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

January 11, 2012

| | |
|-----------|---------------------------------------------------------------------------------------|
| 08A571228 | Apco Construction, Plaintiff(s) vs. Gemstone Development West Inc, Defendant(s) |
|-----------|---------------------------------------------------------------------------------------|

January 11, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED.

2/15/12 10:00 AM STATUS CHECK: PARTIES WITH MATTERS UNDER SUBMISSION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

January 25, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

January 25, 2012 9:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Dachelet, David W | Attorney |
| | Dobberstein, Eric | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Shapiro, James E. | Attorney |
| | Truman, T. James | Attorney |
| | | Attorney |
| | Walters, Brian K. | Attorney |

JOURNAL ENTRIES

- DEFENDANT'S MOTION FOR RECONSIDERATION OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER GRANTING APCO CONSTRUCTION'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY; AND DENYING SCOTT FINANCIAL CORPORATION'S MOTION FOR PRIORITY OR IN THE ALTERNATIVE MOTION FOR A RE-HEARING...BRAD J. SCOT'S

JOINDER TO SCOTT FINANCIAL CORPORATION'S MOTION FOR RECONSIDERATION OR IN
THE ALTERNATIVE, MOTION FOR RE-HEARING

Attorney James Shapiro participated telephonically.

Attorney Rachel Donn, Bar No. 10568, appearing for the Defendant.

Attorney Michael Ernst, Bar No. 11957, present for Counter Defendant Steel Structures Inc.

Attorney Adam Graff, Bar No. 11806, present for Counter Defendant Cellcrete Fireproofing of Nevada Inc.

Attorney Morgan Shah, Bar No. 12490, present for Defendant Alexander Edelstein.

Attorney Rachel Bickle-Stone, Bar No. 11057, present for Wiss Janney Elstner Associates Inc.

Attorney Jennifer Hostetler, Bar No. 11994, appearing for Bank of Oklahoma.

Attorney Bradley Slighting, Bar No. 10225, present for United Subcontractors Inc.

Court read the "standard" for Reconsideration in Open Court. Statements by Attorney Meier in support of the relief requested, advising the Court could just start over. Statements by Attorney Carter in support of his Joinder to Defendant's Motion. Opposition by Attorney Gochnour and Attorney Berman. Attorney Meier cited NRS 54(b) which gives the Court discretion to start over. Further statements by Attorney Ferrario. Court FINDS, it will review NRS 54(b), and will issue a written Decision. COURT ORDERED, matter taken UNDER ADVISEMENT. COURT FURTHER ORDERED, matter SET for a Hearing regarding the Court's Decision, Counsel not to be present.

2/1/12 9:00 AM HEARING: DECISION

UNDER ADVISEMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

February 01, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

February 01, 2012 9:00 AM Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

COURT ORDERED, Motion To Reconsider is GRANTED pursuant to NRCP 54(b). COURT FURTHER ORDERED, the moving parties to combine and submit one package to the Court of any briefs that have been filed on behalf of the moving parties plus a summary of the Joinders, due by 2/15/12; Any parties opposing, to submit a combined brief by 2/29/12; a combined Reply is due 3/7/12. COURT ADDITIONALLY ORDERED, matter is SET for a Hearing on 3/14/12 for Argument. The Court is not directing anyone to file new points and authorities, just to organize what has been filed, to be provided as courtesy copies. Supplements may be filed by the dates set herein.

3/14/12 10:00 AM HEARING: ARGUMENT / MOTION FOR SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

February 15, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

February 15, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder
Nancy Tibbetts

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|-------------------|----------|
| PRESENT: | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Shapiro, James E. | Attorney |

JOURNAL ENTRIES

- Mr. Bradley Slighting Esq., Bar No. 10225, also present.

COURT NOTED, case is under submission and no progress to report. Court SUGGESTED, matter be reheard in this Court. Mr. Gochmour concurred that it would make the most sense for matter to heard in this Court. Colloquy regarding what Court needed for a rehearing. Mr. Gochmour requested clarification on new briefing. Court answered briefing would be held to what has already been filed.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 07, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

March 07, 2012 9:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Cawley, Reuben | Attorney |
| | Dobberstein, Eric | Attorney |
| | | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Meier, Glenn F | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- DEFENDANT ALEXANDER EDELSTEIN'S MOTION TO DISMISS...APCO'S OBJECTION TO AND MOTION TO STRIKE SCOTT FINANCIAL CORPORATION'S SUPPLEMENT TO MOTION FOR SUMMARY JUDGMENT AS TO PRIORITY OF LIENS, FILED FEBRUARY 15, 2012...GRANITE CONSTRUCTION COMPANY'S JOINDER TO APCO'S OBJECTION TO AND MOTION TO STRIKE SCOTT FINANCIAL CORPORATION'S SUPPLEMENT TO MOTION FOR SUMMARY JUDGMENT AS TO PRIORITY OF LIENS, FILED FEBRUARY 15, 2012, AND REQUEST FOR ORDER SHORTENING TIME...JOINDER TO APCO'S OBJECTION TO AND MOTION TO STRIKE SCOTT FINANCIAL CORPORATION'S SUPPLEMENT TO MOTION FOR SUMMARY JUDGMENT AS TO PRIORITY OF LIENS, FILED FEBRUARY 15, 2012, AND REQUEST FOR ORDER SHORTENING

TIME

Attorney Bradley Slighing, Bar No. 10225, also present for United Subcontractors Inc.

Attorney David Merrill, Bar No. 6060, and Attorney Morgan Shah, Bar No. 12490, present for Defendant Alexander Edelstein.

COURT ORDERED, Defendant Alexander Edelstein's Motion To Dismiss is GRANTED WITHOUT PREJUDICE. Attorney Morris noted for the record he did file a Limited Opposition. Statements by Attorney Meier in support of the Supplement To Motion For Summary Judgment As To Priority Of Liens, Filed 2/15/12. Argument by Attorney Gochmour in opposition to the Supplement, and in support of his Motion To Strike. Attorney Gochmour stated the Defendant is now trying to put in an Affidavit that should have been done in 2010, and advised that this is not a time to be adding new facts.

COURT FURTHER ORDERED, APCO's Objection To And Motion To Strike Scott Financial Corporation's Supplement To Motion For Summary Judgment As To Priority Of Liens, filed February 15, 2012 is DENIED, along with the Joinders thereto. COURT ADDITIONALLY ORDERED, it will allow additionally briefing before the Hearing on the Motion For Summary Judgment. Additional briefs to be filed by 3/15/12, and any Reply due by 3/19/12. COURT ORDERED, matters currently set for 3/13/12 are CONTINUED until 3/21/12.

3/21/12 10:00 AM HEARING: ARGUMENT - MOTION FOR SUMMARY JUDGMENT...
STEEL STRUCTURES, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT...
NEVADA PREFAB ENGINEERS, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 21, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

March 21, 2012 10:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|-------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Dobberstein, Eric | Attorney |
| | | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Jones, Jon Randall | Attorney |
| | Kessler, Andrew J., ESQ | Attorney |
| | Little, Martin A. | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Pintar, Becky | Attorney |
| | Sechrist, Jared M. | Attorney |
| | Shapiro, James E. | Attorney |
| | Walters, Brian K. | Attorney |
| | Williams, Donald H | Attorney |
| | | Attorney |

JOURNAL ENTRIES

PRINT DATE: 10/30/2018

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Minutes Date: May 12, 2009

- NEVADA PREFAB ENGINEERS, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT...
STEEL STRUCTURES, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT... HEARING:
ARGUMENT - MOTION FOR SUMMARY JUDGMENT

Attorney Bradley Slighting, Bar No. 10225, also present for United Subcontractors Inc.

Attorney Morgan Shah, Bar No. 12490, present for Defendant Alexander Edelstein.

Attorney Dana Kim, Bar No. 8826, appearing for National Wood Products, and participating telephonically.

Attorney Andrew Kessler also participated telephonically.

Attorney Rachel Donn, Bar No. 10568, also appearing for the Defendant.

Attorney Jennifer Hostetler, Bar No. 11994, present for the Bank of Oklahoma.

Attorney Jay Shafer, Bar No. 9184, present for Cell-Crete Fireproofing of Nevada Inc.

Attorney Anthony Ager, Bar No. 7969, appearing for Atlas Construction Supply Inc.

Attorney Ronald Thompson, Bar No. 5524, appearing for Tru Lite Illumination.

There being no opposition, COURT ORDERED, Nevada Prefab Engineers, Inc.'s Motion For Partial Summary Judgment is GRANTED. COURT FURTHER ORDERED, Steel Structures, Inc.'s Motion For Partial Summary Judgment is GRANTED.

Statements by Attorney Meier giving a history of the case, citing "Bratcher," noting nothing in the agreement was intended to benefit the lien claimants. Attorney Gochnour supplied the Court with a demonstrative document/time-line showing recording dates. Attorney Gochnour argued that there is no ambiguity in the Subordination Agreement, and stating the Defendants are trying to find a way around the Nevada Mechanic Lien Law. Attorney Carter advised the Notes were restructuring not refinancing. Statements by Attorney Berman citing NRS Chapter 108. Further argument by Counsel.

COURT FURTHER ORDERED, matter taken UNDER ADVISEMENT. COURT ADDITIONALLY ORDERED, matter SET for Decision.

4/4/12 11:00 AM DECISION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 22, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

March 22, 2012 3:00 AM Motion to Intervene

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, National Wood Products, Inc.'s Notice Of Motion And Motion To Intervene; And Memorandum Of Points And Authorities In Support Thereof is GRANTED. Attorney Dana Kim, Bar No. 8826, to prepare the order within 10 days and distribute a filed copy to all parties involved in this matter. The order must include last known addresses and all future scheduled court dates.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

April 04, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

April 04, 2012 11:00 AM Decision

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|-------------------------|----------|
| PRESENT: | Dobberstein, Eric | Attorney |
| | | Attorney |
| | Gebhart, Michael T. | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Kessler, Andrew J., ESQ | Attorney |
| | Meier, Glenn F | Attorney |
| | Sechrist, Jared M. | Attorney |
| | Shapiro, James E. | Attorney |

JOURNAL ENTRIES

- Attorney Morgan Shah, Bar No. 12490, present for Defendant Alexander Edelstein.

Attorney Dana Y Kim, Bar No. 8826, appearing for National Wood Products. .

Attorney Jay Shafer, Bar No. 9148, present for Cellcrete Fireproofing of Nevada.

Attorney Robert Spear, Bar No. 8672, appearing for multiple Counter Defendants.

Attorney Dobberstein, Attorney Shapiro, Attorney Kim, and Attorney Kessler participated

telephonically per CourtCall.

DECISION

As threshold, there are no genuine issues of material fact.

Facts:

1. Original Senior, Junior and Third Trust Deeds were recorded before any work began on the property on 7/5/06.
2. Work commenced 4/07.
3. Junior Trust Deed and Third Trust Deed amended 5/22/07 & 10/24/07.
4. Senior and Jr. Trust Deeds amended and renamed Mezzanine Trust Deeds 2/7/08.
5. Participation agreement provided the new money, not a new loan, always same lender, Scott Financial Corporation (SFC).
6. Subordination agreement signed to accommodate \$110 million construction funding.
7. Original Trust Deeds never released or reconveyed.

In all amendments to the Trust Deeds, the effectiveness of the original Trust Deeds was affirmed.

All notes and Trust Deeds were amended, not replaced.

The Subordination agreement is made only by the one and only lender, SFC and references only the borrower, Gemstone Development. There is no mention of the lien claimants or any other entity; they are not parties to it. The express purpose of the Subordination Agreement is to place the \$110 million Trust Deeds above the Mezzanine Trust Deeds in priority. The in all respects language in paragraph 1, page 2 modifies and references the \$110 million Trust Deeds in reference to the Mezzanine Trust Deeds, nothing else. The sub agreement pays the \$110 million note before anything on the Mezzanine notes.

Reasons:

Per NRS 108.225, priority of liens gives priority to mechanic's liens behind those recorded before commencement of construction. \$38 mil in TDs was so recorded-first.

The fact that SFC obtained title insurance is not significant, this is a normal part of transaction.

Construing the subordination agreement on its own terms reveals no intent to do anything other than prefer the \$110 million Trust Deeds to the Mezzanine Trust Deed, original, Trust Deeds for payment. That intent would be contradicted by placing mechanic's liens in higher priority than the Construction Trust Deed. No intent to benefit a third party is expressed. The Scott affidavit is not necessary to reach this conclusion, the language of the agreement and the fact that substantial

construction financing was being brought in leads to this conclusion.

The Court adopts the reasoning of *Bratcher v. Buckner*. The lien claimants' priority is unchanged by the sub. agreement. This is both logical and fair. They were behind \$38 million when started their work and still are. To interpret the agreement otherwise would be to provide them with a windfall. They are not parties to the subordination agreement. They received the benefit of the construction funding.

Amsouth relies on the definition of subordination, saying it does not contemplate raising a lien in priority. The *Bratcher* case more accurately describes the problem as a circuitry of liens in that, discussing A, B, and C in order of priority, subordinating A to C does not result in subordinating A to B. Rather, A and C have switched places in priority but only to the amount of A's lien. B is neither benefitted nor burdened by this result. This reasoning was adopted by neighboring AZ in 2002 in *Price Waterhouse v. Decca*. This appears to be the majority view.

COURT ORDERED, Scott Financial's Reconsidered Motion For Partial Summary Judgment as to Priority of Liens is GRANTED. COURT FURTHER ORDERED, accordingly, Scott Financial Corporation's \$110,000,000.00 is in first position in the amount of \$38,000,000.00 only, the mechanic's liens are in second position, the remainder of Scott Financial Corporation's \$110,000,000.00 Trust Deed is in third position, and the Mezzanine Deeds of Trust are in fourth position.

At the request of Counsel, COURT ADDITIONALLY ORDERED, a STAY is GRANTED pending a Writ Petition to the Supreme Court, no Bond is required. COURT ORDERED, matter SET for a Status Check.

5/9/12 10:00 AM STATUS CHECK: CURRENT CASE STATUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 05, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**April 05, 2012 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, Motion To Withdraw As Attorney Of Record For Atlas Construction Supply, Inc. And Order Shortening Time is GRANTED, Attorney Anthony Ager, Bar No. 7969, to prepare the order within 10 days and distribute a filed copy to all parties involved in this matter. The order must include last known addresses and all future scheduled court dates.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 09, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

| | | |
|--------------|----------|------------------------------|
| May 09, 2012 | 10:00 AM | Status Check: Status of Case |
|--------------|----------|------------------------------|

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|---------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Dobberstein, Eric | Attorney |
| | | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Reade, Robert C. | Attorney |
| | Shapiro, James E. | Attorney |
| | Walters, Brian K. | Attorney |

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, also present for United Subcontractors Inc..

Attorney Dana Kim, Bar No. 8826, appearing for National Wood Products, and participating

PRINT DATE: 10/30/2018

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Minutes Date: May 12, 2009

telephonically.

Attorney Rachel Donn, Bar No. 10568, also appearing for the Defendant.

Attorney David Merrill, Bar No. 6060, present for Intervenor Alex Edelstein.

Attorney Dobberstein participated telephonically through CourtCall.

Upon the Court's inquiry, Attorney Gouchnour advised everything is on track proceeding to Trial. Colloquy regarding pending Writ regarding the Decision of Priority Liens before the Supreme Court. COURT ORDERED, matter CONTINUED until 11/7/12, unless the Supreme Court comes back sooner, and Counsel wants to set something on Calendar.

11/7/12 9:00 AM STATUS CHECK: STATUS OF CASE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

June 06, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

June 06, 2012 **9:00 AM** **Motion**

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Carol Foley

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|-----------|
| PRESENT: | Domina, Cary | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Jones, Jon Randall | Attorney |
| | Jones, Mark Merrill | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Scott, Bradley J | Defendant |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Counsel also present: Brian Berman for Ready Mix, Inc., and David Merrill for Alexander Edelstein.
Counsel on speakerphone: Eric Dobberstein for Insulpro Projects, Inc.

Counsel specially appearing today: David Carroll present for WGH Acquisitions, Jeff Steffan for Bond Rok, and Daniel Polsenberg for writ issues of various lien claimants represented by Peel Brimley.

Mr. Zimbelman noted his concern regarding prejudice of hearing matter on shortened time. Argument by Mr. Jones regarding urgency. Arguments by counsel. Court noted it agrees more information and authority and an evidentiary hearing is necessary. Discussion regarding available dates. Counsel agreed on 7/2 and the afternoon of 7/3 if necessary. Mr. Gochnour requested two two-hour depositions. Court granted the request.

7/2/12 9:30 AM EVIDENTIARY HEARING: SCOTT DEFENDANTS' MOTION TO LIFT STAY, ALLOW SALE TO PROCEED WITH DEPOSIT OF FUNDS PENDING FURTHER COURT ORDER, AND FOR POSTING OF BOND

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 02, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 02, 2012 9:30 AM Evidentiary Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|-------------------------|-----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gebhart, Michael T. | Attorney |
| | Gochnour, Wade B. | Attorney |
| | | Attorney |
| | Jones, Jon Randall | Attorney |
| | Kessler, Andrew J., ESQ | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Scott, Bradley J | Defendant |

JOURNAL ENTRIES

- Attorney Andrew Kessler participated telephonically through CourtCall.

Attorney Michael Ernst, Bar No. 11957, appearing for Nevada Prefab Engineers.

Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Rebecca Mastrangelo, Bar No. 5417, appearing for Grubb & Ellis Co.

Court convened for the scheduled Evidentiary Hearing. Opening arguments by Counsel. Testimony and exhibits presented (see worksheets). Due to time restraints, COURT ORDERED, matter CONTINUED.

7/3/12 1:00 PM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 09, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 09, 2012 9:30 AM Evidentiary Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Jones, Jon Randall | Attorney |
| | Meier, Glenn F | Attorney |
| | Williams, Donald H | Attorney |
| | | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Jeffrey Steffen, Bar No. 9912, also present.

Court convened for the continuation of the Evidentiary Hearing. Testimony and exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED for Closing Arguments.

08A571228

7/10/12 2:00 PM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 10, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 10, 2012 2:00 PM Evidentiary Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Rebecca Mastrangelo, Bar No. 5417, appearing for Grubb & Ellis Co.

Attorney Jeffrey Steffen, Bar No. 9912, present for Bond Rok.

Following closing arguments by Counsel, COURT ORDERED, the following:

An Order To Show Cause Hearing shall ISSUE, to have the lien claimants appear. Pursuant to NRS 108.239, a schedule shall be SET on how to proceed, and hear all claims in a summary way. Attorney Gochnour has agreed to prepare the Order, with a Court date of 7/18/12, and the time will be

determined later. Counsel, parties, and principles are to be present. COURT FURTHER ORDERED, any party not appearing for the Hearing, shall be deemed consenting to a sale.

Court needs the information from Counsel regarding what the lender's Deed of Trust says as to the appointment of a Receiver, and the selling of the property pursuant to the Deed of Trust. Attorney Meier to submit the information to Chambers. Court is contemplating entering an Order of Sale.

COURT ADDITIONALLY ORDERED, Motion To Sale is DENIED WITHOUT PREJUDICE at this point. Court FINDS, there is waste on this property. Attorney Peel, on behalf of his clients, may submit in camera their proposal regarding the sale.

July 18, 2012

Minutes Date: May 12, 2009

| | |
|---------------------------|----------|
| Varricchio, Philip Thomas | Attorney |
| Walters, Brian K. | Attorney |
| Williams, Donald H | Attorney |
| | Attorney |

JOURNAL ENTRIES

- Attorney Mr. Andrew J. Kessler bar No. 10640 participated by Court Call.

COURT NOTED, last week at the evidentiary hearing the Court determined the property which is incomplete is suffering waste, the longer the time that goes on because its a incomplete property the worse it will get. Mr. Jones brought the motion because he had a buyer for the property that was willing to pay \$18,000,050.00 and we had testimony from another interested party he was willing to pay \$21,000,000.00 Various arguments have been made if its possible to sell the property until a judgment has been made in the case. Court stated if the property is sold all the liens the claims will attach to the property, there is a appeal before the Supreme Court to determine who has priority in this case, the lien claimants or the lenders. Pending the determination by the Supreme Court, the proceeds from the sale of the property will be distributed to the successful party. In the meantime to have the property sit there subject to weather, vandalism its accumulating property taxes there is over \$1 Million in unpaid property taxes, the lenders have determine that since this case has been going on now for 4 years, they don't want to spend the money anymore to preserve the property; the property is now in offense condition. The property taxes isn't being paid, the insurance isn't being paid the collateral will not improve in a physical sense. In terms of fair market value, the appraiser testified the property is worth less than the amount of \$16,000,000.00 conclusion of the appraiser was he indicated this property will not improve in value, therefore, COURT ORDERED, SALE OF THE PROPERTY. rather to allow the determination to continue its better to sell the property now.

Mr. Berman stated there are reasons his clients are opposed to the sale, there are some lien claimants that are ready to take over this project. We would condition the approval of the sale, that is to be sent to a mandatory settlement conference. Mr. Berman suggested Senior Judge Stewart Bell for the settlement conference proceedings.

Mr. Meier stated they would be willing to participate in a settlement conference, that in order to have people ready to participate he will need 60 days.

Mr. Jones stated his client (Mr. Scott) is in favor of a settlement conference with the condition of an order from the Court it is going to sell this property in the near future. Mr. Ferrario stated he would agree to the sale of the property with the sale that was offered in court prior to this hearing taking place quickly, there is a buyer confirmed at \$21,500,000.00, we would also agree in the settlement conference and agree to Judge Bell presiding over the settlement conference. Further, Mr. Ferrario stated the process that was outlined in Mr. Jones motion is we would create the fund of \$21,500,000.00 and the liens would transfer to that fund.

Mr. Peel stated Apco's opposition to the sale going forward, the Court requested us to present a in-

camera review a proposal to the Court. Mr. Peel submitted in open court a copy of the proposal to the court. Mr. Peel advised his clients object to the sale of the property going forward the concerns are the process and the Court needs to follow the laws that exist in the mechanic's lien statute, we will agree to the sale subject to what is in the proposal.

Mr. Jones stated he is entitled to a copy of the proposal. Further, he understands the concerns of Mr. Peel to not publish the letter but, we need a copy and will keep it strictly confidential and not publish it to another party.

MATTER TRAILED.

MATTER RECALLED.

Mr. Peel stated he has had time to speak with his lien claimants and they are in the same position as stated in the proposal.

Mr. Gochmour stated we do not believe the Court has the authority to proceed with the sale of the property but will propose a settlement to allow a sale to go forward.

Mr. Peel stated what he presented to the Court was a confidential settlement proposal.

Mr. Kessler stated he also agrees with the terms of the proposal from the lien claimants.

Mr. Peel requested to have a Protective Order in place. COURT SO ORDERED. Mr. Peel to prepare Order.

FURTHER ORDERED, SETTLEMENT CONFERENCE. Parties to contact Judge Bell to start the process.

COURT ORDERED, STAY LIFTED, MATTER SET FOR HEARING.

7-26-12 2:00 PM HEARING: SALE OF PROPERTY (DEPT. XXIX)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 31, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 31, 2012 **2:00 PM** **Hearing**

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|-------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gebhart, Michael T. | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Haze, Airene | Attorney |
| | Jones, Jon Randall | Attorney |
| | Kessler, Andrew J., ESQ | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Reade, Robert C. | Attorney |
| | Sechrist, Jared M. | Attorney |

JOURNAL ENTRIES

- Attorney John Langeveld, Bar No. 11628, appearing for Accuracy Glass & Mirror Company Inc.

Attorney Michael Ernst, Bar No. 11957, present for Nevada Prefab Engineers Inc.

Attorney Moorea Katz, Bar No. 12007, also present for Counter Claimant Tharaldson.

Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Andrew Kessler participated through CourtCall.

Attorney Jones provided the Court with an update, noting the parties have been working hard to get the matter resolved, advising principle parties met as late as last night. Attorney Ferrario stated he got a Bankruptcy Order and re-tooled it, has prepared a Sale Order, and it has been distributed for signatures. Attorney Gephart reiterated his ongoing objection, questioning the Court's authority to order a sale, and citing NRS 108. Attorney Peel concurred that the parties have been working together to get the matter resolved. Attorney Ferrario stated that within a week he will submit a Sale Agreement Order. Counsel questioned if forty-five days is the current status of the Court's Order. Court NOTED, it is inclined to keep the forty-five days, and if the time was extended, it would not be for ninety days, maybe just another fifteen. COURT ORDERED, parties to attend the Settlement Conference arranged by Attorney Gochnour. COURT FURTHER ORDERED, matter SET for a Status Check. COURT ADDITIONALLY ORDERED, any drafts of proposed orders to be presented before the Status Check.

8/10/12 3:00 PM STATUS CHECK: STATUS OF CASE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

August 16, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

August 16, 2012 3:00 PM Status Check: Status of Case

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|-------------------------|----------|
| PRESENT: | Cawley, Reuben | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Jones, Jon Randall | Attorney |
| | Kessler, Andrew J., ESQ | Attorney |
| | Meier, Glenn F | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Peel, Richard L. | Attorney |
| | Rutar Mullins, Gwen | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- Attorney John Langeveld, Bar No. 11628, appearing for Accuracy Glass & Mirror Company Inc.

Attorney Michael Ernst, Bar No. 11957, present for Nevada Prefab Engineers Inc.

Attorney Moorea Katz, Bar No. 12007, also present for Counter Claimant Tharaldson.

Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Mark Hawkins, Bar No. 5490, present for Bond Rok Partners.

Attorney Andrew Kessler participated through CourtCall.

Colloquy regarding pending Mediation before Judge Bell scheduled for 9/4/12. Counsel concurred they are willing proceed with the Mediation. Court NOTED, it received competing Orders for the sale. Discussion regarding paragraph 1, page 2, lines 5 and 22. Attorney Peel requested the language, "even though a majority of the line claimants have objected to the Court's authority to sell the property in the manner contemplated herein," be allowed, and the COURT SO ORDERED. Further discussion regarding page 3 line 6. Attorney Peel requested to strike the words, "involving lien priority," and the COURT FURTHER ORDERED. Court NOTED, some confusion with the wording on page 6 lines 11 and 12. Attorney Ferrario advised he would clean up the language. Court further CLARIFIED, a typo on page 7 line 14, should now be Courtroom 12B. Attorney Jones stated that on page 5 lines 9 through 11, it will now indicate Attorney Mark Hawkins' name. Attorney Ferrario advised he will make the changes to the Order and submit. COURT ADDITIONALLY ORDERED, sale date SET, approximately 45 days from the signing of the Order.

7/9/12 1:30 PM HEARING: MANHATTAN WEST AUCTION SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

August 21, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

August 21, 2012 10:00 AM Telephonic Conference

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|----------------------|----------|
| PRESENT: | Carter, Matthew S. | Attorney |
| | Cowden, Tami D., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Rutar Mullins, Gwen | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- Attorney Moorea Katz, Bar No. 12007, also present for Counter Claimant Tharaldson.

Attorney Mark Hawkins, Bar No. 5490, present for Bond Rok Partners.

All parties participated telephonically. Court QUESTIONED, bidding requirements, page 5 of Exhibit 1 to the Order, sub part iv. Attorney Katz advised she believed that in the purchase agreement there would be a forfeiture clause of the deposit. Attorney Peel stated he would like to see it addressed in the Order, and the Court AGREED. Colloquy regarding the Listing Agreement and Purchasing Agreement. Attorney Katz stated she is working on the Purchase Agreement, and will be circulating it amongst the parties. Court NOTED, it wants to see the Purchase Agreement. Court

QUESTIONED, Attorney Peel, asking if the Lien Claimants would be willing to sell the property at 23.1 Million, and he concurred. Court SUGGESTED, that Bond Rok consider that before the Purchase Agreement is finalized. Further discussion regarding the upcoming Mediation on 9/4/12, and the possibility of people being on vacation. Counsel suggested that maybe at the initial Mediation Conference, clients/party representatives be allowed to participate telephonically, and the COURT SO ORDERED. COURT ADDITIONALLY ORDERED, Counsel to submit the revised Bidding Procedures and the Contract as well.

10/9/12 1:30 PM MANHATTAN WEST AUCTION SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****September 26, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

September 26, 2012 2:00 PM Telephonic Conference

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Tiffany Lawrence

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|-----------|
| PRESENT: | Carter, Matthew S. | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Katz, Morrea | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Scott, Bradley J | Defendant |

JOURNAL ENTRIES

- Court noted she received the Order but not the proposed Purchasing Agreement. Colloquy regarding inability to qualify Bond Rock. Mr. Peel stated desire of counsel to evaluate the possibility of sale of the property at an acceptable price; request to vacate the auction and set a hearing on an order to show cause to approve or disapprove the sale. Colloquy regarding present parties being in accord with the request. Upon inquiry of Mr. Scott, counsel stated reluctance to mention the potential buyer(s) and/or possible purchase price on the record. Upon request of counsel, COURT ORDERED, Auction VACATED and matter SET; Mr. Gochmour to prepare the Order to Show Cause ("OSC") including notice to all parties and language, similar to the last OSC, advising that failure to appear would be deemed as consent and agreement to the sale.

Colloquy regarding expected outcome of the hearing; court advised she couldn't provide a preliminary ruling without hearing the argument; however, if the parties are agreeable to the sale the

08A571228

Court would be inclined to grant the request.

10/09/12 1:30 PM - HEARING: ORDER TO SHOW CAUSE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 09, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 09, 2012 1:30 PM Hearing

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

| | | |
|-----------------|-------------------------|-------------------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Haze, Airene | Attorney |
| | Katz, Morrea | Attorney |
| | Kessler, Andrew J., ESQ | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Peel, Richard L. | Attorney |
| | Reade, Robert C. | Attorney |
| | Scott, Bradley J | Counter Defendant |
| | Truman, T. James | Attorney |
| | | Attorney |
| | Walters, Brian K. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Andrew Kessler participated through CourtCall.

Attorney Jorge Rameriz, Bar No. 6787, appearing for Zitting Brothers Construction.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC.

James Barker, representative of Las Vegas Paving Corp., present.

Stan Johnson, representative of Steel Structures Inc., also present.

Barbara Mendoza, office manager of Cellcrete Fireproofing of Nevada Inc., present.

Upon the Court's inquiry, Attorney Peel stated there was a Conference Call a couple of weeks ago that talked about having today be an Order To Show Cause Hearing in lieu of an auction. Attorney Peel advised WGH Acquisitions has offered to purchase the property for 20 Million Dollars, and it is an offer we should seriously look at. Attorney Peel further noted an Order To Show Cause was prepared which indicated that any Lien Claimant or person of interest should appear today to object or approve the sale. Attorney Peel advised an Order was circulated, and an amendment has been proposed between Scott Financial and WGH Acquisitions. Attorney Carter explained that difficulties were encountered with qualifying Bond Roc, document request were never followed up by Bond Roc. Attorney Carter stated the deal with WGH is a rock solid offer, and just waiting for a Court Order regarding the sale. Attorney Peel stated the basic terms are set, but there are few provisions that still need to be cleared up, noting the PSA was made void by the Court's prior Order, and the document will need to be reinstated by a new Court Order; the Amendment asks that a representative of the Lien Claimants sign the Amendment, and that is not going to happen; there is still contingency wording; and Scott Financial is signing as the First Priority Deed Of Trust Holder.

Attorney Meier further advised that it is the consensus of Counsel at the front tables, that there is not a reasonable likelihood that an auction would lead to a better offer. Attorney Ferrario indicated that the next step is to get in touch with the Title Company, and find out what they are going to require from the Court. Attorney Ferrario further advised they need to get a Title Commitment. Court ASKED of the parties present, if there were any objections to the sale proceeding. Attorney Berman and Stan Johnson stated they did not stipulate to the sale procedure, but want to go forward with the sale, and would not appeal a Court Order.

Attorney Peel addressed the Lien Claimants and parties off the record, and explained what has transpired,.

LATER: Hearing resumed. Attorney Gochmour requested a continuance to conduct more due

diligence, and make some direct inquiries.

Court CLARIFIED, it is not a question of are we going to sell the property, it is just "when" we are going to sell the property.

Attorney Meier stated that during the week, the Title issues could be addressed. Court ADVISED, it sees no need to put in the signature block Scott Financial being the first party lender. Court INVITED, anyone who had an objection to return next week, and anyone who sent a lawyer to speak on their behalf, does not need to be present next week. Colloquy regarding continuing the Mediation scheduled for Thursday. Attorney Meier advised there is a tentative replacement date of 11/28/12, and he will get Notice out to everyone about the Mediation not going forward on Thursday.

COURT ORDERED, matter CONTINUED.

10/16/12 1:30 PM HEARING: SALE OF THE PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

October 16, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

October 16, 2012 1:30 PM Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Carol Foley

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Haze, Airene | Attorney |
| | Katz, Morrea | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Reade, Robert C. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Counsel also present: Bradley Slighting for United Subcontractors Inc., and Charles Michalek for Grubb and Ellis. Counsel on speakerphone: Dana Kim for National Wood Products.

Mr. Meier advised since they were last here parties exchanged copies of an amendment to the previous purchase and sale agreement, comments have gone back and forth, and they believe document is in status all of the parties in litigation agreed to. Mr. Meier noted the purchaser has

pushed back on a couple of those changes so they will have to work it out. Mr. Meier noted there has also been a form of order that was agreed to by all parties, and he spoke with the title officer and they need to have order to send to underwriters to have them comment, and he expects they will want some changes that will necessitate further conversation. Court noted it has a list of the four people with an objection last time: Mr. Berman, Mr. Gochmour, Mr. Stan Johnson and Mr. Kessler. Mr. Gochmour advised he had concerns but is fine with everything at this point and Court can remove him from that list. Mr. Zimbelman and Mr. Gochmour noted it was made clear at the last hearing that those who have objections could come back after additional seven days to express concerns, but if they didn't come back their objections would not be pursued. Court noted now that Mr. Gochmour removed his name from the list, Mr. Berman is the only one here from that list. Mr. Berman noted his objection. Court advised the trial can be set for Mr. Berman's client right away. Upon Court's inquiry, Mr. Berman advised his case should take half a day. Mr. Gochmour noted the trial should be two days at the most. COURT ORDERED, trial date set on the October stack only for Ready Mix, Inc. Mr. Gochmour requested expedited discovery schedule of 15 days for discovery responses and one calendar week for deposition notices. COURT SO ORDERED. Upon Court's inquiry, counsel requested another status hearing in one week. COURT ORDERED, status check set. Mr. Meir to present proposed order to title company and get feedback and go from there.

10/23/12 1:30 PM STATUS CHECK RE: SALE OF PROPERTY

10/24/12 10:30 AM CALENDAR CALL

10/29/12 10:30 AM TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 23, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 23, 2012 1:30 PM Status Check

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

| | | |
|-----------------|-------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Katz, Morrea | Attorney |
| | Kessler, Andrew J., ESQ | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Andrew Kessler participated through CourtCall.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC, and also participating through CourtCall.

Attorney Charles Michalek, Bar No. 5721, appearing for Grubb & Ellis.

Upon the Court's inquiry, Attorney Meier advised he made contact with the Title Company, noting they reviewed the proposed form Order, and got back to him with some changes, which should not be problematic. Attorney Meier advised they want a list of all the liens, and something stating all parties consent. Attorney Meier explained he is looking at different alternatives, but the position taken by Nevada Ready Mix, may cause the Underwriter to not right the policy. Statements by Attorney Peel. Upon the Court's further inquiry, Attorney Kessler stated he has no objection with Court's Order regarding the selling of the property, but expressed his concern regarding not having seen the terms of the proposed agreement, including price and other details. Attorney Carter advised people are still getting on board, and the property continues to deteriorate. Attorney Ferrario stated he cannot wait any longer, and suspects foreclosure will be initiated promptly. Court CLARIFIED, Attorney Berman is the only objection, and there is a Calendar Call scheduled for tomorrow. Court FINDS, we need to get a Title policy. At the request of Counsel, COURT ORDERED, Status Check CONTINUED.

10/24/12 10:30 AM CALENDAR CALL

11/6/12 10:00 AM STATUS CHECK: REGARDING SALE OF THE PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 24, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 24, 2012 10:30 AM Calendar Call

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Larry Snyder
Carol Foley**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

| | | |
|-----------------|---------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Katz, Morrea | Attorney |
| | Meier, Glenn F | Attorney |

JOURNAL ENTRIES

- Counsel announced ready for trial. Mr. Berman advised he has one witness and he believes his case will take half a day. Mr. Gochmour noted he does not anticipate bringing his own witness and he thinks trial can be done in less than one day. Discussion regarding availability next week. COURT ORDERED, trial reset 10/30 at 1:30 p.m. Pretrial memos due the morning of 10/30.

10/30/12 1:30 PM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 30, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 30, 2012 1:30 PM Bench Trial

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|---------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Meier, Glenn F | Attorney |

JOURNAL ENTRIES

- Court convened for the scheduled Bench Trial.

Upon the Court's inquiry, Attorney Berman advised the matter is mostly resolved, but will still need to put some testimony and exhibits into the Record. Attorney Berman stated the Ten Causes of Action cited in his Complaint. Attorney Berman further advised that pursuant to negotiations, parties have agreed that Ready Mix will abandon their Tenth Cause of Action. Attorney Gochmour explained that based on negotiations, Scott Financial and APCO have agreed not to contest any points, either the amounts submitted or validity of the lien, in exchange for Ready Mix agreeing to the sale. Attorney Meier further clarified: the consenting of the sale to release the lien from the property, and the transfer of the lien to the sale proceeds, and the COURT SO ORDERED. Testimony and exhibits presented (see worksheets). COURT FURTHER ORDERED, the principal amount of the mechanics lien, \$683,771.68, plus reserving Interest and Attorney Fees under statute, are hereby AWARDED. Attorney Berman stated he will prepare an Order as to the Mechanics Lien, and a Judgment for the other Eight Causes of Action, COURT SO ORDERED.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Business Court****COURT MINUTES****November 06, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

November 06, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan

COURTROOM: RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Andrew Kessler participated through CourtCall.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC, and also participating through CourtCall.

Attorney Charles Michalek, Bar No. 5721, appearing for Grubb & Ellis.

Attorney Jay Shafer, Bar No. 9184, also appearing for Cellcrete Fireproofing of Nevada.

Attorney Meier advised they have been focusing on Title, noting he talked with the Title Officer and Escrow Officer this morning. Attorney Meier advised progress is being made, and they asked for proof of service on the Order to Show Cause Orders, which have been provided. Mr. Meier stated that by the end of the day, he is suppose to get a list of the liens they are ok clearly off on based on the information they now have, and the ones they need additional information on. Attorney Meier reiterated that things are moving in the right direction.

Upon the Court's inquiry, Attorney Carter stated he estimates Escrow closing possibly in February. Attorney Gochmour advised the Fontainebleau Decision has come down, and he has been in discussions with Attorney Meier's office about the Writ proceedings going on before the Supreme Court, and they are going to jointly ask the Court for an updated Briefing Schedule, to allow them to supplement their original Writ, before they have to file their Answer and Reply Brief. Attorney Gochmour further explained that he believes the Ruling will substantially resolve a good portion of the case, if not all, and requested a Stay in this case pending a Decision on the Writ. Colloquy regarding the Five Year Rule running. Attorney Gochmour noted that technically with the Trial proceedings taking place last week with Nevada Ready Mix, the Trial has already commenced. Attorney Meier and Attorney Berman concurred. Attorney Berman advised he would also indicate such in his Order. COURT ORDERED, STAY is GRANTED except for any matters regarding the SALE. COURT FURTHER ORDERED, matter CONTINUED.

12/6/12 10:00 AM STATUS CHECK: RE: SALE OF PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 29, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**November 29, 2012 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Having considered T. James Truman, Esq.'s Motion to Withdraw as Counsel of Record for Dave Petersen Framing, and noting no opposition thereto, this Court hereby GRANTS IN PART and DENIES IN PART said motion.

Specifically, the Motion is Granted as to allowing James T. Truman, Esq. to withdraw. The Order, to be prepared by Attorney Truman within 10 days, shall include the Name, Last Known Address, and Last Known Telephone Number of Dave Petersen Framing; and include future hearing dates.

The remainder of the motion, namely the 1) Notice of the Attorneys Lien, 2) Foreclosing on the Attorneys Lien, and 3) Reducing the Lien to Judgment, is hereby Denied Without Prejudice. NRS 18.015(4) allows this Court to adjudicate attorneys liens only after all interested parties have had 5 days notice. The submitted papers do not have any evidence showing perfection of the lien by certified mailing to Dave Petersen Framing, nor has T. James Truman, Esq. provided a detailed breakdown of the billings. Accordingly, this portion of the Motion is DENIED without Prejudice.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 06, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 06, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC, and also participating through CourtCall.

Attorney Jay Shafer, Bar No. 9184, also appearing for Cellcrete Fireproofing of Nevada.

Attorney Dana Kim also appearing for Intervenor, National Wood Products, also participating through CourtCall.

Attorney Nathanael R. Rulis, Bar No. 11259, appearing for Attorney Matthew Carter, on behalf of Defendant Bradley Scott.

Attorney Meier provided the Court with an update, and advised there is a signed agreement, with a 2/28/13 closing date. Attorney Meier stated he is still working with the Title Company, and is in the process of answering another series of questions. Attorney Meier noted he did not anticipate needing the Court's assistance unless there is someone out there that has not been expunged yet, then there might need to be another Show Cause Hearing set. Colloquy regarding an article in the Las Vegas Review Journal which contained false information, which stated this case was in Bankruptcy Court. Attorney Berman asked if there is another Order To Show Cause Hearing, that is be limited to just things that need to be cleared up, and the COURT SO ORDERED. COURT FURTHER ORDERED, matter CONTINUED for another Status Check, and everyone's presence is excused, but Attorney Meier.

2/7/13 10:00 AM STATUS CHECK: SALE OF PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 03, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 03, 2013 1:30 PM Motion

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

| | | |
|-----------------|---------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Cawley, Reuben | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Katz, Morrea | Attorney |
| | Long, Rhonda R. | Attorney |
| | Maskas, Marisa | Attorney |
| | Peel, Richard L. | Attorney |

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Rachel Donn, Bar No. 10568, appearing for Defendant Scott Financial Corp.

Statements by Attorney Peel in support of the relief requested, noting issues regarding the pending sale, including the commission being paid, an open-ended sale period, and not being able to review and state concerns about the two Amendments and Order. Attorney Carter advised the Title process has taken longer than expected, and stating there has been a bit of a disconnect. Attorney Carter requested a continuance in order to review the Motion, and speak with his client. COURT ORDERED, matter CONTINUED.

08A571228

1/16/13 10:30 AM HEARING TO DISCUSS ORDER APPROVING PRIVATE SALE, PURCHASE
AND SALE AGREEMENT, AND RELATED ISSUES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 16, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 16, 2013 10:30 AM Motion

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D

COURT CLERK: Dulce Romea
 Ying Pan

RECORDER: Angie Calvillo**REPORTER:****PARTIES**

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Long, Rhonda R. | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Attorney Charles Michalek (Bar No. 5721) present on behalf of non-party, Grubb & Nellis.

Arguments by counsel regarding the Purchase and Sale Agreement (PSA). Issues raised as to the second amendment, closing date, permit, and commission. Plaintiff's counsel provided the Court the proposed Order with revisions. COURT ORDERED, Closing Date of the Private Sale is May 1, 2013. COURT FURTHER ORDERED, Pre-Trial Conference, Calendar Call, and Trial Date VACATED. Further discussions regarding other lien holders' responses and arguments regarding the

commission. Mr. Michalek advised his client has a different understanding about the commission and requested an Evidentiary Hearing be set. COURT SO ORDERED. Court DIRECTED Plaintiff's counsel to revise and submit proposed Order before the next Status Check.

2/7/13 10:00 AM STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA****Business Court****COURT MINUTES****February 05, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

February 05, 2013 10:00 AM Show Cause Hearing

HEARD BY: Scann, Susan

COURTROOM: RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|----------|
| PRESENT: | Carter, Matthew S. | Attorney |
| | Hayes, Garry L. | Attorney |
| | Meier, Glenn F | Attorney |

JOURNAL ENTRIES

- Attorney Marcus Risman (Bar No. 2455) present on behalf of Creative Home Theatre, LLC.

Mr. Hayes and Mr. Risman stated their appearances. After a discussion, counsel advised they have no objections to the sale going forward. Mr. Meier advised HD Supply and Whitecap Construction Supply has previously settled with Mr. Edelstein and requested its lien be expunged, COURT SO ORDERED. Following Status Report regarding Services on interested parties, COURT FURTHER ORDERED, all parties' claims RELEASED except Jordon & Skala Engineers, Inc. Mr. Meier to prepare proposed Order.

2/7/13 10:00 AM EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE
SALW ... STATUS CHECK: RE: SALE OF PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 07, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

February 07, 2013 10:00 AM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Carter, Matthew S. | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Maskas, Marisa | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curt Allopp and Benjamin Millis, also present.

Court NOTED, it has reviewed the Declaration of Bradley J. Scott which was filed yesterday. Mr. Michalek advised the key witness, Bradley Scott, cannot appear today; however, Evidentiary Hearing can proceed as the Declaration is sufficient. Arguments between counsel regarding the validity of the

commission contract between Mr. Scott and G & E, binding parties of this case, and whether Mr. Scott should be present for the Evidentiary Hearing. Further discussions regarding how the hearing shall proceed, and whether it is appropriate for counsel to testify as witnesses. Court FINDS counsel will be allowed to testify as witnesses. COURT ORDERED, matters CONTINUED. COURT FURTHER ORDERED, simultaneous briefs will be due by 2/25/13, including witnesses and documents.

3/1/13 9:00 AM STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 14, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

February 14, 2013 9:00 AM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Gochnour, Wade B. Attorney
 Attorney
 Meier, Glenn F Attorney

JOURNAL ENTRIES

- DEFENDANT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS AND EXPUNGE LIENS ON ORDER SHORTENING TIME...ORDER TO SHOW CAUSE

Attorney Dana Y. Kim, participated telephonically through CourtCall, on behalf of Intervenor, National Wood Products.

Statements by Counsel. COURT ORDERED, Order To Show Cause is GRANTED. COURT FURTHER ORDERED, Jordan & Skala Engineers Inc. failed to appear,, and their Lien is hereby EXPUNGED. Order signed in Open Court this date, 2/14/13.

COURT ADDITIONALLY ORDERED, Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens is GRANTED. COURT ORDERED, the liens held by Atlas Construction Supply, Republic Crane Services, HA Fabricators and Executive Plastering against the Manhattan West Project are hereby EXPUNGED.

Colloquy regarding case status. Attorney Meier advised things are currently on track. COURT

08A571228

FURTHER ORDERED, Evidentiary Hearing date STANDS.

3/1/13 9:00 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 01, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 01, 2013 9:00 AM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Ying Pan

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Carter, Matthew S. | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Katz, Morrea | Attorney |
| | Peel, Richard L. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Attorney Peter Dunkley (Bar No. 11110) present on behalf for Attorney Glenn Meier, on behalf of Defendant, Scott Financial Corporation.

Attorney Andrew Kessler (Bar No. 10640) present telephonically, on behalf of Plaintiff, Uintah Investments, LLC.

Attorney Reuben Cawley (Bar No. 9384) present on behalf of Plaintiff, Zitting Brothers Construction, Inc.

Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curt Allop and Benjamin Millis, also present.

Testimonies and exhibits presented (see worksheets). Colloquy as to Mr. Bradley Scott's potential additional testimony, and a continuance date. COURT ORDERED, matter CONTINUED.

3/7/13 1:00 PM STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 07, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 07, 2013 1:00 PM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|----------|
| PRESENT: | Carter, Matthew S. | Attorney |
| | Cawley, Reuben | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Katz, Morrea | Attorney |
| | Meier, Glenn F | Attorney |
| | Peel, Richard L. | Attorney |
| | Williams, Donald H | Attorney |
| | | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Attorney Peter Dunkley (Bar No. 11110), appearing on behalf of Defendant, Scott Financial Corporation.

Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curt Allsop and Benjamin Millis, also present.

Court convened for the continuation of the Evidentiary Hearing and Status Check. Testimony and exhibits presented (see worksheets). COURT ORDERED, Evidentiary Hearing CONTINUED for Closing Arguments.

3/12/13 2:00 PM EVIDENTIARY HEARING (CLOSING ARGUMENTS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 12, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 12, 2013 2:00 PM Evidentiary Hearing

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

| | | |
|-----------------|--------------------|----------|
| PRESENT: | Carter, Matthew S. | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Katz, Morrea | Attorney |
| | Peel, Richard L. | Attorney |
| | Zimbelman, Eric B. | Attorney |

JOURNAL ENTRIES

- Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curtis Allsop and Benjamin Millis, also present.

Attorney Kade Baird (Bar No. 8362), also present for Grubb & Ellis, assisting in the Court's proceedings.

Attorney Rachel Donn (Bar No. 10568), appearing for Scott Financial Corporation.

Court convened for continuation of the Evidentiary Hearing. Closing arguments by Attorney Carter and Attorney Michalek on behalf of the Defendants. Closing argument by Attorney Zimbelman and Attorney Katz who joined in Attorney Zimbelman's argument.
 Further rebuttal argument by Attorney Carter and Attorney Michalek.

COURT ORDERED, matter taken UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 26, 2013

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 26, 2013 10:00 AM Decision

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED matter CONTINUED.

CONTINUED TO 4/3/13 3:00 AM DECISION (CHAMBER CALENDAR)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 10, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**April 10, 2013 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:****COURT CLERK:** Larry Snyder**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Having considered Donald H. Williams, Esq.'s Motion to Withdraw as Attorney of Record for Harsco Corp., and noting no opposition thereto, this Court hereby GRANTS said Motion. Attorney Williams to prepare the Order within 10 days. The Order shall include the Name, Last Known Address, and Last Known Telephone Number of Harsco Corp. and include future hearing dates.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 30, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

May 30, 2013 9:00 AM Motion to Set Aside

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder
 Dania Batiste

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Weiland, Jason, ESQ Attorney
 Williams, Donald H Attorney
 Attorney

JOURNAL ENTRIES

- Colloquy between the Court and counsel regarding proper service of the parties. Mr. Weiland advised Ahern Rentals is the party who has a Judgment against the Defendant. COURT ORDERED, matter OFF CALENDAR, noting Ahern Rentals has not been served.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 13, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 13, 2013 10:00 AM Motion

HEARD BY: Scann, Susan

COURTROOM: RJC Courtroom 03D

COURT CLERK: Larry Snyder
 Dania Batiste

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

| | | |
|-----------------|---------------------|----------|
| PRESENT: | Berman, Brian Keith | Attorney |
| | Cawley, Reuben | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Katz, Morrea | Attorney |

JOURNAL ENTRIES

- Rachel Donn, Esq., Bar Number 10568 also present.

Colloquy between Court counsel regarding the language of the Order. Mr. Gochmour stated he will send Defendant s counsel a revised Order to approve as to form and content. Ms. Donn advised the property has closed and a Notice of Sale will be filed. COURT ORDERED, Motion GRANTED with the qualifications made by counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 15, 2014**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 15, 2014 9:00 AM Motion

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Katrina Hernandez**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

| | | |
|-----------------|-------------------|----------|
| PRESENT: | Dobberstein, Eric | Attorney |
| | | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- Jonathan Salls, Attorney for Insulpro Projects Inc, Taylor Waite on behalf of Accuracy Glass & Mirror Company Inc.

Arguments by Mr. Gochmour contending Insulpro's main objective is to lift the stay in order to file a Motion for Summary Judgment, further stated there are factual issues. Mr. Waite argued whether or not there are factual issues, the court can later determine. Further arguments by counsel as to lifting the Stay. Court stated its findings and ORDERED, Motion DENIED. Plaintiff to prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****August 19, 2015**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**August 19, 2015 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Katrina Hernandez**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- This Court, having considered Pezzillo Lloyd s Motion to Withdraw as Counsel of Record for Northstar Concrete, Inc., and noting no opposition, GRANTS said Motion. Jennifer R. Lloyd, Esq. or George E. Robinson, Esq., to prepare the order. The Order shall include the Last Known Address and Last Known Telephone Number of Northstar Concrete, and include future hearing dates.

*CLERK'S NOTE: The above minute order was distributed via electronic mail to: jl@h2law.com./kh
8-20-15

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 21, 2015**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 21, 2015 9:30 AM Status Check

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Katrina Hernandez**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Parties present: Michael Ernest, Esq., Wade Gochmour, Esq., Matthew Carter, Esq., Eric Doberstein, Esq., Reuben Cawley, Esq., Steven Morris, Esq., Mark Ferrario, Esq., and Eric Zimbelman, Esq. present via Court Call.

Mr. Gochmour advised of the status and upon Court's inquiry noted there is still a significant amount to do. Colloquy regarding how to proceed and whether to lift the stay on discovery. Arguments by Mr. Gochmour in supposition of lifting the stay and arguments by Mr. Dobberstein in support. COURT ORDERED, oral Motion to Lift Stay, DENIED and status check CONTINUED.

4/20/16 9:30 AM (CONTINUED STATUS CHECK)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

April 14, 2016

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

April 14, 2016 9:00 AM Motion to Release Funds

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Jennifer Kimmel

RECORDER: Martha Szramek

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Carter, Matthew S. | Attorney |
| | Ferrario, Mark E., ESQ | Attorney |
| | Gochmour, Wade B. | Attorney |
| | | Attorney |
| | Juan, Chen M. | Attorney |

JOURNAL ENTRIES

- Mr. Ferrario, Esq. advised this matter is resolved and counsel have STIPULATED that the net proceeds from the sale, as defined in the Sale Order, shall be released from escrow and delivered to Scott Financial Corp., or its designee, within FIVE (5) business days from filed date of the Notice of Entry of the Order and the COURT SO ORDERED.

Court signed the Order and returned it to Mr. Ferrario.

CLERK'S NOTE: Correction made to include counsel's agreement to vacate the upcoming Status Check set for 4/21/16. jk

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 21, 2016**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

April 21, 2016 9:00 AM Status Check

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Eric Dobberstein, Esq., appearing on behalf of Insulpro Projects Inc
 Eric Zimbelman, Esq., appearing on behalf of SWPPP Compliance Solutions LLC, S R Bray Corp,
 Cactus Rose Construction, Inc., and Interstate Plumbing & Air Condition Inc.

At Status Check: Disbursement of Sale Proceeds and any other Matters Remaining following the S. CT. Decision 131Nev., Adv. Op. 70, Court noted the matter came before it on April 14, 2016 regarding the proceeds of the sale, today's proceedings should have been vacated, but remained on calendar. Mr. Zimbelman stated he did not receive any notice of the hearing being vacated, noting some parties feel the case is over and for some it's not because they continue to have contract claims that were stayed while the parties pursued the lien claims.

Mr. Dobberstein noted a stay issued by Judge Scann while the Supreme Court hearing was pending and requested this Court allow him to proceed with their lien claims.

After hearing from Mr. Zimbelman and Mr. Dobberstein, the Court stated it would issue an order setting a status check with notice to all counsel. Additional comments made by counsel as to preparing a motion to lift the stay and obtaining a trial date. COURT SO NOTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 02, 2016**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 02, 2016 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Wade Gochmour, Esq., and Chen Jack Juan, Esq., appeared on behalf of Plaintiff
 Andrew Blaylock, Esq., appeared on behalf of Las Vegas Pipeline
 Eric Dobberstein, Esq., appeared on behalf of Counter Claimant, Insulpro Projects Inc
 Steve Morris, Esq., appeared on behalf of Counter Claimant, Camco Pacific Construction Company Inc
 Morrea Katz, Esq., appeared on behalf of the Tharalldson Entities
 Ronald Cox, Esq., appeared on behalf of Counter Defendant, Accuracy Glass & Mirror Company Inc,
 Buchele Inc, Bruin Painting Corp, Cactus Rose Construction Inc, Fast Glass Inc, HD Supply
 Waterworks LP, Heinaman Contract Glazing, Helix Electric of Nevada LLC, Interstate Plumbing &
 Air Conditioning, SWPPP Compliance Solutions LLC, and WRG Design Inc
 I-che Lai, Esq., appeared on behalf of Counter Defendant, Zitting Brothers Constructions Inc
 Michael Ernst, Esq., appeared on behalf of Steel Structures Inc and Nevada Prefab Engineers Inc

STATUS CHECK SMITH & SHAPIRO, PLLC s MOTION TO WITHDRAW

There being no opposition and cause appearing, COURT ORDERED, the Motion to Withdraw
 GRANTED.

ORDER SIGNED IN OPEN COURT and returned to counsel for processing.

Thereafter, colloquy held regarding upcoming motion practice. If the Motion to Appoint Special Master currently set, June 9, 2016 is resolved, the Court will be notified or an order will be presented.

Court noted the status of the case reported.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 09, 2016**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 09, 2016**9:00 AM****Motion****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Marwanda Knight**RECORDER:** Martha Szramek**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Chen M. Juan, Esq., and Wade Gochnour, Esq., appearing on behalf of Plaintiff, Apco Construction
Ronald Cox, Esq., appearing on behalf of Counter Defendant
I-Che Lai, Esq., appearing on behalf of Counter Defendant Zitting Brothers Construction Inc
Eric Dobbertstein, Esq., appearing on behalf of Third Party Plaintiff

At Plaintiff's Motion to Appoint Special Master, Mr. Juan advised that counsel resolved their issue and provided the Court with an order that the parties had agreed on. COURT SO NOTED and ORDERED, Motion GRANTED.

Order SIGNED IN OPEN COURT and returned to counsel for processing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 20, 2016**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 20, 2016 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Marwanda Knight
 Olivia Black

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Wade Gochmour, Esq., Cody Mounter, Esq., and Chen 'Jack' Juan, Esq., appearing on behalf of Plaintiff

Rachel Donn, Esq., appearing on behalf of Defendant, Scott Financial Corporation

Eric Dobberstein, Esq., appearing on behalf of Insulpro Projects Inc

Steven Morris, Esq., appearing on behalf of Camco Pacific Construction Company Inc

I-Che Lai, Esq., appearing on behalf of Zitting Brothers Construction Inc

RENEWED MOTION FOR PARTIAL SUMMARY JUDGMENT...ZITTING BROTHERS
 CONSTRUCTION, INC'S JOINDER TO INSULPRO PROJECTS, INC'S RENEWED MOTION FOR
 PARTIAL SUMMARY JUDGMENT...APCO'S OPPOSITION TO RENEWED MOTION FOR
 PARTIAL SUMMARY JUDGMENT AND JOINDER THERETO; AND COUNTERMOTION TO
 DISMISS AND/OR FOR SUMMARY JUDGMENT AGAINST INSULPRO

Court queried counsel whether the motions on today's calendar should be referred to the Special Master.

Mr. Dobberstein argued why he opposed the motions going before the Special Master, noting the only thing that should be decided by the Special Master would be as to the responsibilities of Apco or

Camco.

Mr. Mounteer argued it would be best the motions go before the Special Master to work out any additional discovery issues and then they would be able to decide if there are any lien claims. Mr. Morris added that to his knowledge the only matters that have been decided are the claims against Gemstone and not the contractors. Further, Mr. Morris noted no opposition to the motions being referred to the Special Master. Additional comments by Mr. Mounteer as to the amount Insulpro is claiming.

Court stated that in its preparation, it appeared that having appointed a Special Master and given the subject matter that's involved, given the fact that there has been a foreclosure that has wiped out the junior liens, and given the fact that claims are still being made, it's important that the right hand knows what the left hand is doing, and ORDERED, motions REFERRED to the Special Master.

Mr. Juan to submit a proposed order after passing the same by opposing counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 06, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 06, 2017 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Wade Gochmour, Esq., appeared on behalf of Pltf
 Mark Ferrario, Esq. and Kara Hendricks, Esq., appeared on behalf of the Tharaldson Parties
 Patrick Sheehan, Esq., appeared on behalf of Non-Parties, Newmark Grub
 Elizabeth Stephens, Esq., appeared on behalf of Intervnor Pltf, Interstate Plumbing

PLAINTIFF'S MOTION TO ASSOCIATE COUNSEL - JONATHAN S. DABBIERI, ESQ.

COURT stated everything appears to be in order, and ORDERED, Motion GRANTED. COURT FURTHER ORDERED, status check SET to show that the State Bar has been notified of the admission. Court noted if the record reflects that the State Bar has been notified, it will not be necessary for counsel to attend the next hearing. However, if the record does not show the State Bar has been notified counsel will have to appear to explain why.

CLUB VISTA FINANCIAL SERVICES, LLC AND THARDLDSOON MOTELS II, INC'S MOTION FOR ORDER TO SHOW CAUSE WHY GRUBB & ELLIS, NOW KNOWN AS NEWMARK GRUBB, SHOULD NOT BE HELD IN CONTEMPT OF COURT

Counsel argued regarding the merits of the Motion. After hearing from counsel, COURT stated it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

08A571228

04/03/2017 9:00 A.M. | STATUS CHECK RE: SCR 42 COMPLIANCE (JONATHAN S. DABBIERI, ESQ.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 15, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 15, 2017 11:45 AM Decision

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- After review and consideration of the pleadings on file herein and the arguments of counsel at the time of the March 6, 2017 hearing, COURT ORDERS, Motion for Order to Show Cause Why Grubb & Ellis, Now Known as Newmark Grubb, Should Not be Held in Contempt DENIED.

Counsel for Grubb is directed to provide prompt written notice of entry hereof. Please see the Court's written Decision and Order filed March 15, 2017 for full context.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 20, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**March 20, 2017 9:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Monica Caffaratti, Esq., appeared on behalf of Deft., Gemstone Development West Inc.

Cause appearing and there being no opposition, COURT ORDER, Motion GRANTED and directed Ms. Caffaratti to submit a proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

April 03, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

April 03, 2017 9:00 AM Motion

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Stephen Kopolow, Esq., appeared on behalf of Counter Deft, Ahern Rentals Inc
Selina Cisneros, Esq., Pro Se Deft

Following representations made by Ms. Cisneros and Mr. Kopolow, COURT STATED it would
revei w the matter further before issuing its ruling, and ORDERED, matter taken UNDER
ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 18, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

April 18, 2017 2:00 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HAVING further reviewed the record pertaining to Plaintiff's (sic) Motion to Set Aside Judgment filed herein on February 28, 2017, and being now fully advised in the premises, the Court is not persuaded that the Motion has merit and it is DENIED.

Counsel for Plaintiff Ahern Rentals, Inc. (Consolidated Case No. A-08-574792) is directed to submit a proposed order consistent herewith.

IT IS SO ORDERED.

CLERK S NOTE - A copy of this minute order was distributed via E-Service Master List. / mk
04/18/2017

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 11, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**May 11, 2017 9:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Eric B. Zimbelman, Esq., appeared on behalf of Pltf, Accuracy Glass and Mirror Co Inc (A587168)

There being no opposition, COURT ORDRED, Motion GRANTED.

Order SIGNED IN OPEN COURT and returned to counsel for processing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 15, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**May 15, 2017 9:00 AM Motion for Summary
 Judgment**

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Chen "Jack" Juan, Esq., appeared on behalf of Pltf
Martin Little, Esq., appeared on behalf of Counter Defendant, Unitah Investments LLC

Following argument, COURT STATED ITS FINDINGS, and ORDERED, Motion for Summary Judgment GRANTED as to the ability of Unitah Investments LLC being able to continue to pursue this action, or have the action pursued in its name WITHOUT PREJUDICE to a Motion to substitute Pacific Coast Steel.

Mr. Juan directed to submit a proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 30, 2017**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

May 30, 2017**9:00 AM****Motion to Associate
Counsel****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Court stated that the Motion appeared to be in order, and with there being no oppositon ORDERED, Motion GRANTED.

COURT FURTHER ORDERED, status check SET to show that the State Bar has been notified of the admission. If the record reflects that the State Bar has been notified, it will not be necessary for counsel to attend the next status check. However, iff the record does not show the State Bar has been notified then counsel will have to appear to explain why.

Order SIGNED IN OPEN COURT and will be available for counsel to pickup; the Court's Law Clerk will notify counsel.

07/31/2017 9:00 AM | STATUS CHECK RE: SCR 42 COMPLIANCE (S. Judy Hirahara, Esq.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 24, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 24, 2017 9:00 AM Motion to Continue

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- APPEARANCES: Cody Munteer, Attorney for Pltf
I-Che Lai, Attorney for Counter Defendant, Zitting Brothers Construction, Inc

Cause appearing and there being no opposition, COURT ORDERED, Motion GRANTED and directed counsel to submit a proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 25, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 25, 2017 5:35 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Cause appearing, and pursuant to EDCR 2.20(e) and 2.23(c), the Court GRANTS Gerdau Reinforcing Steel's Motion to Substitute without oral argument and ORDERS such Motion removed from its civil motion calendar of July 27, 2017. Counsel for moving party to submit a proposed order.

IT IS SO ORDERED.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Business Court****COURT MINUTES****July 31, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 31, 2017 9:00 AM Status Check

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

At call of case, Court noted no appearances, and ORDERED, MATTER TRAILED.

MATTER RECALLED - Court stated that the matter was on for status check regarding SCR 42 Compliance to show that the State Bar has been notified of the pro hac vice admission of S. Judy Hirahara, Esq. Further, Court stated that the record does not show that the State Bar has been notified of such admission, and ORDERED, status check CONTINUED thirty (30) days. Counsel is directed to notify the State Bar of the pro hac vice admission.

CONTINUED TO: 08/31/17 9:00 a.m.

CLERK'S NOTE: The above minute order has been distributed to:

Richard Tobler, Esq.
Fax: (702) 256-2248

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

August 10, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

August 10, 2017 9:00 AM Motion to Dismiss

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Juan Jack Chen, Attorney for Pltf
Joe Palin, Principal of Apco Construction
Steve Morris, Attorney for Deft, Camco Pacific Construction Company Inc
Elizabeth Stephens, Attorney for Trustee
Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, Fast Glass Inc., and Cactus Rose
Construction Inc
I-Che Lai, Attorney for Pltf, Zitting Brothers Construction Inc., A589195

Following argument by counsel, COURT stated its FINDINGS, noting there are some genuine issues that need to be further developed, and treating the Motion as a Motion for Summary Judgment ORDERED, Motion DENIED WITHOUT PREJUDICE to counsels' contentions.

As a housekeeping matter, counsel discussed moving the motions currently calendared for August 24, 2017 to September 5, 2017. COURT SO ORDERED. Additional colloquy regarding trial setting, parties not participating in the case, and the parties having a settlement conference.

Mr. Zimbelman indicated he would submit the proposed order after passing the same by opposing counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 05, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**September 05, 2017 9:00 AM Motion to Associate
 Counsel**

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: John B. Taylor and Rich Tobler, Attorneys for National Wood Products and Cabinetec

There being no opposition and with cause appearing, COURT ORDERED, Motion GRANTED and FURTHER ORDERED status check regarding SCR 42 compliance SET October 5, 2017 at 9:00 am.

10/05/2017 9:00 AM | STATUS CHECK RE: SCR 42 COMPLIANCE (JOHN B. TAYLOR, ESQ.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****September 05, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

September 05, 2017 2:00 PM Calendar Call

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- APPEARANCES: Jack Chen Min Juan and Cody Mounter, Attorney for Pltf
 Elizabeth Stephens, Attorney for IPAC, Chapter 7 Trustee
 John Taylor and Rich Tobler, Attorneys for National Wood Products
 I-Che Lai, Attorney for Zitting Brothers
 Eric Zimbelman, Attorney for Helix Electric of Nevada LLC, Heinaman Contract Glazing, Buchele Inc, Cactus Rose Construction Inc, Fast Glass Inc
 Benjamin Johnson, Attorney for United Subcontractors Inc d/b/a Skyline
 William Urga and Michael R. Ernst, Attorneys for Gerdau Reinforcing Steel, Steel Structures Inc, Nevada Prefab Engineers Inc, and Unitah
 Tracy Truman, Attorney for E & E Fire
 Steve Morris, Camco Pacific Construction Company Inc

Court noted the settlement conference scheduled September 21, 2017. Mr. Juan requested that the calendar call and trial be continued so the parties can proceed with settlement. Further, Mr. Juan stated that the only parties that should remain are those that have complied with the Special Master's questionnaire and have filed their pre-trial disclosures.

Mr. Johnson noted confusion with the number of parties in the case, knowing what's going on

procedurally, and the Motion for Summary Judgment and Joinders being moved to October. Further, Mr Johnson noted his objection to the striking of his client's claims. Colloquy regarding parties left in the case with claims and proceeding with negotiations.

COURT ORDERED deadline for parties who have not complied with the Special Master's questionnaire and have not filed their pretrial disclosures SET Friday, September 8, 2017 by 5:00 pm and FURTHER ORDERED hearing SET Monday, September 11, 2017 on Pltf's Oral Motion to Dismiss Pursuant to Rule 7(b).

COURT FURTHER ORDERED the current trial setting VACATED and status check SET October 5, 2017 at 9:00 am to discuss resetting the trial.

HEARING ON PLTF'S ORAL MOTION TO DISMISS PURSUANT TO RULE 7(b): 09/11/2017 9:00 AM

STATUS CHECK RE:RESETTING TRIAL: 10/05/2017 9:00 AM

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 11, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

September 11, 2017 9:00 AM Hearing

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Jack Juan, Attorney for Pltf
Brad Slighting, Attorney for Deft, United Subcontractors
Michael Ernst, Attorney for Deft, Gerdau Reinforcing Steel
Elizabeth Stephens, Attorney for the Trustee
I-Che Lai, Attorney for Deft Zitting Brothers Construction

Following representations made by counsel, COURT ORDERED case dismissed as to the parties that did not comply with the Court's ruling to make their filings. All of the other parties who have made a pre-trial filings will soon get a letter from Mr. Juan or a schedule from the settlement judge regarding the September 21, 2017 settlement conference.

Mr. Juan to submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 21, 2017

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

September 21, 2017 9:00 AM Settlement Conference

HEARD BY: **COURTROOM:**

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Judge David Barker met with the parties for the purpose of a settlement conference at Esquire Solutions, the case did not settle.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 05, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 05, 2017 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

-

APPEARANCES: Jack Juan, Cody Munteer, John Mowbray, and Mary Bacon, Attorneys for Apco
 Steven Morris, Attorney for Camco Pacific Construction Co Inc
 Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, SWPP Compliance Solution, Buchele
 Inc, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing
 Benjamin Johnson, Attorney for United Subcontractors Inc
 John Taylor and Rich Tobler, Attorneys for National Wood Products
 Elizabeth Stephens, Attorney for Trustee
 I-Che Lai, Attorney for Pltf, Zitting Brothers Construction Inc.
 Tracy Truman, Attorney for E & E Fire
 Michael Ernst, Attorney for Gerdau Reinforcing Steel, Steel Structures Inc, and Nevada Prefab
 Engineers

CONFERENCE AT BENCH: Court disclosed that the wife of its current Law Clerk, Andrew Lajoie, is the niece of Steven Morris. Counsel acknowledged their agreement to proceed in light of the Court's disclosure. Further, Court advised that Mr. Lajoie would be screened from this case.

Mr. Juan advised that at the settlement conference no global settlement was reached; however, progress was made with some. Further, Mr. Juan requested discovery be extended another 45 days to finish up depositions, which resulted in colloquy as to deferring the hearing on the motions pending depositions. Mr. Zeimbelman noted his opposition. COURT ORDERED, matter TRAILED for counsel to discuss the matter further.

MATTER RECALLED - Court noted that there are some different points as to what should happen relative to scheduling of trial and/or hearing the motions that are before the Court today. Mr. Juan advised that the key concern is for those who are opposed to having their clients deposed and the trial being delayed. Court advised the case could be placed on the November 28, 2017 stack, which lead to further discussion as to that date changing any of the parties' position, the case having a date certain on the stack, the amount of time trial would require, and the specific depositions that would be taken. It was estimated that each subcontractor would take a day.

After hearing from counsel, COURT ORDERED trial date SET November 28, 2017 at 9:00 am; new trial order to issue and a calendar call date will be set as well.

COURT FURTHER ORDERED that the Motions on today's calendar CONTINUED to November 16, 2017 at 9:00 am.

COURT FURTHER ORDERED that the deadline for taking depositions is October 30, 2017.

COURT FURTHER ORDERED that any motions in limine be filed by November 5, 2017 will be SET for hearing on November 16, 2017 at 9:00 am; no more motions for summary judgment can be filed.

Additional colloquy.

Mr. Juan to prepare and circulate an order reflecting what has been done today.

CLERK'S NOTE: This Minute Order has been amended to reflect that motions in liminie will be SET for hearing on November 16, 2107 at 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 16, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

November 16, 2017 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

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|-----------------|--------------------|----------|
| PRESENT: | Ernst, Michael R. | Attorney |
| | Jefferies, John R. | Attorney |
| | Lai, I-Che | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Mounteer, Cody S. | Attorney |
| | Ramirez, Jorge A. | Attorney |
| | Truman, T. James | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- ALSO PRESENT: Rich Tobler and John Taylor, Attorneys for Deft, Nation Wood Products

Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, SWPP Compliance Solution, Buchele Inc, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

ZITTING BROTHERS CONSTRUCTION INC'S MOTION FOR PARTIAL SUMMARY JUDGEMENT
AGAINST APCO CONSTRUCTION

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT
PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS AND EX PARTE
APPLICATION FOR ORDER SHORTENING TIME

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

ZITTING BROTHERS CONSTRUCTION, INC.'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS'
MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-
PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

STEEL STRUCTURES, INC., NEVADA PREFAB ENGINEERING, AND GERDAU REINFORCING
STEEL'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' OPPOSITION TO APCO'S MOTION
FOR SUMMARY JUDGMENT RE: LIEN CLAIMS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

WILLIAM A. LEONARD, JR.'S JOINDER OF INTERSTATE PLUMBING AND AIR CONDITIONING
LLC TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT
PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

NATIONAL WOOD PRODUCTS INC'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY IF PAID AGREEMENTS AND EX PARTE APPLICATION SHORTENING TIME; AND MEMORANDUM OF POINT AND AUTHORITIES IN SUPPORT THEREOF

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

E & E FIRE PROTECTION, LLC'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

ERIC B. ZIMBELMAN, ESQ.'S MOTION TO WITHDRAW AS COUNSEL FOR BUCHELE, INC. AND FOR ORDER SHORTENING TIME

There being no opposition and with cause appearing, COURT ORDERED, Motion GRANTED.

Mr. Zimbelman to submit the proposed order.

ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION IN LIMINE TO LIMIT THE DEFENSES OF APCO CONSTRUCTION TO THE ENFORCEABILITY OF PAY-IF-PAID PROVISION

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

APCO CONSTRUCTION, INC.'S OMNIBUS MOTION IN LIMINE

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA'S MOTIONS IN LIMINE NOS. 1-4 (AGAINST APCO CONSTRUCTION)

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PEEL BRIMLEY LIEN CLAIMANTS' MOTIONS IN LIMINE NOS. 1-6 (AGAINST CAMCO PACIFIC CONSTRUCTION, INC.)

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA'S MOTION IN LIMINE NOS. 1-4 AGAINST APCO CONSTRUCTION

Court stated the matter had been well briefed and would stand submitted; advised it would review

the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PLAINTIFF IN INTERVENTION, NATIONAL WOOD PRODUCTS, INC'S MOTION IN LIMINE TO EXCLUDE EVIDENCE TESTIMONY, DOCUMENTS AND THINGS NOT PROPERLY PRODUCED BY DEFENDANT APCO CONSTRUCTION IN DISCOVERY; DECLARATION OF S. JUDY HIRAHARA; AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 20, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

November 20, 2017 2:00 PM Calendar Call

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

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| PRESENT: | Hirahara, S Judy, ESQ | Attorney |
| | Lai, I-Che | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Munteer, Cody S. | Attorney |
| | Tobler, Richard L | Attorney |
| | Truman, T. James | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- ALSO PRESENT: Eric Zimbelman, Attorney for Defts, Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, Heinaman Contract Glazing

Richard Dreitzer, Attorney for Deft, Zitting Bros

Brad Slighting, Attorney for Deft, United Subcontractors

Upon inquiry of the Court as to the number of days expected for trial, noting rulings the Court has to make on motions in limine and partial summary judgment, Mr. Munteer advised counsel met today for pretrial; advised they expect 12 days full trial days, noting they are trying to have the parties go in a chronological order as the project would have progressed. Requested the Court continue this matter

to the January 2018 stack and put the case during the weeks of January 15, 2018 and January 22, 2018 to try the case. Colloquy regarding placement on the next stack and the age of this case. COURT ORDERED, the current trial setting VACATED to be RESET on the January 9, 2018 stack; new order to issue.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 05, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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HAVING further reviewed APCO Construction, Inc.s Omnibus Motion in Limine and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court makes the following rulings:

The Court DENIES Motion in Limine No. 1 without prejudice to objections made to evidentiary proffers at trial that the Court can consider in context.

The Court GRANTS Motion in Limine No. 2 IN PART to the extent that it addresses parties which, as APCO puts it, have chosen not to participate in trial (Reply, p. 4, ll. 21-22), but it is DENIED IN PART as to parties which have participated.

The Court DENIES Motion in Limine No. 3 regarding unjust enrichment as it essentially seeks a summary adjudication without reference to any specific evidence. Furthermore, unjust enrichment is commonly pleaded in the alternative and its viability relates to development of the evidence.

The Court DENIES Motion in Limine No. 4 without prejudice to objections to specific evidence

proffered.

The Court DENIES Motion in Limine No. 5 without prejudice to objections to specific evidence proffered.

The Court GRANTS Motion in Limine No. 6 to the extent that it seeks to preclude witnesses who should have been, but were not, properly disclosed. Of course, making any such determination requires a witness-by-witness inquiry.

The Court GRANTS Motion in Limine No. 7 to the extent that it seeks to preclude evidence that should have been, but was not, properly disclosed. Of course, making any such determination will require an examination of the disclosure history of any specific evidence proffered.

Counsel for Helix Electric is directed to submit a proposed order consistent with the foregoing and which sets forth the underpinnings of the same. Such proposed order should be submitted to opposing counsel for review and signification of approval/disapproval. Instead of seeking to clarify or litigate meaning or any disapproval through correspondence directed to the Court or to counsel with copies to the Court, any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 05, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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HAVING further reviewed Plaintiff-in-Intervention, National Wood Products, Inc. s Motion in Limine to Exclude Evidence, Testimony, Documents and Things not Properly Produced by Defendant APCO Construction in Discovery and the Opposition thereto, coming before the Court on November 16, 2017, and then taken under advisement, the Court GRANTS the same to the extent that proffered evidence was not properly produced in discovery. Of course, this determination will require an examination of the disclosure history of any specific evidence proffered.

Counsel for National Wood Products is directed to submit a proposed order consistent with the foregoing.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 05, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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HAVING further reviewed Peel Brimley Lien Claimants Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.), and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court GRANTS the same. The Motion relates to disclosures and evidence. The Opposition relates to legal contentions.

Counsel for Peel Brimley Lien Claimants is directed to submit a proposed order consistent with the foregoing.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 05, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HAVING further reviewed Zitting Brothers Construction, Inc. s Motion in Limine to Limit the Defenses of Apco Construction to the Enforceability of Pay-if-Paid Provision and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court GRANTS the Motion as it is persuaded by the same.

Counsel for the Zitting Brothers is directed to submit a proposed order consistent herewith and with its briefing/argument. Such proposed order should be submitted to opposing counsel for review and signification of approval/disapproval. Instead of seeking to clarify or litigate meaning or any disapproval through correspondence directed to the Court or to counsel with copies to the Court, any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 05, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HAVING further reviewed Helix Electric of Nevada s Motions in Limine Nos. 1-4 and the Opposition thereto, coming before the Court on November 16, 2017, and then taken under advisement, the Court GRANTS Motions Nos. 1-3 and DENIES Motion No. 4 without prejudice to objections at trial.

Counsel for Helix Electric is directed to submit a proposed order consistent herewith.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 21, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 21, 2017 9:00 AM Motion

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Bacon, Mary E. Attorney

JOURNAL ENTRIES

- Following representations made by counsel, COURT ORDERED, Motion GRANTED; counsel for Buchele to submit notice of appearance ten (10) days from today.

Ms. Bacon to submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 02, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 02, 2018 2:00 PM Calendar Call

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

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| PRESENT: | Jefferies, John R. | Attorney |
| | Lai, I-Che | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Munteer, Cody S. | Attorney |
| | Ramirez, Jorge A. | Attorney |
| | Taylor, John B., ESQ | Attorney |
| | Tobler, Richard L | Attorney |
| | Truman, T. James | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- ALSO PRESENT - Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Court noted having trial down for twelve (12) days, which Mr. Zimbelman thought would be a little light with the number of parties. Mr. Morris noted discussions had at the pre-trial conference as to how the trial would proceed with APCO going first and then CAMCO; advised the Court he would be out of the country January 8-22, 2018. Mr. Zimbelman stated counsel discussed proceeding

without Mr. Morris and the claims against CAMCO being set when he is available. Mr. Morris concurred, noting he did not have to be present for the APCO portion of the trial; colloquy.

Mr. Munteer addressed pending orders; advised APCO plans to file a motion for reconsideration on a few of those orders. Further, Mr. Munteer requested a trial setting on the February stack to allow the parties a chance to file motions and respond. Colloquy held between the Court and counsel regarding the age of the case, the case being a consolidated action, the current position of the parties, and proceeding with the trial in part.

On behalf of APCO, Mr. Jefferies requested the trial begin the latter half of January to get the motion for reconsideration in front of the Court for its review and for fairness to the parties. Mr. Jefferies further noted, that once the Zitting order is resolved counsel would be in a position to file the motion. Mr. Lai advised he received the final order earlier today.

Court queried counsel as to the parties having a settlement conference; however, no settlement conference was requested. COURT ORDERED, MATTER TRAILED.

MATTER RECALLED - COURT ORDERED, non-jury trial date SET Wednesday, January 17, 2017 at 10:00 am; pretrial memorandum due January 12, 2018 by 5:00 pm.

Mr. Tobler provided the Court with an amended order that APCO and Helix had consented to that pertained to the Omnibus Motion filed by APCO. Order SIGNED IN OPEN COURT and returned to counsel for processing.

01/17/2018 10:00 AM | NON-JURY TRIAL BEGINS

CLERK'S NOTE - This Minute Order was amended to reflect that Brad Slighting, Attorney for United Subcontractors, was present at calendar call.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

January 11, 2018

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 11, 2018 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Bacon, Mary E. Attorney
 Lai, I-Che Attorney
 Munteer, Cody S. Attorney
 Taylor, John B., ESQ Attorney
 Tobler, Richard L Attorney

JOURNAL ENTRIES

- ALSO PRESENT - Eric Zimbleman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

NOTE: Mr. Zimbelman appeared by telephone.

PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING PEEL
BRIMLEY LIEN CLAIMANTS PARTIAL MOTION FOR SUMMARY JUDGMENT TO PRECLUDE
DEFENSES BASED ON PAY IF PAID PROVISIONS

Following arguments by counsel, COURT ORDERED, Motion DENIED.

Counsel for Peel Brimley to submit the proposed order.

CAMCO'S JOINDER TO APCO'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING PEEL BRIMLEY LIEN CLAIMANT'S PARTIAL MOTION FOR SUMMARY JUDGMENT TO PRECLUDE DEFENSES BASED ON PAY IF PAID PROVISIONS

Following arguments by counsel, COURT ORDERED, Motion DENIED.

PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC'S PARTIAL MOTION FOR SUMMARY JUDGMENT AND EX PARTE APPLICATION FOR ORDER SHORTENING TIME AND TO EXCEED PAGE LIMIT

Following arguments by counsel, COURT ORDERED, Motion DENIED.

Counsel for Zitting Brothers Construction to submit the proposed order.

COURT advised it signed an order shortening time of the Motion for Stay, setting it for Tuesday, January 16, 2018. Mr. Zimbleman requested he receive a courtesy copy of the Motion.

Mr. Taylor requested that he be allowed to appear without Mr. Tobler for purposes of trial. There being no objections, COURT SO ORDERED.

At the request of counsel, COURT ORDERED that the Hearing Re: ZBCI Attorney's Fees and Costs currently set for January 18, 2018 is CONTINUED to March 1, 2018 at 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

January 16, 2018

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 16, 2018 9:00 AM Motion to Stay

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

COURT ORDERED, Motion CONTINUED pursuant to Stipulation and Order.

CONTINUED TO: 01/19/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 17, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 17, 2018 10:00 AM Bench Trial Day 1

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

| | | |
|-----------------|-----------------------|----------|
| PRESENT: | Bacon, Mary E. | Attorney |
| | Hirahara, S Judy, ESQ | Attorney |
| | Jefferies, John R. | Attorney |
| | Taylor, John B., ESQ | Attorney |

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Andy Rivera, Client Representative of Helix Electric of Nevada

Mr. Jefferies noted the structure of the pleadings, which lists APCO as Pltf and Gemstone as Deft. Further, Mr. Jefferies advised that Gemstone's default was entered and their Answer and Counterclaim stricken, and APCO's Motion for Summary Judgement was granted in June 2013; however, counsel is unable to locate the order. Colloquy between the Court and counsel regarding the procedural posture of the case and the scope of cross not being limited to direct so the parties can call witnesses one time.

Opening statements by Mr. Zimbelman on behalf of Helix; Mr. Taylor on behalf of National Wood;

and Mr. Jefferies on behalf of APCO.

Testimony and exhibits presented. (See worksheets)

Colloquy between the Court and counsel regarding the submission of a stipulation regarding exhibits and trial schedule. COURT ORDERED, trial would resume tomorrow, Thursday, January 18, 2018 at 1:00 p.m.

Testimony and exhibits presented. (See worksheets)

COURT excused parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/18/2018 1:00 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Business Court****COURT MINUTES****January 18, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 18, 2018 1:00 PM Bench Trial Day 2

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Hirahara, S Judy, ESQ Attorney
 Jefferies, John R. Attorney
 Taylor, John B., ESQ Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Andy Rivera, Client Representative of Helix Electric of Nevada

Mr. Zimbelman advised of a problem with a witness and requested he be allowed to call a witness out of order tomorrow relative to Fast Glass, noted the witness would be out of the country; no objections from Mr. Jefferies or Mr. Taylor. COURT SO ORDERED.

Stipulation and Order Regarding Trial Exhibits Admitted into Evidence SIGNED IN OPEN COURT and returned to counsel for processing; objections noted.

Order Denying Reconsideration of the Motion for Summary Judgment SIGNED IN OPEN COURT and returned to counsel for processing.

Testimony and exhibits presented. (See worksheets)

Colloquy regarding trial procedures and calling of witnesses.

COURT excused parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/19/2018 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 19, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 19, 2018 9:00 AM Bench Trial Day 3

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Elizabeth Vargas

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

| | | |
|-----------------|-----------------------|----------|
| PRESENT: | Hirahara, S Judy, ESQ | Attorney |
| | Jefferies, John R. | Attorney |
| | Lai, I-Che | Attorney |
| | Mounteer, Cody S. | Attorney |
| | Taylor, John B., ESQ | Attorney |

JOURNAL ENTRIES

- Eric Zimbleman, present on behalf of Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction, Inc, Fast Glass Inc. and Heinaman Contract Glazing. Arguments by Mr. Taylor and Mr. Jefferies regarding Motion in Limine regarding joint and several liability. Court reviewed the language of the order and noted the Motion in Limine No. 7 seeking to strike evidence or damages was granted, further stated it is not going to strike the evidence because it would properly apply what court thinks is applicable. Testimony and exhibits presented. (See worksheet). COURT excused counsel and parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 1/23/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 19, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 19, 2018 9:00 AM Motion to Stay

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Elizabeth Vargas

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Lai, I-Che Attorney
 Mounter, Cody S. Attorney

JOURNAL ENTRIES

- Mr. Mounter stated the original motion was brought during a time when there were pending motions for reconsideration, and conceded the issue was moot, however the rule was still operative; further noted there were multiple parties and multiple claims, this was a large consolidation action Zitting was part of, requested a temporary stay pending the conclusion of trial, amongst all parties, with no bond; stated should the stay be granted, the bond would be in place to protect Zitting. Mr. Lai opposed the Motion; stated Zitting was trying to perfect the final judgment and once final judgment was entered can move forward with collection. Court noted there was no final judgment. Mr. Mounter stated it his position that there was no final judgment and did not believe collection efforts could start. Court reviewed Rule 62 and stated it believes Apco was seeking to stay execution on the judgment. Mr. Mounter requested if the motion was denied, it be stated in the order that there was no final judgment at that time. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE to renewal once there has been entry of final judgment or certification. Court noted it did not consider the Findings of Fact, Conclusions of Law Granting Zitting Brothers Construction Inc.'s Motion for Partial Summary Judgment Against Apco entered on January 2, 2018 to be a judgment subject to execution. Court directed Mr. Mounter to prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 23, 2018**

| | |
|-----------|---------------------------------------------|
| 08A571228 | Apco Construction, Plaintiff(s) |
| | vs. |
| | Gemstone Development West Inc, Defendant(s) |

January 23, 2018**9:00 AM****Bench Trial****Day 4****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES**

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|-----------------|----------------------|----------|
| PRESENT: | Bacon, Mary E. | Attorney |
| | Taylor, John B., ESQ | Attorney |
| | Truman, T. James | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn, Apco Representative

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Ms. Bacon advised of an e-mail Mr. Jefferies received from Mr. Morris, which indicated that Mr. Morris is back in the country and back in the office today and that he intends to be here tomorrow. Colloquy between the Court and counsel as to how the trial would proceed, scheduling, closing arguments, calling witnesses, and the submission of the post trial briefs.

Testimony and exhibits presented. (See worksheets).

Mr. Zimbelman advised that there were no witnesses to present for Cactus Rose and SWPP. Additional colloquy between the Court and counsel regarding witnesses that will be called tomorrow, closing arguments, and the e-mail contact had with Mr. Morris. Following the discussion,

COURT excused counsel and the parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/24/2018 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 24, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 24, 2018 9:00 AM Bench Trial Day 5

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

| | | |
|-----------------|----------------------|----------|
| PRESENT: | Bacon, Mary E. | Attorney |
| | Jefferies, John R. | Attorney |
| | Morris, Steven L. | Attorney |
| | | Attorney |
| | Taylor, John B., ESQ | Attorney |

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Brad Slighting, Attorney for United Subcontractors Inc

Colloquy between the Court and counsel with respect to the claims against Camco Pacific and Camco's defenses to those claims, the trial proceeding in Mr. Morris's absence, the claims presented, and witnesses being available by telephone for cross-examination.

Court referenced the letter sent to counsel and advised of its availability to hear Camco's case, which resulted in additional colloquy regarding the amount of time needed for argument followed by the submission of proposed findings of fact and conclusions of law. COURT ORDERED the tentative

date of January 31, 2018 for cross- examination of witnesses that were called regarding Camco; additional evidence will be presented on February 6, 2018.

Testimony and exhibits presented. (See worksheets)

APCO RESTS; Helix RESTS; and National Wood RESTS.

Closing arguments by Mr. Zimbleman on behalf of Helix; Mr. Taylor on behalf of National Wood, and Mr. Jefferies on behalf of APCO, which concluded the APCO portion of the trial.

COURT ORDERED submission of briefs and proposed findings of fact and conclusions of law DEFERRED until after the Camco portion of the trial is closed.

CONTINUED TO: 01/31/2018 (TENTATIVE DATE FOR CROSS EXAMINATION); 02/06/2018 9:00 A.M. (ADDITIONAL EVIDENCE)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 06, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

February 06, 2018 9:00 AM Bench Trial Day 6

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight
 Kory Schlitz

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

| | | |
|-----------------|----------------------|----------|
| PRESENT: | Morris, Steven L. | Attorney |
| | | Attorney |
| | Taylor, John B., ESQ | Attorney |
| | Truman, T. James | Attorney |
| | | Attorney |

JOURNAL ENTRIES

- APPEARANCES CONT'D: Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Benjamin Johnson, Attorney for United Subcontractors

Josef Rodarti, Attorney for Camco

Mr. Morris advised Camco reached a settlement with United Subcontractors and that the stipulation regarding dismissal would be forthcoming. At the request of counsel and there being no objection, COURT ORDERED, Mr. Johnson EXCUSED.

Further, Mr. Morris noted counsel entered into a stipulation regarding the cross examination of witnesses who testified in his absence; advised that stipulation would also be forthcoming.

Testimony and exhibits presented. (See worksheets)

Pltf E&E Fire RESTS.

Mr. Morris moved for a directed verdict as to claimants, SWPP, Cactus Rose, and Interstate Plumbing who have not presented their case; objections argued by Mr. Zimbelman. Following arguments by counsel, Court stated its FINDINGS, noting that once the evidence is closed it would be able to make a decision; however, relative to Interstate Plumbing, COURT ORDERED, Motion GRANTED.

Testimony and exhibits presented. (See worksheets)

(1:30 p.m. Kory Schlitz, Court Clerk) Minutes ...

Mr. Zimbelman indicated he did not offer Exhibit 718 during examination, however he has discussed it with Mr. Morris and the exhibit has been stipulated to. Closing arguments by Mr. Truman on behalf of E&E Fire; Mr. Zimbelman on behalf of Heinaman; and Mr. Morris on behalf of Camco. Mr. Zimbelman indicated he spoke with counsel and parties have agreed to submit their FFCL by February 28, 2017. Court advised parties have two weeks to file responding briefs. COURT ORDERED, Exhibits not admitted RETURNED to Counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 01, 2018

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 01, 2018 9:00 AM Hearing

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Aja Brown

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Jefferies, John R. Attorney
 Lai, I-Che Attorney

JOURNAL ENTRIES

- Following arguments by counsel, COURT ORDERED, matter UNDER ADVISEMENT.