

EXHIBIT B

Request for Transcript of Proceedings

Docket 77320 Document 2019-10434

IN THE SUPREME COURT OF THE STATE OF NEVADA

HELIX ELECTRIC OF NEVADA,
LLC,

Appellant/Cross-Respondent,

vs.

APCO CONSTRUCTION, INC., A
NEVADA CORPORATION,

Respondent/Cross-Appellant.

APCO CONSTRUCTION, INC., A
NEVADA CORPORATION,

Appellant/Cross-Respondent,

vs.

HELIX ELECTRIC OF NEVADA,
LLC

Respondent/Cross-Appellant.

Electronically Filed
SUPREME COURT CASE NO. 77320
JAN 20 19 07:25 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Appeal from the Eighth Judicial District
Court, the Honorable Mark Denton
Presiding

SUPREME COURT CASE NO. 77320

Appeal from the Eighth Judicial District
Court, the Honorable Mark Denton
Presiding

REQUEST FOR TRANSCRIPT OF PROCEEDINGS

TO: **KATHERINE MCNALLY** – Court Reporter

Appellant requested preparation of transcript of proceedings before the district
court on January 14, 2019, as follows:

Judge or officer hearing the proceedings: Judge Mark Denton

Specific individual dates of proceedings for which transcripts are being
requested:

Phoenix 149268.1

1. July 19, 2018 – 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.; Plaintiff in Intervention, National Wood Products, Inc.’s Notice of Motion and Motion to Retax Costs: am
2. Defendant APCO’s Memorandum of Costs and Disbursements against Plaintiff in Intervention National Wood; Helix’s Motion to Retax Costs re: Defendant APCO Construction, Inc.’s Memorandum of Costs.

Number of copies. One.

I hereby certify that on the 14th day of January 2019, I ordered the transcript(s) listed above from the court reporter named above, and paid the required deposit on the 24th day of January, 2019.

Dated this 24th day of January, 2019.

SPENCER FANE LLP

/s/ Mary Bacon

Mary E. Bacon, Esq.
Nevada Bar No. 12686
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101

And

John Randall Jefferies, Esq.
Nevada Bar No. 3512
FENNEMORE CRAIG, P.C.
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Attorneys for Apco Construction, Inc.

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 24th day of January, 2019 and was served electronically in accordance with the Master Service List and through the United States Mail, first class, postage prepaid, addressed as follows:

Peel Brimley LLP

Eric B. Zimbelman (ezimbelman@peelbrimley.com)

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Micah S. Echols (mechols@maclaw.com)

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I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

Stephen E. Haberfeld
8224 Blackburn Ave., #100
Los Angeles, CA 90048

/s/ Adam Miller
An employee of Spencer Fane LLP

EXHIBIT A

Certificate that No Transcript is Being Requested

Docket 77320 Document 2019-10434

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 76276

Electronically Filed
Jan 24 2019 05:50 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC, A NEVADA CORPORATION,

Respondent.

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

CERTIFICATE THAT NO TRANSCRIPT IS BEING REQUESTED

ERIC B. ZIMBELMAN, ESQ.
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Attorneys for Appellant
Helix Electric of Nevada, LLC

CERTIFICATE THAT NO TRANSCRIPT IS BEING REQUESTED

Notice is hereby given that Appellant, Helix Electric of Nevada, LLC is not requesting the preparation of transcripts for this appeal. Appellants previously requested and received file-stamped copies of the transcripts and intends to use these as part of the record on appeal.

Bench Trial (Day1 – January 17, 2018) filed January 31, 2018

Bench Trial (Day 2 – January 18, 2018) filed January 31, 2018

Bench Trial (Day 3 – January 19, 2018) filed January 31, 2018

Bench Trial (Day 5 – January 24, 2018) filed January 31, 2018

Dated this 24th day of January, 2019.

PEEL BRIMLEY LLP



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Attorneys for Appellant

Helix Electric of Nevada, LLC

CERTIFICATE OF SERVICE

Pursuant to Nev. R. App. P. 25(b) and NEFCR 9(f), I certify that I am an employee of **PEEL BRIMLEY, LLP**, and that on this 24th day of January, 2019, I caused the above and foregoing document, **CERTIFICATE THAT NO TRANSCRIPT IS BEING REQUESTED**, to be served as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- ☒ pursuant to NEFCR 9, upon all registered parties via the Nevada Supreme Court's electronic filing system;
- ☐ pursuant to EDCR 7.26, to be sent **via facsimile**;
- ☐ to be hand-delivered; and/or
- ☐ other _____

to the attorney(s) and/or party(ies) listed below at the address and/or facsimile number indicated below:

John H. Mowbray, Esq. (NV Bar No. 1140)
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National Wood Products, Inc.*


An employee of PEEL BRIMLEY, LLP

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320

Electronically Filed
Mar 08 2019 09:52 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

HELIX ELECTRIC OF NEVADA, LLC

Appellant/Cross-Respondent

v.

APCO CONSTRUCTION, INC, A NEVADA CORPORATION,

Respondent/Cross-Appellant.

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

**AMENDED MOTION FOR LEAVE TO FILE LATE
TRANSCRIPT REQUEST NOTICE**

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Helix Electric of Nevada, LLC

MOTION TO FILE LATE TRANSCRIPT REQUEST NOTICE

Appellant/Cross-Respondent HELIX ELECTRIC OF NEVADA, LLC, hereby moves this Court for an extension up to and including March 8, 2019 to file its Certificate that No Transcript is Being Requested pursuant to NRAP 9.

Appellant/Cross-Respondent filed its Certificate that No Transcript is Being Requested in the original Appeal Case No. 76276 (*see Exhibit A, attached hereto and incorporated herein*). Appellant/Cross-Respondent did not request transcripts because the relevant trial transcripts had already been requested and transcribed. Respondent/Cross-Appellant subsequently filed its Notice of Transcript Request on January 24, 2019 seeking transcripts of a post-trial hearing. (*See Exhibit B attached hereto and incorporated herein*).

In this instance, Helix did not understand that it was required to file a transcript request in this Cross-Appeal and anticipated that Respondent/Cross-Appellant's Motion to Consolidate these two appeals would be granted, having not opposed the same. Helix is not requesting the preparation of additional transcripts for this Cross-Appeal other than those previously ordered and/or transcribed. Helix previously requested and received file-stamped copies of the transcripts and intends to use these as part of the record on appeal. Helix acknowledges that Respondent/Cross-Appellant has requested additional transcript(s) and has no objection to the same.

Dated this 8th day of March, 2019.

PEEL BRIMLEY LLP

/s/ Eric B. Zimbelman

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Attorneys for Appellant/Cross-Respondent

CERTIFICATE OF SERVICE

Pursuant to Nev. R. App. P. 25(b) and NEFCR 9(f), I certify that I am an employee of **PEEL BRIMLEY, LLP**, and that on this 8th day of March, 2019, I caused the above and foregoing document, **AMENDED MOTION FOR LEAVE TO FILE LATE TRANSCRIPT REQUEST**, to be served as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- ☒ pursuant to NEFCR 9, upon all registered parties via the Nevada Supreme Court's electronic filing system;
- ☐ pursuant to EDCR 7.26, to be sent **via facsimile**;
- ☐ to be hand-delivered; and/or
- ☐ other _____

to the attorney(s) and/or party(ies) listed below at the address and/or facsimile number indicated below:

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