

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320
Consolidated with 80508

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Elizabeth A. Brown
Clerk of Supreme Court

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

**JOINT APPENDIX
VOLUME 90**

Eric B. Zimbelman, Esq. (9407)
PEEL BRIMLEY LLP
3333 E. Serene Avenue, Suite 200
Henderson, NV 89074-6571
Telephone: (702) 990-7272
Facsimile: (702) 990-7273
ezimbelman@peelbrimley.com
Attorneys for Appellant
Helix Electric of Nevada, LLC

Mary E. Bacon, Esq. (12686)
SPENCER FANE LLP
400 S. Fourth Street, Suite 500
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
MBacon@spencerfane.com

John Randall Jefferies, Esq. (3512)
Christopher H. Byrd, Esq. (1633)
FENNERMORE CRAIG, P.C.
300 S. Third Street, 14th Floor
Las Vegas, NV 89101
Telephone: (702) 692-8000
Facsimile: (702) 692-8099
rjefferies@fclaw.com
cbyrd@fclaw.com
Attorneys for Respondent

CHRONOLOGICAL APPENDIX OF EXHIBITS

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04-26-10	CAMCO and Fidelity's Answer and CAMCO's Counterclaim	JA000031- JA000041	1
07-02-10	Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default	JA000042- JA000043	1
06-06-13	APCO's Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO's Motion for Summary Judgment Against Gemstone Only; and (3) Request for Order Shortening Time	JA000044- JA000054	1
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¹ Filed January 31, 2018

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	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
	Trial Exhibit 129 - Photo of Video (Construction Project)	JA002580- JA002581	46

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	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
	CAMCO Related Exhibits:		
	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - 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	JA002719- JA002730	48

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	Trial Exhibit 173 - Helix Pay Application No. 16713-012 to Camco with proof of payment	JA002731- JA002745	48
	Trial Exhibit 174 - Helix Change Order Request No. 28	JA002746- JA002747	48
	Trial Exhibit 175 - Change Notice No. 41	JA002748- JA002751	48
	Trial Exhibit 176 - Helix Pay Application No. 16713-013 to Camco	JA002752- JA002771	48/49
	Trial Exhibit 177 - Helix Pay Application No. 16713-014 to Camco	JA002772- JA002782	49
	Trial Exhibit 178 - Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	JA002783 JA002797	49
	National Wood/Cabinetec Related Exhibits:		
	Trial Exhibit 184 - Ratification and Amendment of Subcontract Agreement between CabineTec and Camco (fully executed copy)	JA002798- JA002825	49
	General Related Exhibits:		
	Trial Exhibit 218 - Camco/Owner Pay Application No. 11 w/Backup	JA002826- JA003028	50/51/52
	Trial Exhibit 220 - Camco/Owner Pay Application No. 12 w/Backup	JA003029- JA003333	52/53/54/55
	Trial Exhibit 313 - Letter from A. Edelstein to R. Nickerl re: NRS 624 Notice	JA003334- JA003338	55
	Helix Trial Exhibits:		
	Trial Exhibit 501 - Payment Summary	JA003339 – JA003732	55/56/57 /58/59/60
	Trial Exhibit 508 – Helix Pay Application	JA003733- JA003813	60/61

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	Trial Exhibit 510 - Unsigned Subcontract	JA003814- JA003927	61/62
	Trial Exhibit 512 - Helix's Lien Notice	JA003928- JA004034	62/63
	Trial Exhibit 522 - Camco Billing	JA004035- JA005281	63/64/65 /66/67/ 68/69/70/ 71/72 /73/74/75 /76/77
01-19-18	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA005282- JA005283	78
01-18-18	Transcript – Bench Trial (Day 2)²	JA005284- JA005370	78
	Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) (<i>Admitted</i>)	JA005371- JA005623	78/79/80
01-19-18	Transcript – Bench Trial (Day 3)³	JA005624- JA005785	80
	Trial Exhibit 231 – Helix Electric's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint (<i>Admitted</i>)	JA005786- JA005801	80
	Trial Exhibit 314 - Declaration of Victor Fuchs in support of Helix's Motion for Partial Summary Judgment against Gemstone (<i>Admitted</i>)	JA005802- JA005804	80

² Filed January 31, 201879

³ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 320 – June-August Billings—not paid to APCO (<i>Admitted</i>)	JA005805	80
	Trial Exhibit 321 – Overpayments to Cabinetec (<i>Admitted</i>)	JA005806-	80
	Trial Exhibit 536 – Lien math calculations (handwritten) (<i>Admitted</i>)	JA005807- JA005808	80
	Trial Exhibit 804 – Camco Correspondence (<i>Admitted</i>)	JA005809- JA005816	80
	Trial Exhibit 3176 – APCO Notice of Lien (<i>Admitted</i>)	JA005817- JA005819	81
01-24-18	Transcript – Bench Trial (Day 5)⁴	JA005820- JA005952	81
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC’s (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.’s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	APCO Construction Inc.’s Post-Trial Brief	JA006059- JA006124	82/83
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
03-23-18	Helix Electric of Nevada, LLC’s Responses to APCO Construction’s Post-Trial Brief	JA006173- JA006193	84
04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85

⁴ Filed January 31, 201883

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05-08-18	APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA006265- JA006284	85
	Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA006285- JA006356	85/86
	Exhibit 2 – National Wood Products, Inc.'s Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support Thereof	JA006357- JA006369	86
	Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)	JA006370- JA006385	86/87
	Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco	JA006386- JA006398	87
	Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC	JA006399- JA006402	87
	Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.	JA006403- JA006406	87
	Exhibit 7 – Declaration of John Randall Jefferies, Esq. in Support of APCO Construction, Inc.'s Motion for Attorney's Fees and Costs	JA006407- JA006411	87
	Exhibit 7A – Billing Entries	JA006412- JA006442	87/88

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 7B – Time Recap	JA006443- JA006474	88
	Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs	JA006475- JA006478	88
	Exhibit 9 – APCO Construction, Inc.’s Memorandum of Costs and Disbursements [Against Helix Electric of Nevada, LLC, and Plaintiff in Intervention National Wood Products, LLC]	JA006479- JA006487	88
	Exhibit 10 – Depository Index	JA006488- JA006508	88/89
05-08-18	Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements	JA006509- JA006521	89
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Against APCO Construction, Inc.]	JA006541 JA006550	90
06-01-18	Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006551- JA006563	90
	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90

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	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
	Exhibit 3 – Prime Interest Rate	JA006581- JA006601	90
	Exhibit 4 – Declaration of Eric B. Zimbelman in Support of Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006583- JA006588	90
	Exhibit 5 – Summary of Fees	JA006589- JA006614	90
06-15-18	APCO Construction, Inc.’s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Motions to Retax Costs	JA006615- JA006637	90/91
	Exhibit 1-A Declaration of Mary Bacon in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006635 JA006638	91
	Exhibit 1-B – Declaration of Cody Munteer in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006639- JA006916	91/92/93 94/95/96
06-15-18	Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA006917 – JA006942	96
	Exhibit 1 – Notice of Entry of Staying the Case, Except for the Sale of the Property, Pending Resolution of the Petition before the Nevada Supreme Court	JA006943- JA006948	96

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Notice of Entry of Denying APCO Construction’s Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA006949- JA006954	96
	Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed	JA006955- JA006958	96
	Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration	JA006959- JA006963	96
	Exhibit 5 – Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA006964- JA006978	96
	Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire	JA006977- JA006980	96
	Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire	JA006981- JA006984	96
	Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire	JA006985- JA006993	96/97
	Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance	JA006994 JA007001	97
	Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire	JA007002- JA007005	97
	Exhibit 7A – Motion to Appoint Special Master	JA007006- JA007036	97
	Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016	JA007037- JA007060	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda	JA007042- JA007046	97
	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
	Exhibit 10 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA007057- JA007059	97
	Exhibit 11 – Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion <i>in Limine</i>	JA007060- JA007088	97
	Exhibit 12 – Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in Limine (against APCO Construction)	JA007070- JA007078	97
	Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA007079- JA007084	97
	Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary	JA007085- JA007087	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Judgment Precluding Defenses Based on Pay-if-Paid Agreements		
	Exhibit 15 – Notice of Association of Counsel	JA007088- JA007094	97
06-15-18	Plaintiff in Intervention National Wood Products, Inc.’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007095- JA007120	97/98
06-15-18	Declaration of S. Judy Hirahara in support of National Woods’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007121- JA007189	98
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007190- JA007192	99
06-21-18	Helix Electric of Nevada, LLC’s Notice of Non-Opposition to its Motion for Attorney’s Fees, Interest and Costs	JA007193- JA007197	99
06-29-18	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.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
07-19-18	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 Attorney's Fees and Costs	JA007246- JA007261	100
08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
09-28-18	Notice of Entry of (1) Granting APCO Construction, Inc.'s 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	JA007281- JA007299	100
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007313- JA007315	101

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
08-06-19	Helix Electric of Nevada LLC's Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA007316- JA007331	101
	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.	JA007332- JA007335	101
	Exhibit 2 – 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 and all related matters (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	JA007336- JA007344	101
	Exhibit 3 - Notice of Appeal	JA007345- JA007394	101/102
	Exhibit 4 – Amended Notice of Appeal	JA007395- JA007400	102
	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of Nevada, LLC, SWPPP Compliance	JA007401- JA007517	102/103

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Solutions, Inc., E&E Fire Protection		
	Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)	JA007518- JA007519	103
	Exhibit 7 – Order to Show Cause	JA007520- JA007542	103
	Exhibit 8 -Order Dismissing Appeal (Case No. 76276)	JA007524- JA007527	103
	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
	Exhibit 10 (Part One)	JA007537- JA007542	103
	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105 /106/107 /108/109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
	Exhibit 10 (Part Two)	JA008142- JA008149	109

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
	Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status	JA008168- JA008170	109
	Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss	JA008171- JA008177	109
	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts	JA008323- JA008338	110

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.'s Counterclaim		
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC's Motion for Attorney's Fees, Interest and Costs	JA008339 JA008347	110
	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110
	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenetec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc.'s Counterclaim	JA008484- JA008504	111

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal	JA008505- JA008512	111
	Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim	JA008513 JA008517	111
	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111
	Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing's Motion for Attorneys's Fees, Interest and Costs	JA008552- JA008579	111/112
	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
	Exhibit 10CC – Heinaman Contract Glazing's Answer to Camco Pacific Construction Company's Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party	JA008602- JA008621	112

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Complaint and Camco Pacific Construction, Inc.'s Counterclaim		
	Exhibit 10FF – 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	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112
	Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008665- JA008681	112
	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
	Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice	JA008686- JA008693	112

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10MM – Scott Financial Corporation’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008694- JA008717	112/113
	Exhibit 10NN-Notice of Appeal	JA008718 JA008723	113
	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
	Exhibit 13 – Stipulation and Order with Prejudice	JA008759- JA008780	113
	Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment	JA008762- JA008788	113
	Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal	JA008789- JA008798	113

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 16 – Notice of Appeal	JA008799- JA008810	113
08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company, Inc.’s Counterclaim	JA008925- JA008947	116/117
	Exhibit 7 – Answer to Cactus Rose’s Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008966- JA008986	117/118

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 9 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA008987- JA008998	118
	Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.	JA008998- JA009010	118
	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
	Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond	JA009114- JA009116	119
08-29-19	Helix Electric of Nevada LLC's Reply to APCO's Opposition to Helix Electric of Nevada LLC's Motion to (I) Re-Open Statistically Closed Case, (II)	JA009117- JA009123	119

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Dismiss All Unresolved Claims and/or (III) In The Alternative for a Rule 54(B) Certification as to Helix and APCO		
01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119
01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA009137- JA009166	120
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
02-11-20	Case Appeal Statement	JA009157- JA009163	120
02-11-20	APCO's Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) 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 Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA009168- JA009182	120

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada’s Motion for Rule 54(b) Certification	JA009183- JA00991	120

ALPHABETICAL APPENDIX OF EXHIBITS

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
08-05-09	APCO's Answer to Helix's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA000016 – JA000030	1
05-08-18	APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA006265- JA006284	85
	Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA006285- JA006356	85/86
	Exhibit 2 – National Wood Products, Inc.'s Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support Thereof	JA006357- JA006369	86
	Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)	JA006370- JA006385	86/87
	Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco	JA006386- JA006398	87
	Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC	JA006399- JA006402	87
	Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.	JA006403- JA006406	87
	Exhibit 7 – Declaration of John Randall Jefferies, Esq. in Support of APCO Construction, Inc.'s Motion for Attorney's Fees and Costs	JA006407- JA006411	87
	Exhibit 7A – Billing Entries	JA006412-	87/88

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
		JA006442	
	Exhibit 7B – Time Recap	JA006443- JA006474	88
	Exhibit 8 – Declaration of Cody S. Mounter, Esq. in Support of Motion for Attorney’s Fees and Costs	JA006475- JA006478	88
	Exhibit 9 – APCO Construction, Inc.’s Memorandum of Costs and Disbursements [Against Helix Electric of Nevada, LLC, and Plaintiff in Intervention National Wood Products, LLC]	JA006479- JA006487	88
	Exhibit 10 – Depository Index	JA006488- JA006508	88/89
06-06-13	APCO’s Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO’s Motion for Summary Judgment Against Gemstone Only; and (3) Request for Order Shortening Time	JA000044- JA000054	1
	Exhibit 1 – Affidavit of Randy Nickerl in Support of (I) APCO’s Limited Motion to Lift Sta for Purposes of this Motion Only; (2) APCO’s Motion for Judgment Against Gemstone Only	JA000055- JA000316	1/2/4/5/6
	Exhibit 2 – Findings of Fact and Conclusions of Law and Judgment in Favor of APCO Construction Against Gemstone Development West, Inc. Only	JA000317- JA000326	6
02-11-20	APCO’s Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) 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	JA009168- JA009182	114

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply		
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada's Motion for Rule 54(b) Certification	JA009183- JA00991	120
11-06-17	APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting's Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
	Exhibit 6 – Subcontract Agreement dated April 17, 2007	JA000809- JA000826	11/12
	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
	Exhibit 10 – Special Master Report, Recommendation and District Court Order	JA00845- JA000848	12

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1	JA000849- JA000856	12
	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008925- JA008947	116/117

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Pacific Construction Company, Inc.'s Counterclaim		
	Exhibit 7 – Answer to Cactus Rose's Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.'s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction's Counterclaim	JA008966- JA008986	117/118
	Exhibit 9 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA008987- JA008998	118
	Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.	JA008998- JA009010	118
	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
	Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond	JA009114- JA009116	119

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-15-18	APCO Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Motions to Retax Costs	JA006615- JA006637	90/91
	Exhibit 1-A Declaration of Mary Bacon in Support of APCO's Supplement to its Motion for Attorney's Fees	JA006635 JA006638	91
	Exhibit 1-B – Declaration of Cody Mounteer in Support of APCO's Supplement to its Motion for Attorney's Fees	JA006639- JA006916	91/92/93 94/95/96
11-14-17	APCO Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in <i>Limine</i> Nos. 1-4	JA000929- JA000940	13/14
	Exhibit 1 – Excerpts from the Deposition Transcript of Mary Jo Allen taken July 18, 2017	JA000941- JA000966	14/15/16
	Exhibit 2 – Helix Electric's Manhattan West Billing/Payment Status through August 2008	JA000967- JA000969	16/17
	Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Rivera taken July 20, 2017	JA000970- JA000993	17/18/19
08-21-17	APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000393- JA000409	6/7
	Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017	JA000410- JA000412	7
03-08-18	APCO Construction Inc.'s Post-Trial Brief	JA006059- JA006124	82/83
11-15-17	APCO Construction, Inc.'s Reply in Support of its Omnibus <i>Motion in Limine</i>	JA001133 JA001148	21

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06-29-18	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.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99
04-26-10	CAMCO and Fidelity’s Answer and CAMCO’s Counterclaim	JA000031- JA000041	1
11-14-17	Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6	JA000898- JA000905	12
	Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement	JA000906- JA000907	12
	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
	Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs	JA000916- JA000917	13
	Exhibit D – Camco Pacific’s letter dated December 22, 2008	JA000918- JA000920	13
	Exhibit E – Order Approving Sale of Property	JA000921- JA000928	13
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06-15-18	Declaration of S. Judy Hirahara in support of National Woods's Opposition to APCO Construction's Motion for Attorneys' Fees and Costs	JA007121- JA007189	98
06-13-13	Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone	JA000327	6
04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85
11-06-17	Helix Electric of Nevada's Motion <i>in Limine</i> Nos. 1-4	JA000534- JA000542	8
	Exhibit 1 – Notice of Entry of Order	JA000543- JA000549	8
	Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
06-01-18	Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA006551- JA006563	90
	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90
	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
	Exhibit 3 – Prime Interest Rate	JA006581- JA006601	90

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 4 – Declaration of Eric B. Zimbelman in Support of Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006583- JA006588	90
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08-06-19	Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA007316- JA007331	101
	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Against APCO Construction, Inc.	JA007332- JA007335	101
	Exhibit 2 – 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 and all related matters (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	JA007336- JA007344	101
	Exhibit 3 - Notice of Appeal	JA007345- JA007394	101/102
	Exhibit 4 – Amended Notice of Appeal	JA007395- JA007400	102
	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of	JA007401- JA007517	102/103

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	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
	Exhibit 10 (Part One)	JA007537- JA007542	103
	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105/ 106/107/108 109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
	Exhibit 10 (Part Two)	JA008142- JA008149	109
	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
	Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status	JA008168- JA008170	109

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	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008323- JA008338	110
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs	JA008339 JA008347	110
	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110

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	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenotec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc's Counterclaim	JA008484- JA008504	111
	Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal	JA008505- JA008512	111
	Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim	JA008513 JA008517	111
	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111

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	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
	Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008602- JA008621	112
	Exhibit 10FF – 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	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112

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	Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008665- JA008681	112
	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
	Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice	JA008686- JA008693	112
	Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008694- JA008717	112/113
	Exhibit 10NN-Notice of Appeal	JA008718 JA008723	113
	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
	Exhibit 13 – Stipulation and Order with Prejudice	JA008759- JA008780	113

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment	JA008762- JA008788	113
	Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal	JA008789- JA008798	113
	Exhibit 16 – Notice of Appeal	JA008799- JA008810	113
05-08-18	Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements	JA006509- JA006521	89
06-21-18	Helix Electric of Nevada, LLC’s Notice of Non-Opposition to its Motion for Attorney’s Fees, Interest and Costs	JA007193- JA007197	99
06-15-18	Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA006917 – JA006942	96
	Exhibit 1 – Notice of Entry of Staying the Case, Except for the Sale of the Property, Pending Resolution of the Petition before the Nevada Supreme Court	JA006943- JA006948	96
	Exhibit 2 – Notice of Entry of Denying APCO Construction’s Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA006949- JA006954	96
	Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed	JA006955- JA006958	96
	Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration	JA006959- JA006963	96
	Exhibit 5 – Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment	JA006964- JA006978	96

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	Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire	JA006981- JA006984	96
	Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire	JA006985- JA006993	96/97
	Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance	JA006994 JA007001	97
	Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire	JA007002- JA007005	97
	Exhibit 7A – Motion to Appoint Special Master	JA007006- JA007036	97
	Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016	JA007037- JA007060	97
	Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda	JA007042- JA007046	97
	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
	Exhibit 10 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA007057- JA007059	97
	Exhibit 11 – Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion <i>in Limine</i>	JA007060- JA007088	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 12 – Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in Limine (against APCO Construction)	JA007070- JA007078	97
	Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA007079- JA007084	97
	Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA007085- JA007087	97
	Exhibit 15 – Notice of Association of Counsel	JA007088- JA007094	97
11-14-17	Helix Electric of Nevada’s Opposition to APCO Construction’s Omnibus Motion in Limine	JA000994- JA001008	20
	Exhibit 1 – Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001009- JA001042	20
	Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001043- JA001055	20
	Exhibit 3 – Special Master Order Requiring Completion of Questionnaire	JA001056- JA001059	20
	Exhibit 4 – Excerpts from the Deposition Transcript of the 30(b)(6) Witness for Helix Electric of Nevada taken July 20, 2017	JA001060- JA001064	20
	Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017	JA001065 JA001132	20/21
08-29-19	Helix Electric of Nevada LLC’s Reply to APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-	JA009117- JA009123	119

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In The Alternative for a Rule 54(B) Certification as to Helix and APCO		
06-29-18	Helix Electric of Nevada, LLC's Reply Re: Motion to Retax	JA007225- JA007237	100
03-23-18	Helix Electric of Nevada, LLC's Responses to APCO Construction's Post-Trial Brief	JA006173- JA006193	84
06-24-09	Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint	JA000001- JA000015	1
01-12-18	Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]	JA001574- JA001594	27/28
	Exhibit 1 – Exhibit List APCO	JA001595- JA001614	28
	Exhibit 2 – Helix Trial Exhibits	JA001615- JA001616	28
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA001617- JA001635	28
	Exhibit 4 – Cactus Rose Trial Exhibits	JA001636- JA001637	28
	Exhibit 5 – Heinaman Trial Exhibits	JA001638- JA001639	28
	Exhibit 6 – Fast Glass Trial Exhibits	JA001640- JA001641	28
	Exhibit 7 – SWPPP Trial Exhibits	JA001642- JA001643	28
	Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001644- JA001647	28

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 9 - Amended <i>nunc pro tunc</i> order regarding APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i> No. 7	JA001648- JA001650	28
	Exhibit 10 - Order Granting in Part and Denying in part Helix Electric of Nevada, LLC's Motions <i>in Limine</i> 1-4 (Against APCO Construction)	JA001651- JA001653	28
	Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)	JA001654- JA001657	28
	Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>	JA001658- JA001660	28
	Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001661- JA001667	28/9/29
03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
01-04-18	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 provision on an Order Shortening Time	JA001199- JA001217	22
	Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)	JA001218- JA001245	22/23/24
	Exhibit 2 – Subcontract Agreement (Zitting Brothers)	JA001246- JA001263	24

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 3 – Subcontract Agreement (CabineTec)	JA001264- JA001281	24/25
	Exhibit 4 – Amended Notice of Lien	JA001282- JA001297	25
	Exhibit 5 - Amended NOL	JA001298- JA001309	25
	Exhibit 6 – Notice of Lien	JA001310- JA001313	25
	Exhibit 7 – Order Approving Sale of Property	JA001314- JA001376	25/26
	Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account	JA001377- JA001380	26
	Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration	JA001381- JA001385	26
	Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001386- JA001392	26
	Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment	JA001393- JA001430	26
	Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment	JA001431- JA001435	26
	Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)	JA001436- JA001469	26
	Exhibit 14 – Respondent’s Answering Brief	JA001470- JA001516	26/27
	Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)	JA001517- JA001551	27
	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention	JA009137- JA009166	120

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	National Wood Products, Inc.'s Against APCO Construction, Inc.]		
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA006541 JA006550	90
09-28-18	Notice of Entry of Order (1) Granting APCO Construction, Inc.'s 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	JA007281- JA007299	100
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001178- JA001186	22
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
01-03-18	Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001187- JA001198	22
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC's Motion <i>in Limine</i> 1-4	JA001170- JA001177	22
12-29-17	Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion <i>in Limine</i> 1-6	JA001161- JA001169	22
01-19-18	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA005282- JA005283	78
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007332- JA007334	101
07-02-10	Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default	JA000042- JA000043	1
08-02-17	Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and <i>Ex Parte</i> Application for Order Shortening Time	JA000328- JA000342	6
	Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories	JA000343- JA000379	6
	Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories	JA000380- JA000392	6
11-06-17	Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6	JA000419- JA000428	7
	Exhibit 1 – Notice of Entry of Order	JA000429	7

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		JA000435	
	Exhibit 2 – Amended Notices of 30(b)(6) Deposition of Camco Pacific Construction Company, Inc. from Cactus Rose Construction, Inc., Fast Glass, Inc.’s, Heinaman Contract Glazing, Inc. and Helix Electric of Nevada, LLC’s	JA000436- JA000472	7/8
	Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017	JA000473 JA00489	8
	Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA00490 JA000500	8
	Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000501- JA000511	8
	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
09-28-17	Peel Brimley Lien Claimants’ Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000413- JA00418	7
01-09-18	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	JA001552- JA001560	27
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition	JA007190- JA007192	99

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	to APCO Construction's Motion for Attorneys' Fees and Costs		
06-15-18	Plaintiff in Intervention National Wood Products, Inc.'s Opposition to APCO Construction's Motion for Attorneys' Fees and Costs	JA007095- JA007120	97/98
07-19-18	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 Attorney's Fees and Costs	JA007246- JA007261	100
01-10-18	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	JA001561- JA001573	27
01-18-18	Stipulation and Order Regarding Trial Exhibit Admitted into Evidence	JA002199- JA002201	36
	Exhibit 1 – Exhibit List APCO	JA002208- JA002221	36
	Exhibit 2 – Helix Trial Exhibits	JA002222- JA002223	36
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA002224- JA002242	36/37
	APCO TRIAL EXHIBITS:		
	APCO Related Exhibits:		
	Trial Exhibit 7 - Letter from Scott Financial to APCO re: Loan Status	JA002243	37
	Trial Exhibit 8 - APCO Pay Application No. 10 as submitted to Owner	JA002244- JA002282	37/38
	Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns	JA002283- JA002284	38

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 17 – Video (Construction Project)	JA002285	N/A
	Trial Exhibit 18 – Video (Construction Project)	JA002286	N/A
	Trial Exhibit 19 – Video (Construction Project)	JA002287	N/A
	Trial Exhibit 20 – Video (Construction Project)	JA002288	N/A
	Trial Exhibit 21 – Video (Construction Project)	JA002289	N/A
	Trial Exhibit 22 – Video (Construction Project)	JA002290	N/A
	Trial Exhibit 29 - Email from J. Robbins to Subcontractors re: Billing Cut-Off for August Billing	JA002285	39
	Trial Exhibit 30 - Camco Pay Application No. 11 NCS-Owner Approved with NCS Draw Request	JA002286- JA002306	39
	Trial Exhibit 32 and 125 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixture installed)	JA002307- JA002308	39
	Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002309- JA002310	39
	Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002311- JA002312-	40
	Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002313- JA002314	40
	Exhibit 36 and 130 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002315- JA002316	40

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibits 37 and 131 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002317- JA002318	40
	Trial Exhibits 38 and 132 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002319- JA002320	41
	Trial Exhibit 39 -Email from K. Costen to Subcontractors informing that Manhattan West Project no longer open	JA002321- JA002322	41
	Trial Exhibit 40- Letter from D. Parry to Subcontractors Re: Funding Withdrawn	JA002323 JA002326	41
	HELIX Related Exhibits:		41
	Trial Exhibit 46 - Helix Pay Application No. 16713-008R1 with Proof of Payment	JA002327- JA002345	41
	Trial Exhibit 47 - Helix Pay Application No. 16713-009R1 with Proof of Payment	JA002346- JA002356	41
	Trial Exhibit 48 - Email from R. Nickerl to B. Johnson Re: Work Suspension Directive	JA002357- JA002358	41
	Trial Exhibit 49 -Helix Pay Application No. 16713-010R2 with Proof of Payment	JA002359- JA002364	41/42
	Trial Exhibit 50 - Unconditional Waiver and Release re: Pay Application No. 8 with Copy of Payment	JA002365- JA002366	42
	Trial Exhibit 51 - Photo re: Building 8 & 9, South (No Exterior fixtures installed. Helix billed out at 90%)	JA002367- JA002368	42
	Trial Exhibit 52 -Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002369- JA002370	42
	Trial Exhibit 53 -Photo re: Building - 2 & 3, West (No Exterior fixtures installed. Helix billed out at 90%)	JA002371- JA002372	42

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 54 - Photo re: Building - 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002373- JA002374	42
	Trial Exhibit 55 - Photo re: Building 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002375- JA002376	42
	Trial Exhibit 56 - Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002377- JA002378	42
	Trial Exhibit 57 - Photo re: Building 2 & 3, and 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002379- JA002381	42
	Trial Exhibit 58 - Helix Pay Application No. 16713-011R1 submitted to Owner	JA002382- JA002391	42
	Trial Exhibit 59 - Helix Pay Application No. 16713-011R1 given to Camco with Proof of Payment	JA002392- JA002405	43
	Trial Exhibit 60 - Helix Retention Rolled to Camco	JA002406- JA002415	43
	Trial Exhibit 61 - Unconditional Waiver and Release re: all Invoices through June 30, 2008 with Proof of Payment	JA002413- JA002415	43
	Trial Exhibit 62 - Photo re: Building 8 & 9, South	JA002416- JA002417	43
	Trial Exhibit 63 - Photo re: Building 2 & 3, West	JA002418- JA002419	43
	Trial Exhibit 64 - Photo re: Building 2 & 3, West	JA002420- JA002421	43
	Trial Exhibit 65 - Photo re: Building 2 & 3, South	JA002422- JA002423	43
	Trial Exhibit 66 - Letter of transmittal from Helix to APCO re: Helix Pay Application No. 16713-011R1	JA002424- JA002433	43
	Trial Exhibit 67 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002435- JA002436	43

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 68 -Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002437- JA002438	43
	Trial Exhibit 69 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002439- JA002440	43
	Trial Exhibit 70 - Photo re: Building 8 & 9, South (No exterior fixtures installed. Helix billed out 90%)	JA002441- JA002442	43
	Trial Exhibit 71 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002443- JA002444	43
	Trial Exhibit 72 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002445- JA002446	43
	Trial Exhibit 73 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002447- JA002448	43
	Trial Exhibit 74 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002448- JA002449	43
	Trial Exhibit 75 - Unconditional Release re: Pay Application No. 16713-011R1 with Proof of Payment	JA002450- JA002456	43
	Exhibit 77 - Helix Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA002457- JA002494	43
	Zitting Brothers Related Exhibits:		
	Trial Exhibit 100 - Check No. 14392 payable to Zitting (\$27,973.80); Progress Payment No. 7	JA002495- JA002497	44
	Trial Exhibit 101 - Email from R. Nickerl to R. Zitting re: Change Orders	JA002498- JA002500	44
	Trial Exhibit 102 -Email from L. Lynn to J. Griffith, et al. re: Change Order No. 00011 “pending”	JA002501- JA002503	44

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 103- Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour	JA002504- JA002505	44
	Trial Exhibit 104 - Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour with copies of change orders	JA002506- JA002526	44
	Trial Exhibit 105 - Ex. C to the Ratification – Zitting Quotes	JA002527- JA002528	44
	Trial Exhibit 106 - Unconditional Lien Release – Zitting (\$27,973.80)	JA002529	44
	Trial Exhibit 108 - Photo of Video (Construction Project)	JA002530- JA002531	44
	Trial Exhibit 109 - Photo of Video (Construction Project)	JA002532- JA002533	44
	Trial Exhibit 110 - Photo of Video (Construction Project)	JA002534- JA002535	44
	Trial Exhibit 111 - Photo of Video (Construction Project)	JA002536- JA002537	44
	Trial Exhibit 112 - Photo of Video (Construction Project)	JA002538- JA002539	44
	Trial Exhibit 113 -Photo of Video (Construction Project)	JA002550- JA002541	44
	Trial Exhibit 114 -Photo of Video (Construction Project)	JA002542- JA002543	44
	Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting	JA002544- JA002545	44
	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
	Trial Exhibit 129 - Photo of Video (Construction Project)	JA002580- JA002581	46
	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
	CAMCO Related Exhibits:		
	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - 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	JA002719- JA002730	48
	Trial Exhibit 173 - Helix Pay Application No. 16713-012 to Camco with proof of payment	JA002731- JA002745	48
	Trial Exhibit 174 - Helix Change Order Request No. 28	JA002746- JA002747	48
	Trial Exhibit 175 - Change Notice No. 41	JA002748- JA002751	48
	Trial Exhibit 176 - Helix Pay Application No. 16713-013 to Camco	JA002752- JA002771	48/49
	Trial Exhibit 177 - Helix Pay Application No. 16713-014 to Camco	JA002772- JA002782	49
	Trial Exhibit 178 - Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	JA002783 JA002797	49
	National Wood/Cabinetec Related Exhibits:		
	Trial Exhibit 184 - Ratification and Amendment of Subcontract Agreement between CabineTec and Camco (fully executed copy)	JA002798- JA002825	49
	General Related Exhibits:		
	Trial Exhibit 218 - Camco/Owner Pay Application No. 11 w/Backup	JA002826- JA003028	50/51/52
	Trial Exhibit 220 - Camco/Owner Pay Application No. 12 w/Backup	JA003029- JA003333	52/53/54/55
	Trial Exhibit 313 - Letter from A. Edelstein to R. Nickerl re: NRS 624 Notice	JA003334- JA003338	55
	Helix Trial Exhibits:		

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	Trial Exhibit 501 - Payment Summary	JA003339 – JA003732	55/56/57/ 58/59/60
	Trial Exhibit 508 – Helix Pay Application	JA003733- JA003813	60/61
	Trial Exhibit 510 - Unsigned Subcontract	JA003814- JA003927	61/62
	Trial Exhibit 512 - Helix's Lien Notice	JA003928- JA004034	62/63
	Trial Exhibit 522 - Camco Billing	JA004035- JA005281	63/64/65/66/6 7/ 68/69/70 /71/72 /73/74/75/ 76/77
01-17-18	Transcript Bench Trial (Day 1)⁵	JA001668- JA001802	29/30
	Trial Exhibit 1 - Grading Agreement (<i>Admitted</i>)	JA001803- JA001825	30
	Trial Exhibit 2 – APCO/Gemstone General Construction Agreement (<i>Admitted</i>)	JA001826- JA001868	30
	Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement (<i>Admitted</i>)	JA001869- JA001884	30
	Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone (<i>Admitted</i>)	JA001885- JA001974	30/31/32
	Trial Exhibit 5 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work (<i>Admitted</i>)	JA001975- JA001978	32
	Trial Exhibit 6 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work (<i>Admitted</i>)	JA001979- JA001980	32
	Trial Exhibit 10 - Letter from J. Barker to A. Edelstein Re: Notice of Intent to Stop Work (Second Notice) (<i>Admitted</i>)	JA001981- JA001987	32

⁵ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) (<i>Admitted</i>)	JA001988- JA002001	32
	Trial Exhibit 14 - Letter from W. Gochmour to Sean Thueson Re: [APCO's] Response to [Gemstone's] Termination for Cause (<i>Admitted</i>)	JA002002- JA002010	33
	Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices (<i>Admitted</i>)	JA002011- JA002013	33
	Trial Exhibit 16 - Email from J. Horning to A. Berman and J. Olivares re: Joint Checks (<i>Admitted</i>)	JA002014	33
	Trial Exhibit 23 - APCO Subcontractor Notice of Stopping Work and Letter from J. Barker to A. Edelstein Re: Notice of Stopping Work and Notice of Intent to Terminate Contract (<i>Admitted</i>)	JA002015- JA002016	33
	Trial Exhibit 24 - Letter from R. Nickerl to Clark County re: Notification of APCO's withdrawal as General Contractor of Record (<i>Admitted</i>)	JA002017- JA002023	33
	Trial Exhibit 26 - Email from J. Gisondo to Subcontractors re: June checks (<i>Admitted</i>)	JA002024	34
	Trial Exhibit 27 - Letter from A. Edelstein to R. Nickerl re: June Progress Payment (<i>Admitted</i>)	JA002025- JA002080	34
	Trial Exhibit 28 - Letter from J. Barker to A. Edelstein Re: Termination of Agreement for GMP (<i>Admitted</i>)	JA002081	34
	Trial Exhibit 31 - Transmission of APCO's Pay Application No. 11 as Submitted to Owner (<i>Admitted</i>)	JA002082- JA002120	34/35
	Trial Exhibit 45 - Subcontractor Agreement (<i>Admitted</i>)	JA002121- JA002146	35

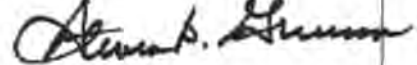
<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO (<i>Admitted</i>)	JA002147- JA002176	35/36
	Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice (<i>Admitted</i>)	JA002177- JA002181	36
	Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice (<i>Admitted</i>)	JA002182- JA002185	36
	Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors (<i>Admitted</i>)	JA002186- JA002188	36
	Trial Exhibit 506 – Email and Contract Revisions (<i>Admitted</i>)	JA002189 – JA002198	36
01-18-18	Transcript – Bench Trial (Day 2)⁶	JA005284- JA005370	78
	Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) (<i>Admitted</i>)	JA005371- JA005623	78/79/80
01-19-18	Transcript – Bench Trial (Day 3)⁷	JA005624- JA005785	80
	Trial Exhibit 231 – Helix Electric’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint (<i>Admitted</i>)	JA005786- JA005801	80
	Trial Exhibit 314 - Declaration of Victor Fuchs in support of Helix’s Motion for Partial Summary Judgment against Gemstone (<i>Admitted</i>)	JA005802- JA005804	80
	Trial Exhibit 320 – June-August Billings—not paid to APCO (<i>Admitted</i>)	JA005805	80
	Trial Exhibit 321 – Overpayments to Cabinetec (<i>Admitted</i>)	JA005806-	80

⁶ Filed January 31, 201879

⁷ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 536 – Lien math calculations (handwritten) (<i>Admitted</i>)	JA005807- JA005808	80
	Trial Exhibit 804 – Camco Correspondence (<i>Admitted</i>)	JA005809- JA005816	80
	Trial Exhibit 3176 – APCO Notice of Lien (<i>Admitted</i>)	JA005817- JA005819	81
01-24-18	Transcript – Bench Trial (Day 5)⁸	JA005820- JA005952	81
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101

⁸ Filed January 31, 2018



1 **NJUD**
2 SPENCER FANE LLP
3 John H. Mowbray, Esq. (Bar No. 1140)
4 John Randall Jefferies, Esq. (Bar No. 3512)
5 Mary E. Bacon, Esq. (Bar No. 12686)
6 300 S. Fourth Street, Suite 950
7 Las Vegas, NV 89101
8 Telephone: (702) 408-3411
9 Facsimile: (702) 408-3401
10 E-mail: JMowbray@spencerfane.com
11 RJJefferies@spencerfane.com
12 MBacon@spencerfane.com
13 Attorneys for APCO Construction, Inc.

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 APCO CONSTRUCTION, a Nevada
11 corporation,

12 Plaintiff,

13 v.

14 GEMSTONE DEVELOPMENT WEST, INC., A
15 Nevada corporation,

16 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 JUDGMENT

**[AS TO THE CLAIMS OF HELIX
ELECTRIC OF NEVADA, LLC AND
PLAINTIFF IN INTERVENTION
NATIONAL WOOD PRODUCTS, INC.'S
AGAINST APCO CONSTRUCTION, INC.]**

20 AND ALL RELATED MATTERS

22 PLEASE TAKE NOTICE that a JUDGMENT [AS TO THE CLAIMS OF HELIX
23 ELECTRIC OF NEVADA, LLC AND PLAINTIFF IN INTERVENTION NATIONAL WOOD
24 PRODUCTS, INC.'S AGAINST APCO CONSTRUCTION, INC.] was filed on May 31, 2018, a


25 ///

27 ///

1 copy of which is attached as **Exhibit A**.

2
3 Dated this 1st day of June, 2018.

4 SPENCER FANE LLP

5 
6 John H. Mowbray, Esq. (Bar No. 1140)
7 John Randall Jefferies, Esq. (Bar No. 3512)
8 Mary E. Bacon, Esq. (Bar No. 12686)
9 300 S. Fourth Street, Suite 950
10 Las Vegas, NV 89101
11 *Attorneys for APCO Construction, Inc.*

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4
5
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Spencer Fane LLP and that a copy of the foregoing **NOTICE OF ENTRY OF JUDGMENT [AS TO THE CLAIMS OF HELIX ELECTRIC OF NEVADA, LLC AND PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS, INC.'S AGAINST APCO CONSTRUCTION, INC.]** was served by electronic transmission through the E-Filing system pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26 or by mailing a copy to their last known address, first class mail, postage prepaid for non-registered users, on this 1st day of June, 2018, as follows:

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@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@Langsdalelaw.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@djmerillpc.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)

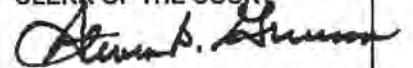
1 Douglas D. Gerrard . (dgerrard@gerrard-cox.com)
2 E-File Desk . (EfileLasVegas@wilsonelser.com)
3 Elizabeth Martin (em@juww.com)
4 Eric Dobberstein . (edobberstein@dickinsonwright.com)
5 Eric Zimbelman . (ezimbelman@peelbrimley.com)
6 Erica Bennett . (e.bennett@kempjones.com)
7 Floyd Hale . (fhale@floyd hale.com)
8 George Robinson . (grobinson@pezzillo lloyd.com)
9 Glenn F. Meier . (gmeier@nevada firm.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@marquisaurbach.com)
14 Jennifer Case . (jcase@maclaw.com)
15 Jennifer MacDonald . (jmacdonald@watttieder.com)
16 Jennifer R. Lloyd . (Jlloyd@pezzillo lloyd.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@madaw.com)
Rachel E. Donn . (rdonn@nevada firm.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@marquisaubach.com)
11 Terri Hansen . (thansen@peelbrimley.com)
12 Timothy E. Salter . (tim.salter@procopio.com)
13 Wade B. Gochmour . (wbg@h2law.com)
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an employee of Spencer Fane LLP

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EXHIBIT A



1 **JUDG**
SPENCER FANE LLP
2 John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
3 Mary E. Bacon, Esq. (Bar No. 12686)
300 S. Fourth Street, Suite 950
4 Las Vegas, NV 89101
Telephone: (702) 408-3411
5 Facsimile: (702) 408-3401
E-mail: JMowbray@spencerfane.com
6 RJJefferies@spencerfane.com
MBacon@spencerfane.com
7 Attorneys for Apco Construction, Inc.

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 APCO CONSTRUCTION, a Nevada
11 corporation,

12 Plaintiff,

13 v.

14 GEMSTONE DEVELOPMENT WEST, INC., A
15 Nevada corporation,

16 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

JUDGMENT

**AS TO THE CLAIMS OF HELIX
ELECTRIC OF NEVADA, LLC AND
PLAINTIFF IN INTERVENTION
NATIONAL WOOD PRODUCTS, INC.'S
AGAINST APCO CONSTRUCTION, INC.]**

20 AND ALL RELATED MATTERS

21
22 This matter having come on for a non-jury trial on the merits on January 17-19, 23,
23 24 and February 6, 2018, APCO Construction, Inc. ("APCO"), appearing through Spencer
24 Fane, LLP and Marquis & Aurbach; Camco Construction, Inc., ("Camco") through Grant
25 Morris Dodds; National Wood Products, Inc. ("National Wood" or "CabineTec") through
26 Cadden & Fuller LLP and Richard L. Tobler, Ltd.; United Subcontractors, Inc. through
27 Fabian Vancott; and Helix Electric of Nevada, LLC ("Helix"), SWPP Compliance
28 Solution, Cactus Rose Construction, Inc., Fast Glass, Inc., Heinaman Contract Glazing all

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DISTRICT COURT DEPT# 13

1 through Peel Brimley; and, the Court having heard the testimony of witnesses through
2 examination and cross-examination by the parties' counsel, having reviewed the evidence
3 provided by the parties, having heard the arguments of counsel, and having read and
4 considered the briefs of counsel, the parties' pleadings, and various other filings, and good
5 cause appearing; the Court hereby makes the following:

6 The Court having taken the matter under consideration and advisement;

7 The Court having entered its April 25, 2018 Findings of Fact and Conclusions of
8 Law as to the Claims of Helix Electric and CabineTec against APCO, incorporated
9 herein by this reference ("the APCO FFCL");

10 The Court enters the following Judgment as to the claims of Helix and National
11 Wood against APCO;

12 IT IS ORDERED, ADJUDGED, AND DECREED that, as set forth on the APCO
13 FFCL, judgment is to be entered in favor of APCO and against Helix and National Wood
14 on all of Helix's and National Wood's claims against APCO and that (i) Helix's April 14,
15 2009 Statement of Facts Constituting Notice of Lien and Third-Party Complaint, (ii)
16 Helix's June 24, 2009 Amended Statement of Facts Constituting Notice of Lien and Third-Party
17 Complaint and (iii) CabineTec's February 6, 2009 Statement of Facts Constituting Lien
18 Claim and Complaint in Intervention shall be dismissed with prejudice, but only to the
19 extent they state claims against APCO.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court may
21 issue an amended judgment after the Court has heard and decided APCO's Motion for
22 Attorney's Fees and Costs Against Helix and National Wood and any related motion to

23 ///

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1 determine APCO's costs, currently pending before the Court.¹

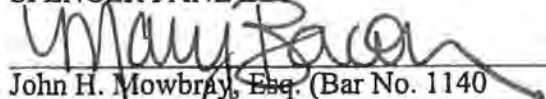
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Dated this 29th day of May, 2018.


DISTRICT COURT JUDGE

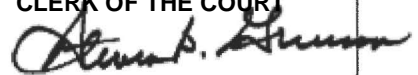
Respectfully submitted by:

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
Attorneys for Apco Construction, Inc.

28

¹ The amended judgment will be in accordance with the court's decisions on the pending motion for attorney's fees and any motion/pleadings for costs.



1 **MAFC**
ERIC B. ZIMBELMAN, ESQ
2 Nevada Bar No. 9407
RICHARD L. PEEL, ESQ.
3 Nevada Bar No. 4359
PEEL BRIMLEY LLP
4 3333 E. Serene Avenue, Suite 200
Henderson, NV 89074-6571
5 Telephone: (702) 990-7272
Facsimile: (702) 990-7273
6 ezimbelman@peelbrimley.com
rpeel@peelbrimley.com
7 *Attorneys for Helix Electric of Nevada, LLC*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 APCO CONSTRUCTION, a Nevada
corporation,

11 Plaintiff,

12 vs

13 GEMSTONE DEVELOPMENT WEST, INC.,
14 Nevada corporation; NEVADA
CONSTRUCTION SERVICES, a Nevada
15 corporation; SCOTT FINANCIAL
CORPORATION, a North Dakota
16 corporation; COMMONWEALTH LAND
TITLE INSURANCE COMPANY; FIRST
17 AMERICAN TITLE INSURANCE
COMPANY and DOES I through X,

18 Defendants.

19
20 AND ALL RELATED MATTERS.
21

CASE NO.: A571228

DEPT. NO.: XIII

Consolidated with:
A571792, A574391, A577623, A580889,
A583289, A584730, and A587168

**HELIX ELECTRIC OF NEVADA,
LLC'S MOTION FOR ATTORNEY'S
FEES, INTEREST AND COSTS**

22 Helix Electric of Nevada, LLC ("Helix") by and through its counsel of record, the
23 law firm of PEEL BRIMLEY LLP, hereby respectfully submits the following Motion for
24 Attorney's Fees, Interest and Costs.

25 ///

26 ///

27 ///

This Motion is made and based on the points and authorities provided below, the papers and pleadings on file herein, and any oral argument to be heard by this Court at the hearing on this matter.

Respectfully submitted this 31 day of May, 2018.

PEEL BRIMLEY LLP

 #11776
ERIC B. ZIMBELMAN, ESQ

Nevada Bar No. 9407

RICHARD L. PEEL, ESQ.

Nevada Bar No. 4359

3333 E. Serene Avenue, Suite 200

Henderson, NV 89074-6571

Attorneys for Helix Electric of Nevada, LLC

NOTICE OF MOTION

TO: ALL PARTIES IN INTEREST:

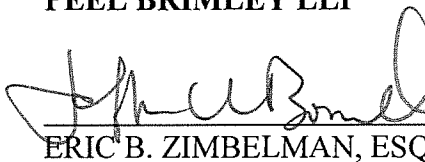
Please take notice that the undersigned will bring the foregoing MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS on for hearing before the Court on the

_____ day of July 2, 2018, at the time of 9:00 a.m./p.m. in

Department XIII.

DATED this 31 day of May 2018.

PEEL BRIMLEY LLP

 #11776
ERIC B. ZIMBELMAN, ESQ

Nevada Bar No. 9407

RICHARD L. PEEL, ESQ.

Nevada Bar No. 4359

3333 E. Serene Avenue, Suite 200

Henderson, NV 89074-6571

Attorneys for Helix Electric of Nevada, LLC

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 On April 26, 2018, this Court issued Findings of Fact and Conclusions of Law in favor of
4 Helix Electric of Nevada, LLC. (“Helix”) and against Camco Pacific Construction Co.,
5 Inc.(“Camco”).¹ Among other things the Court found the following facts and issued the
6 following conclusions:

- 7 • Camco and Helix entered into contractor/subcontractor relationship and
8 agreement whereby they agreed on the materials terms of a contract, which
9 Camco breached by failing to pay Helix the sum of \$834,476.45. [See FF ¶ 14;
10 CL ¶ 2];
- 11 • Helix timely recorded a mechanic’s lien, as amended (“the Helix Lien”), pursuant
12 to NRS Chapter 108 and perfected the same. [See FF ¶ 15];
- 13 • Helix is entitled to an award of the principal sum of \$834,476.45 (i.e., exclusive
14 of interest, costs and attorney’s fees) against Camco and may apply for judgment
15 as to the same. [See CL ¶ 6];²
- 16 • The Court denies all of Camco’s affirmative defenses. [See CL ¶ 8];
- 17 • Helix is entitled to prejudgment interest pursuant to NRS 108.237 and/or NRS
18 17.130 and is granted leave to apply for the same by way of an amendment or
19 supplement to these Findings of Fact and Conclusions of Law and for judgment as
20 to the same. [See CL ¶ 9];
- 21 • Helix is the prevailing party and/or prevailing lien claimant as to Camco and is
22 entitled to an award of reasonable attorney’s fees pursuant to NRS 108.237 and/or
23 Camco Subcontract. Helix is granted leave to apply for the same. [See CL ¶ 9];
24 and

25 ///

26 ///

27 _____
¹ See Exhibit 1.

28 ² The Court has since entered a judgment. By way of this motion, Helix seeks an amended judgment as anticipated
by the Findings of Fact and Conclusions of Law.

- As the prevailing party, Helix may also apply for an award of costs in accordance with the relevant statutes and for judgment as to the same. [See CL ¶ 10].

As set forth below, Helix hereby requests that the Court award it attorney's fees, costs and interest against Camco.

II. ARGUMENT/AUTHORITY

A. Helix is entitled to Costs.

NRS 18.110(1) provides:

The party in whose favor judgment is rendered, and who claims costs, must file with the clerk, and serve a copy upon the adverse party, within 5 days after the entry of judgment, or such further time as the court or judge may grant, a memorandum of the items of the costs in the action or proceeding, which memorandum must be verified by the oath of the party, or the party's attorney or agent, or by the clerk of the party's attorney, stating that to the best of his or her knowledge and belief the items are correct, and that the costs have been necessarily incurred in the action or proceeding.

Attached to this Motion as **Exhibit 2** is Helix's Verified Memorandum of Costs ("Verified Memorandum") identifying the costs that may and should be awarded to Helix pursuant to NRS 17.005 in the amount of \$19,021.90.

Helix's Verified Memorandum was submitted to this Court on May 3, 2018. Pursuant to NRS 18.110(4), Camco was required to file a motion to retax costs within two days thereafter. Having failed to do so, Camco has waived its right to object and the costs should be awarded. Irrespective of such waiver, these costs were, as set forth in the Verified Memorandum, (i) expended by or on behalf of Helix, (ii) necessarily incurred and paid in this action and (iii) awardable as costs pursuant to NRS 18.005. [See Ex. 2]. Accordingly, Helix respectfully requests that the Court award costs in the amount of \$19,021.90.

B. Helix is Entitled to Prejudgment Interest.

Helix is entitled to prejudgment interest pursuant to NRS 108.237. Pursuant to NRS 108.237, the Court shall calculate interest based upon the rate agreed upon in the lien claimant's contract, if any, or at prime plus 4 percent. See NRS 108.237(2). While NRS 108.237 does not expressly identify the date upon which interest begins to run, that date is presumably the date of the Notice of Lien, which for Helix was December 18, 2008. [See Trial Exhibit 805-001]. Here,

the Camco Subcontract does not contain an interest provision.

Because the statutory interest will result in a higher recovery, the Court should award interest pursuant to NRS 108.237(2) – i.e., prime plus 4 percent calculated from the date its lien was first recorded, January 12, 2009. [See Trial Exhibit 512-007]. Interest is calculated as follows in accordance with the prime rate as ascertained by the Commissioner of Financial Institutions of Nevada:³

<u>Period</u>	<u>Prime Rate</u>	<u>Interest Earned</u>
January 13, 2009 - June 30, 2009	3.25%	\$12,482.85
July 1, 2009 – December 31, 2009	3.25%	\$13,608.99
January 1, 2010 – June 30, 2010	3.25%	\$13,608.99
July 1, 2010 – December 31, 2010	3.25%	\$13,608.99
January 1, 2011 – June 30, 2011	3.25%	\$13,608.99
July 1, 2011 – December 31, 2012	3.25%	\$13,608.99
January 1, 2012 – June 30, 2012	3.25%	\$13,608.99
July 1, 2012 – December 31, 2012	3.25%	\$13,608.99
January 1, 2013 – June 30, 2013	3.25%	\$13,608.99
July 1, 2013 – December 31, 2013	3.25%	\$13,608.99
January 1, 2014 – June 30, 2014	3.25%	\$13,608.99
July 1, 2014 – December 31, 2014	3.25%	\$13,608.99
January 1, 2015 – June 30, 2015	3.25%	\$13,608.99
July 1, 2015 – December 31, 2015	3.25%	\$13,608.99
January 1, 2016 – June 30, 2016	3.50%	\$14,603.33
July 1, 2016 – December 31, 2016	3.50%	\$14,603.33
January 1, 2017 – June 30, 2017	3.75%	\$15,646.43
July 1, 2017 – December 31, 2017	4.25%	\$17,732.62

³ See Exhibit 3.

January 1, 2018 – May 31, 2018 ⁴	4.50	\$18,775.72
TOTAL INTEREST:		\$270,761.37

C. Helix is Entitled to Reasonable Attorney's Fees

The award of costs and attorneys' fees to Helix under NRS 108.237 is mandatory⁵, but the attorneys' fees must be reasonable. *See Parodi v. Budetti*, 115 Nev. 236, 984 P.2d 172, 176 n. 4 (1999). In *Brunzell v. Golden Gate Nat'l Bank* and *Shuette v. Beazer Homes Holding Corp.*, the Nevada Supreme Court enumerated the factors that the district court should consider in awarding attorney fees. *See Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829, 192 P.3d 730, 736 (2008). Specifically, this Court must consider the following factors, with no one factor controlling:

- 1) The advocate's qualities, including ability, training, education, experience, professional standing, and skill;
- 2) The character of the work, including its difficulty, intricacy, importance, as well as the time and skill required, the responsibility imposed, and the prominence and character of the parties when affecting the importance of the litigation;
- 3) The work performed, including the skill, time, and attention given to the work; and
- 4) The result—whether the attorney was successful and what benefits were derived.

More recently, the Nevada Supreme Court recognized the continued applicability of these factors and required the district court to provide sufficient reasoning and findings in support of its ultimate determination. *See Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829, 192 P.3d 730, 736 (2008).

In support of its claim that Helix's attorneys' fees are reasonable, Helix has submitted

⁴ Helix assumes an Order on the present motion will not be issued until at least May 31, 2018. Helix is also entitled to continuing interest once the interest judgment is entered as a judgment.

⁵ NRS 108.237(1) provides: The court shall award to a prevailing lien claimant, whether on its lien or on a surety bond, the lienable amount found due to the lien claimant by the court and the cost of preparing and recording the notice of lien, including, without limitation, attorney's fees, if any, and interest. The court shall also award to the prevailing lien claimant, whether on its lien or on a surety bond, the costs of the proceedings, including, without limitation, reasonable attorney's fees, the costs for representation of the lien claimant in the proceedings, and any other amounts as the court may find to be justly due and owing to the lien claimant. [Emphasis added].

1 among other things, an affidavit of Helix's attorney and time records for which recovery is
2 sought. [See **Exhibits 4 and 5**]. These documents show that the amount of time and labor Helix's
3 attorneys expended was reasonable; that Helix's attorneys demonstrated the skill requisite to
4 perform the legal service properly; that Helix's attorneys' hourly rates were customary; that
5 Helix's overall attorneys' fees were consistent with a case of this nature; and that Helix's
6 attorneys held a high level of experience, reputation, and abilities with respect to cases of this
7 nature. Under the circumstances, Helix's attorneys' fees are reasonable. Finally, and although
8 Helix is entitled to attorney's fees from the commencement of the action, Helix is seeking only
9 those fees incurred since *en banc* review was denied by the Nevada Supreme Court on February
10 19, 2016 with respect to the issue of priority (on which Helix and Camco were aligned), after
11 which Helix began pursuing claims against Camco in earnest.

12 **1. *Experience and Qualification of Helix's Attorneys***

13 Helix's attorneys are experienced and qualified to handle this type of case. Peel Brimley
14 is a Henderson, Nevada based law firm currently consisting of eight attorneys and one paralegal.⁶
15 Peel Brimley's primary practice is construction law, and although the majority of Peel Brimley's
16 clients are subcontractors, Peel Brimley also represents owners, engineers, architects, general
17 contractors and suppliers in a variety of construction related matters.⁷ Peel Brimley's clientele
18 has consisted of some of the largest and most respected construction related companies operating
19 in Nevada.⁸

20 Peel Brimley and its partners have taken a lead role in instructing and teaching the
21 construction community in a wide range of construction related classes and seminars sponsored
22 by various trade, professional, and educational organizations (e.g., Lorman Education Services,
23 Associated General Contractors, National Business Institute, The Seminar Group, and various
24 local construction trade organizations).⁹ Peel Brimley's partners have lectured and presented
25 materials at many construction related seminars and classes in Las Vegas and Seattle addressing
26 the following topics: advanced construction law, construction payment remedies, mechanic's lien

27 ⁶ See, **Exhibit 4**.

28 ⁷ See, **Exhibit 4**.

⁸ See, **Exhibit 4**.

⁹ See, **Exhibit 4**.

1 law and strategies, construction law and practice, Nevada construction law, Nevada construction
2 issues, construction defects, and other related topics.¹⁰

3 In addition, Peel Brimley is and has been extensively involved in drafting and passing
4 construction related legislation sponsored by construction organizations such as: Sheet Metal &
5 Air Conditioning Contractors Nat'l Assoc. (SMACNA) of Southern Nevada, Associated General
6 Contractors (AGC), Plumbing & Mechanical Contractors of Nevada, Associated Building
7 Contractors (ABC), National Electrical Contractors Association (NECA), Mechanical
8 Contractors Association (MCA), Nevada Association of Mechanical Contractors, and others.¹¹

9 Peel Brimley drafted and lobbied for Nevada's public works prompt pay statute, NRS 338.400
10 through 338.645, which passed in 1999, and Nevada's new private right to stop work legislation,
11 NRS 624.606 through 624.630, which became effective October 1, 2001 and was amended in
12 2003 & 2005, including some of the very provisions Helix relied upon in its motions and at
13 trial.¹² Also, Peel Brimley drafted and introduced several senate bills which passed in the 2001,
14 2003 & 2005 legislative session, which made extensive modification, changes, and additions to
15 Nevada's existing mechanic's lien statutes, NRS 108.221 through 108.246, including some of the
16 very provisions Helix relied upon in its motions and at trial.¹³

17 The firm's partners have been extensively involved and have taken lead roles in almost
18 every major construction litigation in Las Vegas, Nevada over the past 15 years, including: The
19 City Center Litigation, The Fontainebleau matter, The Westgate Planet Hollywood Litigation,
20 The Resort at Summerlin Construction Litigation, The Venetian Lien Litigation, The Aladdin
21 Hotel and Casino Construction Litigation, Lied Library Construction Litigation, Flamingo Hilton
22 Phase VI Construction Litigation, Hilton Sign Litigation, Red Rock, Las Vegas Hilton Sky Villa
23 Suites, Stratosphere Tower Construction Litigation, the Allstar Café Litigation, VA Ambulatory
24 Care Facility Litigation, Federal Courthouse Litigation, Southern Nevada Veteran's
25 Administration, the Regional Justice Center, and a number of others.¹⁴

26 ¹⁰ See, Exhibit 4.

27 ¹¹ See, Exhibit 4.

28 ¹² See, Exhibit 4.

¹³ See, Exhibit 4.

¹⁴ See, Exhibit 4.

1 In addition to the partners, Peel Brimley has hired qualified and experienced associates,
2 most with established backgrounds in construction law.¹⁵ Peel Brimley's associates have access
3 to a variety of construction materials and resources gathered by the firm, access to partners and
4 senior associates experienced in the construction industry, and ample opportunities to participate
5 in construction related training classes and seminars inside and outside of the firm.¹⁶

6 Helix's lead trial counsel is Eric Zimbelman, a Partner in Peel Brimley LLP. Mr.
7 Zimbelman has been principally responsible for the prosecution of Helix's claims against Camco
8 since no later than 2015. He was also heavily involved in the District Court proceedings prior to
9 and during the Writ Petition proceedings at the Nevada Supreme Court regarding lien priority.
10 He also worked extensively on the Joint Writ Petition and related briefing to the Nevada
11 Supreme Court, working hand in hand with, among others, counsel for APCO Construction. He
12 also sat at counsel table for the oral argument at the Supreme Court and assisted in preparing
13 APCO's counsel for argument.

14 Mr. Zimbelman has been licensed to practice law since 1992 (Washington) and was
15 admitted in Nevada in 2005 and in North Dakota in 2014. He is admitted to practice before the
16 Court of Federal Claims, the US District Courts for the Western District of Washington and the
17 District of Nevada, the Ninth Circuit Court of Appeals, and the United States Supreme Court.
18 He has also been admitted *pro hac vice* in multiple state and federal jurisdictions. In addition to
19 numerous trials and arbitrations in multiple states, Mr. Zimbelman has several reported favorable
20 appellate decisions including *Byrd Underground v. Angaur, LLC*, 332 P.3d 273 (Nevada
21 Supreme Court, 2014).

22 2. *Peel Brimley's Rates*

23 Helix's attorneys' billing rates are reasonable. Peel Brimley performed its work under an
24 hourly rate contract with Helix, charging the following rates:

Partners:	\$310-\$375
Associates:	\$250-\$275
Paralegals:	\$125 ¹⁷

27 ¹⁵ See, Exhibit 4.

28 ¹⁶ See, Exhibit 4.

¹⁷ See, Exhibit 4.

1 The rates Helix paid are comparable to the rates charged by other similarly situated
2 attorneys who practice construction law and have the same or similar level of skill.¹⁸

3 **3. The difficulty of the work**

4 This Court is of course aware of the nature and complexity of the claims, defense and
5 legal issues addressed in motions and at trial with respect to this long-running, multi-party
6 consolidated action. Among other issues, Helix's attorneys successfully briefed and obtained a
7 summary judgment with respect to Pay-if-Paid and otherwise successfully navigated their clients
8 through complex statutory and common law claims and defenses. This case has been unusually
9 challenging in many respects, requiring skilled and experienced counsel.

10 **4. Peel Brimley's Results**

11 Owing at least in part to the experience, skills and efforts of its counsel, Helix received an
12 award of 100% of its claims. Such a result weighs strongly in favor of an award of the fees
13 requested.

14 **III. CONCLUSION**

15 Based on the foregoing, this Court should award Helix the following: (i) interest in the
16 amount of \$270,761.37 through May 31, 2018 (and continuing to accrue until paid), (ii) costs of
17 \$19,021.90 and (iii) reasonable attorneys' fees in the amount of \$153,342.10.

18 Helix therefore requests a total amended judgment in the amount of \$1,277,601.82 with
19 interest accruing thereon from the date of judgment at prime plus 4%.

20 Respectfully submitted this 31 day of May, 2018.

21 **PEEL BRIMLEY LLP**

22  #11776
ERIC B. ZIMBELMAN, ESQ.

23 Nevada Bar No. 9407

24 RICHARD L. PEEL, ESQ.

25 Nevada Bar No. 4359

26 3333 E. Serene Avenue, Suite 200

27 Henderson, NV 89074-6571

28 *Attorneys for Helix Electric of Nevada, LLC*

¹⁸ See, Exhibit 4.

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b), I certify that I am an employee of **PEEL BRIMLEY, LLP**, and that on this 31st day of May, 2018, I caused the above and foregoing document, **HELIX ELECTRIC OF NEVADA, LLC'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS** 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 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:

Apco Construction:

Rosie Wesp (rwesp@maclaw.com)

Camco Pacific Construction Co Inc:

Steven Morris (steve@gmdlegal.com)

Camco Pacific Construction Co Inc:

Steven Morris (steve@gmdlegal.com)

Fidelity & Deposit Company Of Maryland:

Steven Morris (steve@gmdlegal.com)

E & E Fire Protection LLC:

Tracy Truman (district@trumanlegal.com)

Interstate Plumbing & Air Conditioning Inc:

Jonathan Dabbieri (dabbieri@sullivanhill.com)

National Wood Products, Inc.'s:

Richard Tobler (rltltdek@hotmail.com)

Tammy Cortez (tcortez@caddenfuller.com)

S. Judy Hirahara (jhirahara@caddenfuller.com)

Dana Kim (dkim@caddenfuller.com)

Richard Reincke (rreincke@caddenfuller.com)

Chaper 7 Trustee:

Jonathan Dabbieri (dabbieri@sullivanhill.com)

Jennifer Saurer (Saurer@sullivanhill.com)

Gianna Garcia (ggarcia@sullivanhill.com)

Elizabeth Stephens (stephens@sullivanhill.com)

United Subcontractors Inc:

Bradley Slighting (bslighting@fabianvancott.com)

Other Service Contacts not associated with a party on the case:

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)

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

Becky Pintar (bpintar@gglt.com)

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

Beverly Roberts (broberts@trumanlegal.com)

Caleb Langsdale (Caleb@Langsdalelaw.com)

Calendar (calendar@litigationsservices.com)

Cheri Vandermeulen (cvandermeulen@dickinsonwright.com)

Christine Spencer (cspencer@dickinsonwright.com)

Christine Taradash (CTaradash@maazlaw.com)

Courtney Peterson (cpeterson@maclaw.com)

Dana Y. Kim (dkim@caddenfuller.com)

David J. Merrill (david@djmerillpc.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)

Douglas D. Gerrard (dgerrard@gerrard-cox.com)

E-File Desk (EfileLasVegas@wilsonelser.com)

Eric Dobberstein (edobberstein@dickinsonwright.com)

Erica Bennett (e.bennett@kempjones.com)

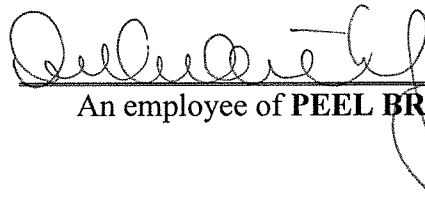
Floyd Hale (fhale@floydhale.com)

George Robinson (grobinson@pezzillolloyd.com)

Gwen Rutar Mullins (grm@h2law.com)

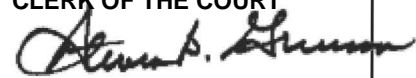
Hrustyk Nicole (Nicole.Hrustyk@wilsonelser.com)

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)
Jorge Ramirez (Jorge.Ramirez@wilsonelser.com)
Kathleen Morris (kmorris@mcdonaldcarano.com)
Kaytlyn Bassett (kbassett@gerrard-cox.com)
Kelly McGee (kom@juww.com)
Kenzie Dunn (kdunn@btjd.com)
Lani Maile (Lani.Maile@wilsonelser.com)
Legal Assistant (rrlegalassistant@rookerlaw.com)
Linda Compton (lcompton@gglts.com)
Marie Ogella (mogella@gordonrees.com)
Michael R. Ernst (mre@juww.com)
Michael Rawlins (mrawlins@rookerlaw.com)
Pamela Montgomery (pym@kempjones.com)
Phillip Aurbach (paurbach@maclaw.com)
Rebecca Chapman (rebecca.chapman@procopio.com)
Receptionist (Reception@nvbusinesslawyers.com)
Richard I. Dreitzer (rdreitzer@foxrothschild.com)
Richard Tobler (rltltcdck@hotmail.com)
Ryan Bellows (rbellows@mcdonaldcarano.com)
S. Judy Hirahara (jhirahara@caddenfuller.com)
Sarah A. Mead (sam@juww.com)
Steven Morris (steve@gmdlegal.com)
Tammy Cortez (tcortez@caddenfuller.com)
Taylor Fong (tfong@marquisaurbach.com)
Timothy E. Salter (tim.salter@procopio.com)
Wade B. Gochmour (wbg@h2law.com)
Elizabeth Martin (em@juwlaw.com)
Mary Bacon (mbacon@spencerfane.com)
John Jefferies (rjefferies@spencerfane.com)
Adam Miller (amiller@spencerfane.com)
John Mowbray (jmowbray@spencerfane.com)
Vivian Bowron (vbowron@spencerfane.com)



An employee of **PEEL BRIMLEY, LLP**

Exhibit 1



DISTRICT COURT
CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

vs

GEMSTONE DEVELOPMENT WEST, INC.,
Nevada corporation; NEVADA
CONSTRUCTION SERVICES, a Nevada
corporation; SCOTT FINANCIAL
CORPORATION, a North Dakota
corporation; COMMONWEALTH LAND
TITLE INSURANCE COMPANY; FIRST
AMERICAN TITLE INSURANCE
COMPANY and DOES I through X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A571228

DEPT. NO.: XIII

Consolidated with:

A571792, A574391, A577623, A580889,
A583289, A584730, and A587168

**FINDINGS OF FACT AND
CONCLUSIONS OF LAW AS TO THE
CLAIMS OF HELIX ELECTRIC OF
NEVADA, LLC AGAINST CAMCO
PACIFIC CONSTRUCTION, INC.**

This matter came on for trial on January 17-19, 23-24, 31 and February 6, 2018,
before the Honorable Mark Denton in Dept. 13, and the following parties having appeared
through the following counsel:

<u>Party</u>	<u>Counsel for Party</u>
Apco Construction Co., Inc. ("Apco")	John Randall Jeffries, Esq. and Mary E. Bacon, Esq. of the Law Firm of Spencer Fane LLP
Camco Pacific Construction Co., Inc. ("Camco")	Steven L. Morris, Esq. of the Law Firm of the Law Firm of Grant Morris Dodds
Helix Electric of Nevada, LLC ("Helix")	Eric Zimbelman, Esq. and the Law Firm of Peel Brimley LLP
Heinaman Contract Glazing, Inc. ("Heinaman")	Eric Zimbelman, Esq. and the Law Firm of Peel Brimley LLP
Fast Glass, Inc. ("Fast Glass")	Eric Zimbelman, Esq. and the Law Firm of Peel Brimley LLP

CLERK OF THE COURT

RECEIVED
APR 26 2018

40

MARK R. DENTON
DISTRICT JUDGE

DEPARTMENT THIRTEEN
LAS VEGAS, NV 89155

JA006565

Cactus Rose Construction Co., Inc. ("Cactus Rose")	Eric Zimbelman, Esq. and the Law Firm of Peel Brimley LLP
SWPPP Compliance Solutions, Inc. ("SWPPP")	Eric Zimbelman, Esq. and the Law Firm of Peel Brimley LLP
National Wood Products, LLC ("National Wood")	John B. Taylor, Esq. of the Law Firm of Cadden & Fuller LLP
E&E Fire Protection, LLC ("E&E").	T. James Truman, Esq. of the Law Firm of T. James Truman, & Associates

A. Procedural History.

1. This is one of the oldest cases on the Court's docket. This action arises out of a construction project in Las Vegas, Nevada known as the Manhattan West Condominiums Project ("the Project") located at West Russell Road and Rocky Hill Street in Clark County Nevada, APNs 163-32-101-003 through 163-32-101-005, 163-32-101-010 and 163-32-101-014 (the "Property" and/or "Project"), owned by Gemstone Development West, Inc. ("Gemstone" or "the Owner").

2. Gemstone hired APCO, and, subsequently, Camco as its general contractors, who in turn entered into subcontract agreements with various subcontractors. In December 2008 the Owner suspended the Project and advised the various contractors that Gemstone's lender did not expect to disburse further funds for construction. The Project was never completed. Numerous contractors, including the parties hereto, recorded mechanic's liens against the Property.

3. After several years of litigation and a Writ Action to determine the priority of the various lienors (during which the Property was sold, the proceeds of the same held in a blocked account and this action was stayed), the Nevada Supreme Court ruled that the Owner's lenders had priority over the proceeds of the sale of the Property, holding that the NRS Ch. 108 mechanic's liens were junior to the lenders' deeds of trust. The Court subsequently ordered the proceeds be released to the lenders. Thereafter, the stay was lifted and many of the trade contractors continued to pursue claims for non-payment from

1 APCO and Camco. The trial focused on these claims. The Court has separately treated
2 Helix's claims against APCO and has made or is making separate Findings of Fact and
3 Conclusions of Law regarding the same.

4 **B. Significant Pre-Trial Orders**

5 1. **Order Granting Partial Summary Judgment re: Pay-if-Paid.** On
6 January 2, 2018, this Court issued an Order granting a Motion for Partial Summary
7 Judgment brought by a group of subcontractors represented by the Peel Brimley Law Firm
8 (the "Peel Brimley Lien Claimants"¹) and joined in by others. Generally, but without
9 limitation, the Court concluded that, pursuant to NRS 624.624 and *Lehrer McGovern*
10 *Bovis, Inc. v. Bullock Insulation, Inc.*, 124 Nev. 1102, 1117-18, 197 P.3d 1032, 1042 (Nev.
11 2008), higher-tiered contractors, such as APCO and Camco, are required to pay their
12 lower-tiered subcontractors within the time periods set forth in NRS 624.626(1) and may
13 not fail to make such payment based on so-called "pay-if-paid" agreements ("Pay-if-Paid")
14 that are against public policy, void and unenforceable except under limited circumstances.
15 Accordingly, the Court ruled that APCO and Camco may not assert or rely on a defense to
16 their payment obligations to the party subcontractors that is based on a pay-if-paid
17 agreement.

18 2. **Order on Peel Brimley Lien Claimants' Motion in Limine Against**
19 **Camco.** On December 29, 2017 the Court issued an order on motions *in limine* brought by
20 the Peel Brimley Lien Claimants Against Camco. Specifically, the Court precluded Camco
21 from asserting or offering evidence that any of the Peel Brimley Lien Claimants' work on
22 the Project was (i) defective, (ii) not done in a workmanlike manner or (iii) not done in
23 compliance with the terms of the parties' agreement because Camco's person most
24 knowledgeable was not aware of, and Camco did not otherwise offer, any evidence to
25 support such claims. For the same reason, the Court also precluded Camco from asserting
26 or offering evidence at trial that the Peel Brimley Lien Claimants have breached their

27 _____
28 ¹ The Peel Brimley Lien Claimants are: Helix, Heinaman, Fast Glass, Cactus Rose and SWPPP.

1 agreements other than with respect to pay-if-paid agreements, evidence and argument of
2 which is otherwise precluded by the Partial Summary Judgment discussed above. For the
3 same reason, the Court also precluded Camco from asserting or offering evidence at trial to
4 dispute the amounts invoiced, paid and that remain to be owed as asserted by the Peel
5 Brimley Lien Claimants in their respective Requests for Admission. For the same reason,
6 the Court also precluded Camco from asserting or offering evidence at trial that any liens
7 recorded by the Peel Brimley Lien Claimants were in any way defective or unperfected
8 and are otherwise valid and enforceable.

9 **C. Findings of Fact.**

10 Having received evidence and having heard argument of counsel, the Court makes
11 the following Findings of Fact:

12 1. The original general contractor on the Project was APCO. Gemstone and
13 APCO entered into the ManhattanWest General Construction Agreement for GMP (the
14 "APCO-Gemstone Agreement") on or about September 6, 2006. [See **Exhibit 2**].

15 2. After APCO ceased work on the Project, Gemstone hired Camco to be its
16 general contractor pursuant to an Amended and Restated ManhattanWest General
17 Construction Agreement effective as of August 25, 2008 ("the Camco-Gemstone
18 Agreement"). [See **Exhibit 162**].

19 3. Camco continued the same payment application format and numbering and
20 same schedule of values that APCO had been following. [See **Exhibit 218**; TR5-30:21-
21 31:4].² Like APCO before it, Camco compiled and included in its payment applications to
22 Gemstone the amounts billed by its subcontractors, including Helix. [See e.g., **Exhibit**
23 **522-001-011**]. Also like the APCO-Gemstone Agreement, the Camco-Gemstone
24 Agreement required Camco, upon receipt of a progress payment from Gemstone, to
25 "promptly pay each [subcontractor] the amount represented by the portion of the
26 Percentage of the Work Completed that was completed by such [subcontractor]." [Ex. 162-

27 _____
28 ² Testimony of Dave Parry.

1 010, ¶7.03(e)).³ It is only after Gemstone announced that the Project would be suspended
2 that Camco asserted otherwise.

3 4. Camco's initial letter to subcontractors following Gemstone's
4 announcement demonstrates both that it believed it had subcontracts (because it purported
5 to terminate the same) and that it intended to continue to forward payment applications to
6 Gemstone. [See e.g., Exhibit 804-003-004]. Specifically, Camco wrote:

7 Camco is left with no choice but to terminate our agreement with Gemstone
8 and all subcontracts on the Project, including our agreement with your
9 company. Accordingly, we have terminated for cause our agreement with
10 Gemstone, effective December 19, 2008, and we hereby terminate for
11 convenience our subcontract with your company, effective immediately.

12 Please submit to Camco all amounts you believe are due and owing on your
13 subcontract. We will review and advise you of any issues regarding any
14 amounts you claim are owed. For all amounts that should properly be billed to
15 Gemstone, Camco will forward to Gemstone such amounts for payment y
16 Gemstone. If your claims appear to be excessive, we will ask you to justify
17 and/or revise the amount.

18 [See e.g., Ex. 804-003-004].

19 5. Camco quickly retracted its initial communication and replaced it with a
20 second letter [See e.g., Ex. 804-005-007] asking the subcontractors to "please disregard
21 previous letter which was sent in error." [See e.g., Ex. 804-005]. Among other things,
22 Camco's second letter:

- 23 • Deleted its statement that it had terminated the Camco-Gemstone
24 Agreement (while continuing to terminate the subcontractors);
- 25 • Asserts that the subcontractors agreed to Pay-if-Paid and accepted the risk
26 of non-payment from the owner (which is also Pay-if-Paid); and,
- 27 • Stated, inaccurately, that "Camco's contract with Gemstone is a cost-plus
28 agreement wherein the subcontractors and suppliers were paid directly by
Gemstone and/or its agent Nevada Construction Services." [See e.g., Ex.

³ Unlike APCO and the subcontractors, no retention was to be withheld from the contractor's fee to be paid to Camco (though retention continued to be withheld from subcontractors). [Ex. 162-010, ¶7.03(a)].

1 804-007].

2 While Gemstone eventually did make partial payment through NCS and not Camco [*see*
3 discussion, *infra*], the Camco-Gemstone Agreement expressly required Camco, upon
4 receipt of a progress payment from Gemstone, to “promptly pay each [subcontractor] the
5 amount represented by the portion of the Percentage of the Work Completed that was
6 completed by such [subcontractor].” [Ex. 162-010, ¶7.03(e)].

7 6. Some subcontractors stopped working after APCO left the Project. Others,
8 such as Helix, continued to work on the Project and began working for Camco as the
9 general contractor. Others, such as Heinaman, Fast Glass, Cactus Rose and SWPPP started
10 working on the Project only after APCO left and worked only for Camco.

11 7. Camco presented some subcontractors with a standard form subcontract
12 Agreement (“the Camco Subcontract”), a representative example of which is Camco’s
13 subcontract with Fast Glass. [See **Exhibit 801-007-040**; TR5-57:8-16].⁴ Among other
14 provisions, the Camco Subcontract (consistent with the Camco-Gemstone Agreement),
15 requires Camco, no later than 10 days after receiving payment from Gemstone in response
16 to its payment applications, to “pay to Subcontractor, in monthly progress payments, 90%⁵
17 of labor and materials placed in position by Subcontractor during [the month preceding a
18 payment application].” [See Ex. 701-012, ¶ II(C)].

19 8. Despite and contrary to the payment provisions of the Camco-Gemstone
20 Agreement [*see supra* and Ex. 162-010, ¶7.03(e)] and the Camco Subcontract [See Ex.
21 701-012, ¶ II(C)], no monies were ever distributed to the subcontractors through Camco.
22 Instead, and until it ceased making payments, Gemstone released funds to NCS, which
23 issued checks “on behalf of Camco Pacific” to some of the subcontractors and/or joint
24 checks to the subcontractors and their lower tiers, including Helix and its lower tiers. [See
25 e.g., Exhibit 508-062 (NCS check no. 531544 to Helix and its lower tier, Graybar Electric
26 “on behalf of Camco Pacific.”)].

27 ⁴ Testimony of Dave Parry.

28 ⁵ i.e., less retention.

1 9. Camco also presented subcontractors who had previously worked for
2 APCO, including Helix and Cabintec (National Wood), with a document titled Ratification
3 and Amendment of Subcontract Agreement ("the Camco Ratification"). [See e.g., Exhibit
4 3164].

5 10. Helix admitted in its Complaint and in its lien documents that it entered into
6 the Camco Subcontract and the Camco Ratification.

7 11. As it was instructed to do, Camco continued to perform the work it had
8 agreed to perform on the Project until Gemstone suspended work on December 15, 2008.
9 As it was also instructed to do, Helix submitted payment applications to Camco using the
10 same forms and same procedures as it had employed while APCO was still on the Project.
11 [See e.g., Ex. 508-067-074]. Camco in turn submitted its pay applications to Gemstone in
12 the same way, and using the same forms, as APCO had used. [See e.g., Ex. 522-001-011].

13 12. Helix submitted gross payment applications to Camco totaling
14 \$1,010,255.25 (i.e., inclusive of retention). [See Ex. 508-001-002; 037-038; 049; 068-
15 069].⁶ Helix was paid only \$175,778.80 and is owed the balance, \$834,476.45.

16 13. The Court finds that Helix and Camco entered into a
17 contractor/subcontractor relationship and agreement whereby they agreed on the material
18 terms of a contract – i.e., the work to be performed, the price for the work and Camco's
19 obligation to pay. The Court finds that Camco breached its obligation to pay Helix the sum
20 of \$834,476.45.

21 14. Helix provided undisputed testimony that the amounts it billed were
22 reasonable for the work performed. [TR2-71:22-72:3].⁷ Because (i) this testimony was
23 undisputed, (ii) Camco submitted these amounts on its certified pay applications to
24 Gemstone, and (iii) Helix was paid in part for these amounts, the Court finds that the
25 amounts Helix billed Camco for its work were reasonable for the work performed.

26

⁶ See also summary document, Ex. 508-061, which does not include Pay Application No. 15. [See
27 TR3-68:17-69:7].

28 ⁷ Testimony of Andy Rivera.

1 15. Helix presented undisputed evidence, and the Court finds, that Helix timely
2 recorded a mechanic's lien, as amended ("the Helix Lien"), pursuant to NRS Chapter 108
3 and perfected the same. [See **Exhibit 512**]. The Helix Lien identified both APCO and
4 Camco as the "person by whom the lien claimant was employed or to whom the lien
5 claimant furnished or agreed to furnish work, materials or equipment." [See *e.g.*, Ex. 512-
6 007, 009].

7 16. Any finding of fact herein that is more appropriately deemed a conclusion
8 of law shall be treated as such.

9 FROM the foregoing Findings of Fact, the Court hereby makes the following

10 **B. Conclusions of Law.**

11 1. "Basic contract principles require, for an enforceable contract, an offer and
12 acceptance, meeting of the minds, and consideration." *May v. Anderson*, 121 Nev. 668,
13 672, 119 P.3d 1254, 1257 (2005). A meeting of the minds exists when the parties have
14 agreed upon the contract's essential terms. *Roth v. Scott*, 112 Nev. 1078, 1083, 921 P.2d
15 1262, 1265 (1996). Which terms are essential "depends on the agreement and its context
16 and also on the subsequent conduct of the parties, including the dispute which arises and
17 the remedy sought." Restatement (Second) of Contracts § 131 cmt. g (1981). Whether a
18 contract exists is a question of fact and the District Court's findings will be upheld unless
19 they are clearly erroneous or not based on substantial evidence. *May*, 121 Nev. at 672-73,
20 119 P.3d at 1257.

21 2. The Court concludes that Camco and Helix entered into a contract whereby
22 they agreed on the material terms of a contract – i.e., the work to be performed, the price
23 therefore and Camco's obligation to pay. The Court further concludes that Camco failed to
24 pay Helix the undisputed sum of \$834,476.45 without excuse (other than Camco's reliance
25 on Pay-if-Paid, which the Court has previously rejected).

26 3. Camco did not dispute Helix's testimony that the amounts it billed were a
27 reasonable value for the work performed, and the reasonableness thereof was demonstrated
28

1 by Camco's payment in part and its inclusion of Helix's billings in its own payment
2 applications to Gemstone. The court therefore concludes that the unpaid value of Helix's
3 work while Camco was on site as the general contractor is \$834,476.45 and that Helix
4 should be awarded that principal amount against Camco for that principal amount.

5 4. The Court rejects Camco's argument that it is not liable to Helix (and other
6 subcontractors) because it never received payment from Gemstone who instead made
7 payments to subcontractors through the disbursement company, NCS. Camco's position
8 notwithstanding, both the Camco-Gemstone Agreement and the Camco Subcontract
9 demonstrate that (consistent with the APCO-Gemstone Agreement and the APCO
10 Subcontract) payments to subcontractors were intended to flow through the general
11 contractor. Camco presented no evidence that Helix or any other subcontractor consented
12 in advance to Gemstone's eventual decision to release payments (in part) through NCS and
13 not Camco.

14 5. Similarly, the Court rejects Camco's contention that the Court's decision on
15 Pay-if-Paid is inapplicable because it was "impossible" for Camco to have paid Helix and
16 other subcontractors. Camco presented no evidence that it, for example, declared
17 Gemstone to be in breach for failing to make payments through Camco rather than through
18 NCS. Instead, Camco appears to have acceded to Gemstone's deviation from the contract
19 and, at least until Gemstone announced that it was suspending construction, continued to
20 process subcontractor payment applications and submit them to Gemstone. Camco's
21 "impossibility" claim is, in any event, another form of Pay-if-Paid, against the public
22 policy of Nevada, void and unenforceable and barred by this Court's summary judgment.

23 6. Helix is entitled to the principal sum of \$834,476.45 against Camco which
24 will be the subject of a judgment to be entered by the Court.

25 7. The Court denies all of Camco's affirmative defenses.

26 8. Helix is entitled to prejudgment interest pursuant to NRS 108.237 and/or
27 NRS 17.130.

28

9. Helix is the prevailing party and/or prevailing lien claimant as to Camco and Helix and is entitled to an award of reasonable attorney's fees pursuant to NRS 108.237 and/or the Camco Subcontract. Helix is granted leave to separately apply for the same.

10. As the prevailing party, Helix may also apply for an award of costs against Camco in accordance with the relevant statutes and for judgment as to the same.

11. Any conclusion of law herein that is more appropriately deemed a finding of fact shall be treated as such.

ORDER

NOW, THEREFORE, the Court hereby directs entry of the foregoing Findings of Fact and Conclusions of Law; and

IT IS FURTHER ORDERED that, based upon the foregoing Findings of Fact and Conclusions of Law, and those made regarding the other parties and claims involved in the consolidated cases, the Court shall issue a separate Judgment or Judgments reflective of the same at the appropriate time subject to further order of the Court.

DATED this 24 day of April, 2018,

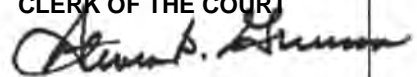
DISTRICT COURT JUDGE

CERTIFICATE

I hereby certify that on or about the date filed, this document was Electronically Served to the Counsel on Record on the Clark County E-File Electronic Service List.

LORRAINE TASHIRO
Judicial Executive Assistant
Dept. No. XIII

Exhibit 2



ERIC B. ZIMBELMAN, ESQ.
Nevada Bar No. 9407
RICHARD L. PEEL, ESQ.
Nevada Bar No. 4359
PEEL BRIMLEY LLP
3333 E. Serene Avenue, Suite 200
Henderson, NV 89 A571228074-6571
Telephone: (702) 990-7272
Facsimile: (702) 990-7273
ezimbelman@peelbrimley.com
rpeel@peelbrimley.com
Attorneys for Helix Electric of Nevada, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

vs.

GEMSTONE DEVELOPMENT WEST,
INC., Nevada corporation; NEVADA
CONSTRUCTION SERVICES, a Nevada
corporation; SCOTT FINANCIAL
CORPORATION, a North Dakota
corporation; COMMONWEALTH LAND
TITLE INSURANCE COMPANY; FIRST
AMERICAN TITLE INSURANCE
COMPANY and DOES I through X,

Defendants.

AND ALL RELATED MATTERS

Case No. : 08A571228
Dept. No. : XIII

Consolidated with:
A571792, A574391, A577623, A580889,
A583289, A584730, and A587168

**MEMORANDUM OF COSTS AND
DISBURSEMENTS**
(Helix Electric of Nevada, LLC)

Filing (NRS 18.005(1))	\$1,125.92
Service of Process (NRS 18.005(7))	\$641.02
Runner's Fees.....	\$876.56
Reporters' fees (NRS 18.005(2))	\$10,159.59
Fees for Witnesses at Trial (NRS 18.005(4)).....	\$0.00
Telecopies (NRS 18.005(11))	\$3.50

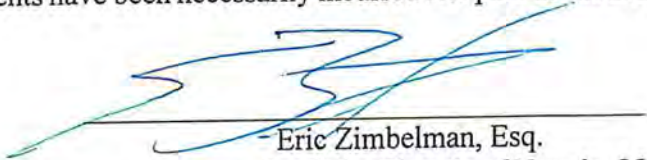
JA006576

PEEL BRIMLEY LLP
3333 E. SERENE AVENUE, STE. 200
HENDERSON, NEVADA 89074
(702) 990-7272 ♦ FAX (702) 990-7273


1 Photocopies (NRS 18.005(12)) \$491.97
2 Long Distance Calls (NRS 18.005(13)) \$8.06
3 Postage (NRS 18.005(14)) \$181.43
4 Travel and Lodging taking depositions and conducting discovery (NRS 18.005(15)) \$0.00
5 Fees charged pursuant to NRS 19.0335 (NRS 18.005(16)) NRS 18.005(17): \$0.00
6 Reasonable and necessary expenses for computerized services for legal research
7 reasonable and necessary expense incurred in connection with the action..... \$4,191.36
8 Mediation Fee \$741.55
9 **TOTAL.....\$19,021.90**

11 STATE OF NEVADA)
12) ss.
13 COUNTY OF CLARK)

14 Eric Zimbelman being duly sworn, states: that Affiant is the attorney for the Plaintiff
15 and has personal knowledge of the above costs and disbursements expended; that the items
16 contained in the above memorandum are true and correct to the best of this Affiant's knowledge
17 and belief; and that the said disbursements have been necessarily incurred and paid in this action.

18 
19 Eric Zimbelman, Esq.
20 Attorney for Helix Electric of Nevada, LLC

21 SIGNED AND SWORN to before me
22 this 3rd day of May, 2018.

23 
24 NOTARY PUBLIC in and for Said
25 County and State



CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b), I certify that I am an employee of **PEEL BRIMLEY, LLP**, and that on this 3rd day of May, 2018, I caused the above and foregoing document, **MEMORANDUM OF COSTS AND DISBURSEMENTS (Helix Electric of Nevada, LLC)**, 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 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:

Apco Construction:

Rosie Wesp (rwesp@maclaw.com)

Camco Pacific Construction Co Inc:

Steven Morris (steve@gmdlegal.com)

Camco Pacific Construction Co Inc:

Steven Morris (steve@gmdlegal.com)

Fidelity & Deposit Company Of Maryland:

Steven Morris (steve@gmdlegal.com)

E & E Fire Protection LLC:

Tracy Truman (district@trumanlegal.com)

Interstate Plumbing & Air Conditioning Inc:

Jonathan Dabbieri (dabbieri@sullivanhill.com)

National Wood Products, Inc.'s:

Richard Tobler (rltldck@hotmail.com)

Tammy Cortez (tcortez@caddenfuller.com)

S. Judy Hirahara (jhirahara@caddenfuller.com)

Dana Kim (dkim@caddenfuller.com)

Richard Reincke (rreincke@caddenfuller.com)

Chaper 7 Trustee:

Jonathan Dabbieri (dabbieri@sullivanhill.com)
Jennifer Saurer (Saurer@sullivanhill.com)
Gianna Garcia (ggarcia@sullivanhill.com)
Elizabeth Stephens (stephens@sullivanhill.com)

United Subcontractors Inc:

Bradley Slighting (bslighting@fabianvancott.com)

Other Service Contacts not associated with a party on the case:

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)
Andrew J. Kessler (andrew.kessler@procopio.com)
Becky Pintar (bpintar@gglt.com)
Benjamin D. Johnson (ben.johnson@btjd.com)
Beverly Roberts (broberts@trumanlegal.com)
Caleb Langsdale (Caleb@Langsdalelaw.com)
Calendar (calendar@litigationservices.com)
Cheri Vandermeulen (cvandermeulen@dickinsonwright.com)
Christine Spencer (cspencer@dickinsonwright.com)
Christine Taradash (CTaradash@maazlaw.com)
Courtney Peterson (cpeterson@maclaw.com)
Dana Y. Kim (dkim@caddenfuller.com)
David J. Merrill (david@djmerillpc.com)
David R. Johnson (djohnson@watttieder.com)
Debbie Holloman (dholloman@jamsadr.com)
Debbie Rosewall (dr@juww.com)
Debra Hitchens (dhitchens@maazlaw.com)
Depository (Depository@litigationservices.com)
District filings (district@trumanlegal.com)
Donna Wolfbrandt (dwolfbrandt@dickinsonwright.com)
Douglas D. Gerrard (dgerrard@gerrard-cox.com)
E-File Desk (EfileLasVegas@wilsonelser.com)
Eric Dobberstein (edobberstein@dickinsonwright.com)
Erica Bennett (e.bennett@kempjones.com)
Floyd Hale (fhale@floydhale.com)
George Robinson (grobenson@pezzillolloyd.com)
Gwen Rutar Mullins (grm@h2law.com)
Hrustyk Nicole (Nicole.Hrustyk@wilsonelser.com)
I-Che Lai (I-Che.Lai@wilsonelser.com)

1 Jack Juan (jjuan@marquisaurbach.com)
2 Jennifer Case (jcase@maclaw.com)
3 Jennifer MacDonald (jmacdonald@watttieder.com)
4 Jennifer R. Lloyd (jlloyd@pezillolloyd.com)
5 Jineen DeAngelis (jdeangelis@foxrothschild.com)
6 Jorge Ramirez (Jorge.Ramirez@wilsonelser.com)
7 Kathleen Morris (kmorris@mcdonaldcarano.com)
8 Kaytlyn Bassett (kbassett@gerrard-cox.com)
9 Kelly McGee (kom@juww.com)
10 Kenzie Dunn (kdunn@btjd.com)
11 Lani Maile (Lani.Maile@wilsonelser.com)
12 Legal Assistant (rlegalassistant@rookerlaw.com)
13 Linda Compton (lcompton@gglts.com)
14 Marie Ogella (mogella@gordonrees.com)
15 Michael R. Ernst (mre@juww.com)
16 Michael Rawlins (mrawlins@rookerlaw.com)
17 Pamela Montgomery (pym@kempjones.com)
18 Phillip Aurbach (paurbach@maclaw.com)
19 Rebecca Chapman (rebecca.chapman@procopio.com)
20 Receptionist (Reception@nvbusinesslawyers.com)
21 Richard I. Dreitzer (rdreitzer@foxrothschild.com)
22 Richard Tobler (rltldck@hotmail.com)
23 Ryan Bellows (rbellows@mcdonaldcarano.com)
24 S. Judy Hirahara (jhirahara@caddenfuller.com)
25 Sarah A. Mead (sam@juww.com)
26 Steven Morris (steve@gmdlegal.com)
27 Tammy Cortez (tcortez@caddenfuller.com)
28 Taylor Fong (tfong@marquisaurbach.com)
Timothy E. Salter (tim.salter@procopio.com)
Wade B. Gochmour (wbg@h2law.com)
Elizabeth Martin (em@juwlaw.com)
Mary Bacon (mbacon@spencerfane.com)
John Jefferies (rjefferies@spencerfane.com)
Adam Miller (amiller@spencerfane.com)
John Mowbray (jmowbray@spencerfane.com)
Vivian Bowron (vbowron@spencerfane.com)



An employee of PEEL BRIMLEY, LLP

Exhibit 3

PRIME INTEREST RATE

NRS 99.040(1) requires:

"When there is no express contract in writing fixing a different rate of interest, interest must be allowed at a rate equal to the prime rate at the largest bank in Nevada, as ascertained by the Commissioner of Financial Institutions, on January 1, or July 1, as the case may be, immediately preceding the date of the transaction, plus 2 percent, upon all money from the time it becomes due,"

Following is the prime rate as ascertained by the Commissioner of Financial Institutions:

January 1, 2018	4.50%	July 1, 2018	
January 1, 2017	3.75%	July 1, 2017	4.25%
January 1, 2016	3.50%	July 1, 2016	3.50%
January 1, 2015	3.25%	July 1, 2015	3.25%
January 1, 2014	3.25%	July 1, 2014	3.25%
January 1, 2013	3.25%	July 1, 2013	3.25%
January 1, 2012	3.25%	July 1, 2012	3.25%
January 1, 2011	3.25%	July 1, 2011	3.25%
January 1, 2010	3.25%	July 1, 2010	3.25%
January 1, 2009	3.25%	July 1, 2009	3.25%
January 1, 2008	7.25%	July 1, 2008	5.00%
January 1, 2007	8.25%	July 1, 2007	8.25%
January 1, 2006	7.25%	July 1, 2006	8.25%
January 1, 2005	5.25%	July 1, 2005	6.25%
January 1, 2004	4.00%	July 1, 2004	4.25%
January 1, 2003	4.25%	July 1, 2003	4.00%
January 1, 2002	4.75%	July 1, 2002	4.75%
January 1, 2001	9.50%	July 1, 2001	6.75%
January 1, 2000	8.25%	July 1, 2000	9.50%
January 1, 1999	7.75%	July 1, 1999	7.75%
January 1, 1998	8.50%	July 1, 1998	8.50%
January 1, 1997	8.25%	July 1, 1997	8.50%
January 1, 1996	8.50%	July 1, 1996	8.25%
January 1, 1995	8.50%	July 1, 1995	9.00%
January 1, 1994	6.00%	July 1, 1994	7.25%
January 1, 1993	6.00%	July 1, 1993	6.00%
January 1, 1992	6.50%	July 1, 1992	6.50%
January 1, 1991	10.00%	July 1, 1991	8.50%
January 1, 1990	10.50%	July 1, 1990	10.00%
January 1, 1989	10.50%	July 1, 1989	11.00%
January 1, 1988	8.75%	July 1, 1988	9.00%
January 1, 1987	Not Available	July 1, 1987	8.25%

*** Attorney General Opinion No. 98-20:**

If clearly authorized by the creditor, a collection agency may collect whatever interest on a debt its creditor would be authorized to impose. A collection agency may not impose interest on any account or debt where the creditor has agreed not to impose interest or has otherwise indicated an intent not to collect interest. Simple interest may be imposed at the rate established in NRS 99.040 from the date the debt becomes due on any debt where there is no written contract fixing a different rate of interest, unless the account is an open or store accounts as discussed herein. In the case of open or store accounts, interest may be imposed or awarded only by a court of competent jurisdiction in an action over the debt.

Exhibit 4

DECL
ERIC B. ZIMBELMAN, ESQ.
Nevada Bar No. 9407
RICHARD L. PEEL, ESQ.
Nevada Bar No. 4359
PEEL BRIMLEY LLP
3333 E. Serene Avenue, Suite 200
Henderson, NV 89074-6571
Telephone: (702) 990-7272
Fax: (702) 990-7273
ezimbelman@peelbrimley.com
rpeel@peelbrimley.com
Attorneys for Helix Electric of Nevada, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

vs

GEMSTONE DEVELOPMENT WEST, INC.,
Nevada corporation; NEVADA
CONSTRUCTION SERVICES, a Nevada
corporation; SCOTT FINANCIAL
CORPORATION, a North Dakota
corporation; COMMONWEALTH LAND
TITLE INSURANCE COMPANY; FIRST
AMERICAN TITLE INSURANCE
COMPANY and DOES I through X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A571228

DEPT. NO.: XIII

Consolidated with:
A571792, A574391, A577623, A580889,
A583289, A584730, and A587168

**DECLARATION OF ERIC
ZIMBELMAN, ESQ. IN SUPPORT OF
HELIX ELECTRIC OF NEVADA,
LLC'S MOTION FOR ATTORNEY'S
FEES, INTEREST AND COSTS**

I, Eric Zimbelman, Esq., declare as follows:

1. I am a Partner with the law firm of Peel Brimley, LLP; I have personal
knowledge of the facts stated herein, except as otherwise stated upon information and belief, and
I am competent to testify to their truthfulness if called upon to do so.

///

///

///

2. I make this Declaration in support of Helix Electric of Nevada, LLC's ("Helix") Motion for Attorney's Fees, Interest and Costs. Based on the following, this Court should grant Helix an award of reasonable attorney's fees in the amount of \$153,342.10 as set forth in the summary of billed fees submitted with Helix' Motion. [See Exhibit 5]. Although Helix's counsel also performed work relating to its claims against APCO, Helix is, by way of this motion, only seeking fees with respect to work performed relating to Helix's claims against Camco. In addition, because Helix, APCO, Camco and the other lien claimants involved in this consolidated litigation ("the Lien Claimants") were aligned against the project owner and pursuing their respective lien claims, Helix is only seeking fees incurred after the date the Nevada Supreme Court denied the Lien Claimants motion for en banc review of the Supreme Court's decision granting priority to the lender in February 2016.

3. I have been licensed to practice law since 1992 (Washington) and was admitted in Nevada in 2005 and in North Dakota in 2014. I am admitted to practice before the Court of Federal Claims, the US District Courts for the Western District of Washington and the District of Nevada, the Ninth Circuit Court of Appeals, and the United States Supreme Court. In addition, I have been admitted *pro hac vice* in multiple state and federal jurisdictions. In addition to numerous trials and arbitrations in multiple states over the course of my career, I have several reported favorable appellate decisions including *Byrd Underground v. Angaur, LLC*, 332 P.3d 273 (Nevada Supreme Court, 2014). My time appears in the time entries [Ex. 5] as "EBZ." In addition to my time entries, Exhibit 5 lists time entries from Richard L. Peel ("RLP"), the founding member of our firm, as well as Terri Hansen ("TH"), a paralegal in the firm.

4. Peel Brimley is a Henderson, Nevada based law firm currently consisting of eight attorneys and one paralegal.

5. Peel Brimley's primary practice is construction law, and although the majority of Peel Brimley's clients are subcontractors, Peel Brimley also represents owners, engineers, architects, general contractors and suppliers in a variety of construction related matters.

///

///

1 6. Peel Brimley's clientele has consisted of some of the largest and most respected
2 construction related companies operating in Nevada.

3 7. Peel Brimley and its partners have taken a lead role in instructing and teaching
4 the construction community in a wide range of construction related classes and seminars
5 sponsored by various trade, professional, and educational organizations (e.g., Lorman Education
6 Services, Associated General Contractors, National Business Institute, The Seminar Group, and
7 various local construction trade organizations).

8 8. I and other Peel Brimley partners have lectured and presented materials at many
9 construction related seminars and classes in Las Vegas and Seattle addressing the following
10 topics: advanced construction law, construction payment remedies, mechanic's lien law and
11 strategies, construction law and practice, Nevada construction law, Nevada construction issues,
12 construction defects, and other related topics.

13 9. In addition, Peel Brimley is and has been extensively involved in drafting and
14 passing construction related legislation in Nevada sponsored by construction organizations such
15 as: Sheet Metal & Air Conditioning Contractors Nat'l Assoc. (SMACNA) of Southern Nevada,
16 Associated General Contractors (AGC), Plumbing & Mechanical Contractors of Nevada,
17 Associated Building Contractors (ABC), National Electrical Contractors Association (NECA),
18 Mechanical Contractors Association (MCA), Nevada Association of Mechanical Contractors,
19 and others.

20 10. Peel Brimley drafted and lobbied for Nevada's public works prompt pay statute,
21 NRS 338.400 through 338.645, which passed in 1999, and Nevada's new private right to stop
22 work legislation, NRS 624.606 through 624.630, which became effective October 1, 2001 and
23 was amended in 2003 & 2005, including some of the very provisions Helix relied upon in its
24 motions and at trial.

25 11. Also, Peel Brimley drafted and introduced several senate bills which passed in
26 the 2001, 2003 & 2005 legislative session, which made extensive modification, changes, and
27 additions to Nevada's existing mechanic's lien statutes, NRS 108.221 through 108.246,
28 including some of the very provisions Helix relied upon in its motions and at trial.

12. The firm's partners, including the undersigned, have been extensively involved and have taken lead roles in almost every major construction litigation in Las Vegas, Nevada over the past 15 years, including: The City Center Litigation, The Fontainebleau matter, The Westgate Planet Hollywood Litigation, The Resort at Summerlin Construction Litigation, The Venetian Lien Litigation, The Aladdin Hotel and Casino Construction Litigation, Lied Library Construction Litigation, Flamingo Hilton Phase VI Construction Litigation, Hilton Sign Litigation, Red Rock, Las Vegas Hilton Sky Villa Suites, Stratosphere Tower Construction Litigation, the Allstar Café Litigation, VA Ambulatory Care Facility Litigation, Federal Courthouse Litigation, Southern Nevada Veteran's Administration, the Regional Justice Center, and a number of others.

13. In addition to the partners, Peel Brimley has hired qualified and experienced associates, most with established backgrounds in construction law. Peel Brimley's associates have access to a variety of construction materials and resources gathered by the firm, access to partners and senior associates experienced in the construction industry, and ample opportunities to participate in construction related training classes and seminars inside and outside of the firm.

14. I personally served as Helix's lead trial counsel and have been principally responsible for the prosecution of Helix's claims against Camco since no later than 2015. I was also heavily involved in the District Court proceedings prior to and during the Writ Petition proceedings at the Nevada Supreme Court regarding lien priority. I also worked extensively on the Joint Writ Petition and related briefing to the Nevada Supreme Court, working hand in hand with, among others, counsel for APCO Construction. I sat at counsel table for the oral argument at the Supreme Court and assisted in preparing APCO's counsel for argument.

15. Helix's attorneys' billing rates are reasonable. Peel Brimley performed its work under an hourly rate contract with Helix, charging the following rates:

Partners:	\$310-\$375
Associates:	\$250-275
Paralegals:	\$125

///

///

16. The rates Helix paid are comparable to the rates charged by other similarly situated attorneys who practice construction law and have the same or similar level of skill.

Dated this 31st day of May, 2018.

PEEL BRIMLEY LLP

ERIC B. ZIMBELMAN, ESQ.

Nevada Bar No. 9407

RICHARD L. PEEL, ESQ.

Nevada Bar No. 4359

3333 E. Serene Avenue, Suite 200

Henderson, NV 89074-6571

Telephone: (702) 990-7272

Attorneys for Helix Electric of Nevada, LLC

PEEL BRIMLEY LLP
3333 E. SERENE AVENUE, STE. 200
HENDERSON, NEVADA 89074
(702) 990-7272 ♦ FAX (702) 990-7273

Exhibit 5

Date	Lwyr	Hours	Fee Amount	Explanation
3/18/16	EBZ	0.34	\$ 103.20	Receive and review proposed stipulation regarding release of funds; Exchange email with Scott Financial counsel, APCO counsel and Richard regarding same need for motion regarding same
3/21/16	RLP	0.26	\$ 96.75	Receipt, review and respond to correspondence from Scott's counsel regarding release of funds;
4/7/16	EBZ	2.58	\$ 774.00	Prepare client communication regarding Scott Financial's motion for release of funds and strategy going forward; Investigate legal standing, licensing, financial standing and related issues of Camco and APCO
4/11/16	EBZ	0.86	\$ 258.00	Exchange email with Richard regarding client update and case strategy; Revise, finalize and send update to clients
4/21/16	EBZ	1.29	\$ 387.00	Prepare for an attend status check; Matter continued to next status check
5/4/16	RLP	0.17	\$ 64.50	Receipt, review APCO's motion to appoint special master; conference with Eric regarding same;
5/5/16	EBZ	0.34	\$ 103.20	Teleconference and exchange email with other lien claimantcounsel regarding strategy going forward
5/9/16	EBZ	0.52	\$ 154.80	Receive and review APCOs motion to appoint special master; Exchange email with Richard regarding same and possible opposition to same; Receive and review Order regarding status check
5/12/16	EBZ	2.75	\$ 825.60	Begin outline and work on limited opposition to motion to appoint special master
5/24/16	EBZ	2.58	\$ 774.00	Prepare limited opposition to APCOs motion to appoint special master
5/25/16	RLP	0.26	\$ 96.75	Review and revise draft of Limited Opposition;
5/25/16	EBZ	1.12	\$ 335.40	Revise and finalize limited opposition to APCO motion to appoint special master; Exchange email with Richard regarding same
6/1/16	RON	0.95	\$ 236.50	Discussion with Eric regarding status check and motion to appointment special master; receive and review Motion to Appoint Special Master, PB's Limited Opposition and APCO's reply brief and prepare for hearing;

6/2/16	RON	1.98	\$ 494.50	Travel to and attend hearing; discussion with APCO's attorney regarding language of proposed order and concerns with the same; prepare and send email to E. Zimbelman regarding outcome of hearing and conversation with APCO's attorney; prepare and send email to APCO's attorney;
6/6/16	RON	0.69	\$ 172.00	Receive and revise APCO's proposed order to appoint special master and send the same to E. Zimbelman; send proposed revisions to Jack;
6/6/16	EBZ	0.17	\$ 51.60	Review and revise proposed order regarding motion to appoint special master; Exchange email with Ronnie regarding same
6/7/16	RON	0.95	\$ 236.50	Phone conversations with attorney Juan; research special master appointment and provide email to Eric; exchange emails with Eric and further revise proposed Order;
6/8/16	RON	0.43	\$ 107.50	Phone conversation with Jack regarding proposed order; make further revisions to proposed order and send the same to Eric; forward proposed changes to attorney Juan;
6/9/16	RON	1.55	\$ 387.00	Travel to and attend hearing on motion to appoint special master;
6/20/16	RON	2.24	\$ 559.00	Review briefing regarding Insulpro's Renewed Motion for Summary Judgment; travel to and attend hearing and prepare and send email to Eric regarding outcome of the same;
6/20/16	EBZ	0.26	\$ 85.14	Teleconferences and emails with Ronnie regarding hearing on Insulpros motion for summary judgment and related issues
6/24/16	EBZ	0.17	\$ 56.76	Exchange email with Special Masters office regarding scheduling of the initial conference
6/28/16	RON	0.17	\$ 43.00	Receive and review correspondence from attorney Munteer and prepare and send email to Eric regarding the same;
7/26/16	RLP	0.20	\$70.00	Conference with Victor regarding status of the case; give direction to Eric regarding things to do;
8/1/16	EBZ	2.15	\$ 709.50	Prepare for and attend hearing with Special Master Hale regarding discovery and scheduling
8/2/16	KAG	0.60	\$ 75.25	Communications with EZ regarding: initial disclosures; electronic file client research and EZ spreadsheet regarding: same and provide updated info; update calendar regarding: new discovery dates.

8/3/16	EBZ	3.01	\$ 993.30	Begin work on initial disclosures and review of client files to determine what documents and information are needed
8/4/16	EBZ	2.15	\$ 709.50	Prepare client update regarding special master hearing, initial disclosures, other deadlines and continue work on initial disclosure format; Exchange email with counsel for APCO regarding preparation of questionnaire per Special Master order
8/4/16	KAG	0.17	\$ 21.50	Communications with EZ regarding: initial disclosure pleadings, docs, etc.;
8/5/16	EBZ	1.12	\$ 368.94	Receive, review and revise draft Special Master Questionnaire; Exchange multiple emails with counsel for APCO regarding same
8/8/16	KAG	0.52	\$ 64.50	Communications with EZ regarding: initial disclosures, finalize template for individual client disclosures.
8/8/16	KAG	0.40	\$50.00	Draft initial disclosures.
8/9/16	EBZ	0.26	\$ 85.14	Exchange emails with APCO counsel regarding revisions to special master questionnaire; Review and revise same
8/11/16	EBZ	0.70	\$210.00	Review, organize and prepare documents for in
8/25/16	KAG	0.17	\$ 21.50	Communications with EZ regarding: initial disclosure deadline, drafts, etc.
8/26/16	EBZ	0.43	\$ 141.90	Exchange email with counsel for APCO regarding revisions to questionnaire and related issues; Work on same
8/29/16	EBZ	0.26	\$ 85.14	Exchange email with counsel for APCO regarding special master questionnaire. Revise and finalize same
8/30/16	CJT	3.87	\$ 483.75	Numerous emails with Eric to obtain documents for 9 parties. Download each clients documents from Box and process documents to convert to PDF and apply bates number. Create index of all bates numbered documents with begin and end bates as well as party name. Upload all 9 client documents with bates numbers to Box and create link. Add link to index and finalize for production. Email Eric and kathy with bates ranges and link information for pleading.
8/30/16	EBZ	0.17	\$ 56.76	Prepare letter to special master regarding questionnaire
8/30/16	KAG	0.20	\$25.00	Communications with EZ & CT regarding: initial disclosures
8/30/16	EBZ	1.40	\$420.00	Continue work on preparation of initial disclosures

8/31/16	EBZ	0.30	\$90.00	Revise and finalize initial disclosures
9/1/16	EBZ	0.43	\$ 141.90	Receive and review various party initial disclosures
9/2/16	EBZ	0.34	\$ 113.52	Receive and review various party initial disclosures; Receive and review correspondence for counsel for Scott Financial regarding questionnaire and related issues; Exchange email with counsel for Scott Financial regarding same
9/7/16	EBZ	0.17	\$ 56.76	Exchange email with counsel for Scott Financial regarding confirmation that Scott Financial has no claims affecting lien claimants other than priority to sales proceeds
9/21/16	EBZ	0.80	\$240.00	Prepare response to special master questionnaire
9/22/16	EBZ	0.52	\$ 170.28	Receive and review Special Master Questionnaire responses from multiple parties
9/27/16	EBZ	0.34	\$ 113.52	Receive and review multiple additional responses to Special Master questionnaire
9/29/16	EBZ	2.32	\$ 766.26	Receive and review letter to Special Master from counsel for APCO regarding questionnaire allocation and objection thereto; Prepare letter to Special Master responding to same; Prepare for and attend Special Master hearing
9/29/16	EBZ	0.26	\$ 85.14	Receive and review United Subcontractors response to questionnaire, 16.1 disclosure and request to Special Master regarding same
10/13/16	EBZ	0.26	\$ 85.14	Receive and review additional party disclosures
10/14/16	EBZ	1.29	\$ 425.70	Receive and review special master recommendation and court order regarding discovery, scheduling and related matters; Prepare client group update
12/16/16	EBZ	0.69	\$ 227.04	Receive and briefly review multiple discovery requests
1/12/17	RLP	0.17	\$ 64.50	Conference with Eric regarding response to discovery requests;
1/16/17	EBZ	2.75	\$ 908.16	Begin work on responses to discovery requests; Begin research and analysis of tax write-off issue; Exchange email and office conferences with colleagues regarding same and strategy for response to same; Exchange email with opposing counsel regarding extension and related issues

1/16/17	JEF	0.43	\$ 122.55	Emails with E. Zimbelman regarding legal research needed regarding accepting benefit of a claim by taking advantage of tax loss; office conference to discuss the same;	
1/17/17	EBZ	0.17	\$ 56.76	Receive and review motion for order to show cause regarding dispute with broker over commissions	
1/31/17	EBZ	4.90	\$ 1,617.66	Continue work on discovery responses; Receive and review various subcontractor responses to APCO discovery requests	
2/2/17	EBZ	3.61	\$ 1,191.96	Work on review and annotation of APCO documents; Continue work on discovery responses	
2/3/17	EBZ	2.32	\$ 766.26	Continue work on discovery responses	
2/6/17	EBZ	2.50	\$750.00	Work on client-specific discovery responses;	
2/7/17	EBZ	4.50	\$1,350.00	Continue work on and revise discovery responses	
2/8/17	EBZ	0.40	\$120.00	Finalize discovery responses; Exchange email	
2/16/17	EBZ	1.29	\$ 425.70	Prepare for and attend hearing with Special Master Hale; Receive and review Special Master Order	
2/27/17	EBZ	0.86	\$ 283.80	Receive and review correspondence from APCO counsel to special master regarding request to have the liens claims dismissed; Prepare letter to special master regarding same; Receive and review letter from special master regarding denial of request to dismiss lien claims	
3/6/17	EBZ	1.03	\$ 340.56	Receive and review multiple discovery requests and responses	
3/17/17	EBZ	0.26	\$ 85.14	Receive and review APCOs motion for summary judgment against Unitah	
3/30/17	EBZ	0.30	\$90.00	Receive and review PMK deposition notice; Exchange email with Victor regarding same	
4/13/17	RLP	0.80	\$280.00	Telephone call with Victor Fuchs	
4/13/17	EBZ	0.50	\$150.00	Begin work on requests for admission	
4/13/17	TH	2.00	\$250.00	Prepare shell Requests for Admissions	
4/14/17	TH	1.20	\$150.00	Revise and finalize Helix's First Set of Requests for admission	
4/14/17	EBZ	2.00	\$600.00	Continue work on requests for admission, interrogatories and requests for production	
4/25/17	EBZ	2.40	\$720.00	Work on notice of PMK depositions	
4/26/17	EBZ	0.60	\$180.00	Revise and finalize notice of PMK depositions	

5/4/17	EBZ	0.06	\$ 85.14	Exchange multiple emails with counsel for Camco regarding deposition schedules, special master hearing and outcome
5/5/17	EBZ	0.43	\$ 141.90	Exchange multiple emails with counsel for APCO and other counsel regarding Special Master order to extend discovery and scheduling depositions; Exchange email with counsel for Camco regarding deposition scheduling
5/9/17	EBZ	0.26	\$ 85.14	Exchange multiple emails with other counsel regarding deposition scheduling issues
5/9/17	EBZ	0.30	\$90.00	Receive and review subpoena duces tecum
5/10/17	EBZ	0.34	\$ 113.52	Receive and review new correspondence from Special Master and Special Master Order regarding discovery extension and other matters; Exchange multiple emails regarding depositions
5/12/17	EBZ	1.03	\$ 340.56	Receive and review responses to discovery requests; Exchange multiple emails with Camco counsel and others regarding PMK deposition, need for subpoena to Mr. Parry and related matters; Give instructions to paralegal regarding same
5/15/17	TH	0.43	\$ 53.75	Receive and review APCO Constructions Answers to Interstate Plumbing and Air Conditioning LLCs Interrogatories; Receive and review APCO Constructions Response to Interstate Plumbing and Air Conditioning LLCs Request for Production of Documents and Things; Receive and review APCO Construction s response to Helix Electrics First set of Requests for Admissions; Receive and review APCO Constructions Response to Helix Electrics First Requestfor Production of Documents andThings; Receive and review APCOConstruction s Answers to HelixElectrics First Interrogatories;
5/15/17	EBZ	1.29	\$ 425.70	Exchange multiple emails with counsel for Camco and Apco andother counsel regarding deposition scheduling and issues; Work on multiple amended notices of deposition;Teleconferences and emails withstaff regarding same and thingsto do; Review, revise and finalize notices of deposition and subpoenas
5/15/17	EBZ	0.60	\$180.00	Teleconference with Victor

5/16/17	EBZ	0.30	\$90.00	Exchange multiple emails with client and counsel for APCO regarding deposition
5/16/17	EBZ	0.52	\$ 170.28	Receive and review multiple deposition notices; Review revised deposition notices to Camco and Apco; Provide instructions to team regarding same
5/17/17	TH	1.03	\$ 129.00	Revise Amended Notices of Deposition and Subpoena; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada LLC; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Steel Structures, Inc.; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Nevada Prefab Engineers; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Interstate Plumbing & Air Conditioning, LLC; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Uintah Investments LLC dba Sierra Reinforcing; Calendar deposition dates as noticed;
5/17/17	EBZ	0.20	\$60.00	Receive and review notice of deposition; Email to Andy regarding same
5/18/17	TH	0.09	\$ 10.75	Receive and review Amended Notice of Taking Nev. R. Civ. P. 30(b)6) Deposition of the Person Most Knowledgeable for Nevada Prefab Engineers; Update calendar accordingly;
5/22/17	TH	0.95	\$ 118.25	Receive and review Notice of Vacating Deposition of Martin-Harris; Receive conformed copies of Amended Notices of Deposition; Calendar same; Telephone call to Esquire Deposition Solutions regarding Helix's Notice of Depositions scheduled for June 5, 2017 and June 6, 2017; Reserve Court Reporter for June 20, 2017 and June 22, 2017 depositions;

5/23/17	TH	0.34	\$ 43.00	Receive and review Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products, Inc.; Calendar same; Receive and review correspondence to all counsel from Marquis Aurbach Coffing regarding APCO's Person(s) Most Knowledgeable for deposition; Receive and review Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for ZittingBros. Construction, Inc.;
5/31/17	TH	0.52	\$ 64.50	Receive and review Proposed Order on Motion for Partial Summary Judgment; Receive and review Camco Pacific Construction's Reply to Helix Electric's Requests for Admissions; Receive and review Camco Pacific Construction's Reply to Fast Glass, Inc.'s Requests for Admissions; Receive and review Camco Pacific Construction's Reply to Cactus Rose Construction's Requests for Admissions;
6/1/17	EBZ	4.73	\$ 1,560.90	Exchange email with counsel for Camco regarding discovery responses extension; Begin work on preparation for APCO deposition
6/2/17	TH	6.88	\$ 860.00	Gather and assemble documents for use at APCO's deposition; Review file for specific BatesStamped range; Telephone conference with Pedro of Litigation Services to request APCO documents; Receive and review e-mail transmissions from Pedro attaching requested documents;
6/2/17	TH	0.26	\$ 32.25	Receive and review Proof of Service of Deposition Notices; Receive and review Trustee's Notice of Taking of Deposition on Oral Examination of APCO Construction; Trustee's Notice of Taking of Deposition on Oral Examination of Camco Pacific Construction, Inc.; Calendar same;
6/2/17	EBZ	2.41	\$ 794.64	Continue work on preparation for APCO deposition; Receive notice of yet another large production of documents by APCO; Download same and begin review same in preparation for APCO deposition
6/6/17	EBZ	1.50	\$ 450.00	Exchange email with Andy and Victor regarding
6/5/17	EBZ	5.59	\$ 1,844.70	Prepare for and attend day one of APCO PMK deposition; Continue review and analysis of newly produced documents
6/6/17	EBZ	0.26	\$ 85.14	Exchange emails with APCO counsel regarding re-scheduling day two of APCO depositions and related issues

6/7/17	TH	0.17	\$ 21.50	Receive and review Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada; Receive and review correspondence from Marquis Aurbach Coffing regarding the continued deposition dates for APCO and Helix;
6/7/17	EBZ	0.09	\$ 28.38	Receive and review correspondence from APCO counsel regarding APCO PMK deposition re-scheduling
6/7/17	EBZ	0.20	\$60.00	Receive and review amended notice of deposition
6/9/17	EBZ	2.75	\$ 908.16	Receive and review numerous discovery responses by Camco; Consider same, pay-if-paid issues and strategy regarding same; Legal research regarding pay-if-paid; Exchange email with Camco counsel regarding discovery responses and issues regarding same
6/13/17	EBZ	1.89	\$ 624.36	Receive and study Camco's discovery responses and begin work on preparations for deposition; Exchange email regarding efforts to obtain Camco documents
6/16/17	EBZ	3.01	\$ 993.30	Begin review and annotation of Camco's newly produced documents (more than 3000 pages) in preparation for Camco PMK deposition
6/19/17	EBZ	2.75	\$ 908.16	Continue review and annotation of Camco's newly produced documents (more than 3000 pages) and prepare for Camco PMK deposition; Research and analysis of pay-if-paid provisions and anticipated arguments by Camco and APCO regarding same
6/20/17	TH	0.09	\$ 10.75	Receive and review Stipulation and Order for Dismissal with Prejudice of Insulpro Projects, Inc.;
6/20/17	EBZ	6.45	\$ 2,128.50	Prepare for and participate in deposition of Camco's person most knowledgeable, Dave Parry; Work on strategy and outline of motion for summary judgment regarding pay-if-paid clause; Office conference with Richard Peel regarding same
6/21/17	EBZ	0.34	\$ 113.52	Exchange email with counsel for IPAC and Camco regarding need for day two of Camco PMK deposition; Prepare letter to all counsel regarding same
6/22/17	EBZ	3.87	\$ 1,277.10	Prepare for and participate in day two of deposition of Camco PMK; Conference with counsel for other subcontractors regarding strategy

6/27/17	EBZ	0.86	\$ 283.80	Receive and review APCOs motion for summary judgment regarding lien claims; Office conference with Richard regarding same, strategy and outline for opposition to same; Exchange email with counsel for APCO regarding hearing, rescheduling and setting briefing schedule for same; Prepare letter to all counsel regarding proposed schedule for motion briefing and hearing
7/6/17	EBZ	0.26	\$ 85.14	Exchange emails with APCO counsel regarding rescheduling of hearing and briefing for motion for summary judgment regarding liens
7/7/17	EBZ	2.15	\$ 709.50	Begin review of another 10GB of data produced by APCO
7/10/17	EBZ	0.34	\$ 113.52	Teleconference with counsel for Zitting Brothers regarding cooperation in response to APCO motion for partial summary judgment regarding liens and motion to reschedule same; Exchange email with counsel for APCO regarding non-opposition to motion to continue hearing and procedure regarding same
7/11/17	EBZ	0.26	\$ 85.14	Review draft motion to continue hearing and briefing dates regarding APCO motion regarding liens; Exchange email with counsel for Zitting and APCO regarding same
7/13/17	EBZ	0.17	\$ 56.76	Teleconference and exchange email with counsel for APCO regarding possible mediation or settlement discussions
7/17/17	EBZ	3.50	\$1,050.00	Prepare for deposition of APCO PMK regarding
7/18/17	TH	0.34	\$ 43.00	Receive and review Joint Motion to Continue Hearing on APCO Construction's Motion to Dismiss or for Summary Judgment; E-mail transmission to Attorney Zimbelman regarding opposition and reply deadlines and contacting Judy with Caden & Fuller in California regarding the new date of July 24, 2017; Receive and review Zitting Brothers Construction Inc.'s Notice of Taking Continued Deposition of APCO Construction Pursuant to NRCP 30(b)(6);
7/18/17	EBZ	6.40	\$1,920.00	Prepare for and take deposition of APCO PMK
7/19/17	EBZ	4.20	\$1,260.00	Prepare for and meet with Andy to prepare for deposition
7/20/17	EBZ	4.50	\$1,350.00	Attend and defend deposition of Helix PMK
7/24/17	EBZ	2.15	\$ 709.50	Begin work on opposition to APCOs motion to dismiss liens
7/25/17	RLP	1.60	\$560.00	Review and revise draft of Opposition to Apco

				Continue work on opposition to APCOs motion to dismiss lien claims; Teleconferences and emails with Richard regarding same; Teleconferences and emails with other subcontractor counsel regarding same; Review ZittingBrothers draft opposition; Exchange emails with Zitting Brothers attorney regarding same; Teleconference with IPACcounsel regarding same; Revise and finalize opposition; Begin work on motion for summary judgment regarding pay-if-paid agreements
7/25/17	EBZ	5.59	\$ 1,844.70	
7/27/17	EBZ	4.73	\$ 1,560.90	Continue work on motion for summary judgment regarding Pay-if-Paid
7/28/17	EBZ	6.45	\$ 2,128.50	Continue work on motion for summary judgment regarding Pay-if-Paid
7/31/17	RLP	0.86	\$ 322.50	Receipt, review and provide changes to Eric concerning Motion for Summary Judgment on pay-if-paid; review and sign documents to be filed;
7/31/17	EBZ	1.89	\$ 624.36	Revise, finalize and direct submission of motion for partial summary judgment regarding Pay-if-Paid
7/31/17	TH	0.43	\$ 53.75	Revise and finalize Peel Brimley's Lien Claimant's Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreement and Ex-Parte Application for Order Shortening Time;
8/2/17	TH	1.03	\$ 129.00	Receive and review Interstate Plumbing & Air Conditionings Joinder to Helixs Opposition to APCOs Motion to Dismiss or for Summary Judgment; Receive and review APCOs Reply in Support of Motion to Dismiss or for Summary Judgment; Receive and review Order Granting Gerdau Reinforcing Steels Motion to Substitute; Receive and process Zitting Bros. Motion for Partial Summary Judgment Against APCO; Receive and review Notice of Entry of Order Granting Gerdau Reinforcing Steel's Motion to Substitute; File review regarding Trial and deadlines; File and serve Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses on Pay-if-Paid Agreement on Order Shortening time;

8/3/17	EBZ	1.20	\$ 397.32	Multiple teleconferences and emails with counsel for APCO and Camco regarding hearing on Motion for Summary Judgment; Receive and review Zitting Brothers Motion for Summary Judgment and several joinders to our motion for summary judgment regarding pay-if-paid
8/7/17	TH	0.60	\$ 75.25	Receive and review Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements; Receive and review 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; Summarize and provide same to attorney; Prepare Notice of Entry of Order on Order Shortening Time on Lien Claimants' Motion for Partial Summary Judgment (Pay-if-Paid); File and Serve Notice of Entry of Order on Order Shortening Time on Lien Claimants' Motion for Partial Summary Judgment (Pay-if-Paid)
8/7/17	EBZ	2.50	\$750.00	Prepare pretrial disclosures
8/10/17	TH	0.52	\$ 64.50	Receive and summarize for attorney National Woods Joinder to Motion for Partial Summary Judgment (Pay-if-Paid); Receive and summarize for attorney Interstate Plumbings Joinder to Motion for Partial Summary Judgment (Pay-if-Paid); Receive and summarize for attorney Pro Hac Vice Applicant S. Judy Hiraharas Notice of Compliance with SCR 42; Receive and process Motion to Associate Counsel filed by National Wood Products;
8/10/17	EBZ	3.61	\$ 1,191.96	Prepare for and argue in opposition to APCO's motion for summary judgment regarding lien claims; Exchange multiple emails with APCO and Camco counsel regarding pre-trial disclosures and strategy regarding same; Finalize and direct filing and service of initial disclosures
8/11/17	EBZ	0.20	\$60.00	Exchange email with Victor
8/14/17	EBZ	0.30	\$90.00	Teleconference with Victor

8/14/17	TH	0.77	\$ 96.75	Receive and summarize Pre-Trial Disclosures of United Subcontractors dba Skyline Insulation; Receive and summarize Pre-Trial Disclosures of Camco; Receive and summarize Pre-Trial Disclosures of SWPP; Receive and summarize Pre-Trial Disclosures for APCO; Receive and summarize Pre-Trial Disclosures for National Wood; Receive and review Skylines First Supplemental Disclosure Pursuant to Nev. R. Civ. P. 16.1 and Special Master Order; Receive and process Skylines Joinder to Lien Claimants Motion for Partial Summary Judge (Pay-if-Paid); Receive and process E&E Fire Protections Joinder to Lien Claimants Motion for Partial Summary Judge (Pay-if-Paid);
8/16/17	TH	2.15	\$ 268.75	Receive and summarize Steel Structures, Inc.'s Pre-Trial Disclosures; Receive and summarize Nevada Prefab Engineers' Pre-Trial Disclosures; Receive and summarize Gerdau Reinforcing Steel's Pre-Trial Disclosures; Receive and process Gerdau Reinforcing Steel's Second Supplemental Disclosure Statement; Continue file review; Review 16.1 Initial Disclosures; Review Pre-Trial Disclosures; Summarize same for Attorney;
8/16/17	EBZ	0.52	\$ 170.28	Work on order denying APCOs motion to dismiss or for summary judgment
8/17/17	EBZ	0.26	\$ 85.14	Exchange email with APCO counsel regarding order denying motion for partial summary judgment; Direct submission of same to the court for signature
8/22/17	EBZ	1.03	\$ 340.56	Receive and review APCOs opposition to motion for partial summary judgment regarding pay-if-paid; Exchange email with APCO counsel regarding deadline for reply; Outline reply issues and responses
8/29/17	EBZ	0.26	\$ 85.14	Exchange multiple emails with counsel for Zitting Bros., APCO and Camco regarding hearing on pay-if-paid motion and strategy regarding same; Review and revise stipulation regarding same
8/30/17	TH	0.09	\$ 10.75	Receive and review Zitting Bros. Objection to APCO's Pre-Trial Disclosures; Summarize same for attorney;
8/31/17	EBZ	3.01		WO reply re: motion for summary judgment re: Pay-if-paid

9/1/17	EBZ	0.26	\$ 85.14	Teleconferences and emails with counsel for APCO and Camco regarding calendar call and strategy for reducing number of lien claimants
9/5/17	TH	0.17	\$ 21.50	Receive and process Order Shortening Time on Hearing for Motion to Associate Counsel;
9/5/17	EBZ	1.89	\$ 624.36	Prepare for and attend calendar call
9/6/17	TH	0.43	\$ 53.75	Receive and review Notice of Entry of Order Shortening Time on Hearing for Motion to Associate Counsel; Receive and review Order Admitting to Practice; Receive and review Notice of Entry of Order Admitting to Practice; Receive and process Court's Minute Order dated September 6, 2017; Receive and process Chapter 7 Trustee's Amended Pre-Trial Disclosures of Interstate Plumbing & Air Conditioning Pursuant to Rule 16(a)(3) of Nev. R. Civ. P.;
9/6/17	EBZ	0.26	\$ 85.14	Teleconferences and exchange email with APCO counsel and settlement conference department regarding location and participation in settlement conference
9/7/17	TH	0.17	\$ 21.50	Review and process United Subcontractors Pre-Trial Statement/Memorandum; Summarize same for attorney;
9/12/17	EBZ	2.50	\$750.00	Prepare settlement conference brief and exchange email with Victor e
9/13/17	EBZ	0.60	\$180.00	Revise and finalize settlement conference brief; Direct submission of same with selected exhibits
9/13/17	EBZ	0.26	\$ 85.14	Receive, review and approve order dismissing parties who did not provide pretrial disclosures
9/14/17	TH	0.17	\$ 21.50	Receive and review letter from Marquis Aurbach regarding proposed Order to Dismiss parties who did not file Pre-Trial Disclosures;
9/20/17	EBZ	0.20	\$60.00	Exchange email with Victor regarding settlement authority
9/21/17	EBZ	4.20	\$1,260	Participate in settlement conference; Teleconferences with Victor regarding same, strategy and related issues
9/27/17	EBZ	2.15	\$ 709.50	Work on reply to oppositions to motion for partial summary judgment regarding pay-if-paid provisions
9/28/17	EBZ	2.41	\$ 794.64	Continue work on reply to oppositions to motion for partial summary judgment regarding pay-if-paid provisions

10/4/17	EBZ	1.29	\$ 425.70	Prepare for hearing on motion for summary judgment
10/5/17	EBZ	3.87	\$ 1,277.10	Prepare for and attend hearing on motion for summary judgment and to set trial date; Extended discussions regarding allowing additional depositions, dates for motions in limine and trial setting; Trial set for November 28, 2017 and motions continued to November 16, 2017; Discussion with APCO attorney regarding trial issues and settlement discussions; Receive and review letter from APCO counsel and proposed order; Revise and transmit same
10/16/17	TH	0.43	\$ 53.75	Receive and process Order Setting Civil Non-Jury Trial and Calendar Call;
10/18/17	TH	0.52	\$ 64.50	Receive and process APCO's Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products; Receive and process APCO's Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for United Subcontractors, Inc. dba Skyline Insulation; Receive and process APCO's Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.;
10/23/17	TH	0.26	\$ 32.25	Receive and process Second Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products, Inc.; Summarize same to attorney;
10/23/17	TH	0.17	\$ 21.50	Review and process APCO's Second Amended Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of PMK for Zitting Brothers; Summarize same to attorney;
10/25/17	TH	0.34	\$ 43.00	Receive and process Second Amended Notice of Taking NRCP 30(b)(6) Video Conference Deposition of B Person Most Knowledgeable for United Subcontractors, Inc. dba Skyline Insulation; Receive and process Zitting Brothers' Objection to APCO's Second Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers; Receive and process APCO's Notice of Vacating 30(b)(6) Deposition of United Subcontractors, Inc. dba Skyline Insulation;
10/31/17	EBZ	4.50	\$1,350.00	Receive and review email from APCO counsel

11/2/17	EBZ	1.50	\$450.00	Continue work on initial draft of four motion
11/3/17	EBZ	2.50	\$750.00	Continue work on four motions in limine again
11/3/17	EBZ	3.01	\$ 993.30	Prepare first draft of four motions in limine against Camco; Exchange email with opposing counsel regarding meet and confer; Exchange email with other subcontractor counsel regarding pending motions, joint strategy and related issues
11/3/17	TH	0.26	\$ 32.25	Revise Motions in Limine 1-4;
11/6/17	EBZ			Prepare for and participate in meet and confer with counsel for Camco regarding motions in limine and settlement discussions; Revise and finalize motions in limine and direct filing and service of same
11/6/17	EBZ	1.50	\$450.00	Prepare for and participate in meet and confe
11/7/17	TH	1.12	\$ 139.75	Receive and process APCO's Supplemental Briefing in Opposition to Zitting Brothers Motion for Partial Summary Judgment; Receive and process Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Cabinetec, Inc.; Receive and process Notice of Vacating NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Cabinetec, Inc.; Receive and process Third Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products, Inc.; Receive and process Notice of Vacating NRCP 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products, Inc.; Receive and process Zitting Brothers' Motion in Limine to Limit the Defenses of APCO Construction to the Enforceability of Pay-if-Paid Provision; Receive and process APCO's Omnibus Motion in Limine; Telephone call with District Court Clerk regarding the status of accepting Lien Claimant's Motion in Limine and Notices of Hearing;
11/7/17	EBZ	0.80	\$240.00	Receive and review APCOs supplemental respon
11/8/17	EBZ	0.69	\$ 227.04	Receive and review multiple motions in limine filed by multiple parties; Teleconferences and emails with other subcontractor counsel regarding coordination of responses to motions in limine and other matters

11/9/17	TH	0.17	\$ 21.50	Receive and process letter from Attorney John R. Jefferies regarding Pre-Trial Conference and trial availability and scheduling of sub-contractors;
11/9/17	EBZ	1.12	\$ 368.94	Prepare for and participate in conference call with other subcontractors regarding coordination of defenses, claims, responses to motions in limine and other matters; Receive and review letter from APCO counsel regarding meet and confer and trial scheduling issues
11/9/17	EBZ	2.80	\$840.00	Prepare extended email to client
11/10/17	RLP	0.70	\$245.00	Participate in conference call with Victor
11/10/17	EBZ	3.50	\$1,050.00	Work on opposition to APCO's motions in limine
11/10/17	EBZ	0.69	\$ 227.04	Multiple teleconferences and emails regarding pay-if-paid motion arguments, recent unpublished case and related issues; Review and analyze unpublished decision and brief and distinguish same
11/13/17	EBZ	0.52	\$ 170.28	Prepare joinder to various oppositions to APCO's Omnibus Motion in Limine
11/13/17	EBZ	5.50	\$1,650.00	Continue work on opposition to APCO's Omnibus Motions in Limine
11/13/17	TH	2.50	\$312.00	Revise Helix's Opposition to APCO's Omnibus Motions in limine
11/14/17	EBZ	0.34	\$ 113.52	Exchange multiple emails with other counsel regarding joint pretrial memorandum, conference regarding same and related issues
11/15/17	EBZ	2.15	\$ 709.50	Prepare for oral argument regarding pay-if paid and motions in limine
11/16/17	EBZ	2.30	\$690.00	Exchange emails with Victor and Richard
11/16/17	EBZ	2.15	\$ 709.50	Prepare for and attend oral argument regarding pay-if-paid and motions in limine
11/17/17	EBZ	3.01	\$ 993.30	Continue work on trial exhibits and multiple emails with trial assistant regarding same and processing same for pre-trial conference; Prepare for pretrial conference; Teleconferences and emails with other counsel regarding same. Receive and review letter from APCO counsel regarding pretrial conference
11/20/17	RLP	0.20	\$70.00	Receipt, review correspondence exchanged between counsel

11/20/17	EBZ	4.47	\$ 1,475.76	Prepare for and attend pretrial conference; Prepare for and attend calendar call; Meetings with APCO counsel and Camco counsel regarding settlement discussions; Meetings with other subcontractor counsel regarding trial strategy, pending motions and related issues
11/27/17	EBZ	1.03	\$ 340.56	Receive and review Decision regarding Zitting Bros. motion for summary judgment; Receive and review decision regarding our motion for partial summary judgment regarding pay-if-paid; Begin outline of Order
12/6/17	EBZ	0.60	\$180.00	Receive and review APCOs 11th supplemental disclosures
12/6/17	EBZ	0.17	\$ 56.76	Receive and review order setting bench trial and calendar call
12/12/17	TH	0.43	\$ 53.75	Receive, process and summarize Court Minutes on National Wood Products Motion in Limine to Exclude Testimony, Documents and Things not Property Produced by APCO; Receive and process Court Minutes on Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6; Receive and process Court Minutes on Zitting Brothers' Motion in Limine to Limit the Defenses of APCO (Pay-if-Paid Provision); Receive and process Court Minutes on Helix's Motions in Limine Nos. 1-4;
12/12/17	EBZ	0.43	\$ 141.90	Receive and review several minute orders regarding motions in limine; Begin work on orders regarding same
12/12/17	RLP	0.20	\$70.00	Receipt, review correspondence from Eric conc
12/12/17	EBZ	0.40	\$120.00	Email to client regarding minutes orders gran
12/15/17	EBZ	3.61	\$ 1,191.96	Work on order granting motion for partial summary judgment regarding pay-if-paid and letter to counsel regarding same
12/18/17	EBZ	2.15	\$ 709.50	Work on orders granting and denying multiple motions in limine; Exchange email with opposing counsel regarding same, presentation of same and revisions to same
12/21/17	TH	0.09	\$ 10.75	Receive e-mail from Mary Bacon advising client is reviewing proposed Orders;
12/22/17	EBZ	0.34	\$ 113.52	Review Zitting Bros. proposed order regarding summary judgment; Exchange email with APCO counsel regarding exhibit numbering and related issues

12/26/17	EBZ	0.69	\$ 227.04	Receive and review APCO counsels proposed revisions to proposed orders regarding motions in limine, motion for partial summary judgment regarding pay-if-paid; Teleconference with APCO counsel regarding meet and confer regarding proposed orders and exchange email regarding same
12/27/17	EBZ	2.15	\$ 709.50	Teleconference with APCO counsel regarding proposed orders, partial agreement and disagreement regarding same; Revise and finalize proposed orders; Prepare multiple letters to Judge Denton regarding proposed orders
12/27/17	TH	0.43	\$ 53.75	Telephone conference with Attorney Judy Hirahara regarding submission of proposed Order on the Omnibus Motion in Limine; Receive and process Court conformed letters and proposed Orders; Receive and process letter from Wilson Elser to Dept. 13 submitting competing Order Granting Zitting Brothers Motion for Partial Summary Judgment Against APCO; Receive and process letter to Dept. 13 from Spencer Fane submitting competing Order granting Zitting Brothers Motion for Partial Summary Judgment; Receive letter from Spencer Fane to Dept. 13 submitting competing Order on Peel Brimley's Lien Claimants Motion for Partial Summary Judgment on Pay-if-Paid Agreements;
12/28/17	EBZ	3.87	\$ 1,277.10	Review APCO trial disclosures and work on trial preparation
12/29/17	EBZ	3.01	\$ 993.30	Continue review of APCO trial disclosures and continue work on trial preparation; Exchange emails regarding signed orders, National Woods belated objection to order denying APCO motions in limine
1/2/18	RLP	0.40	\$140.00	Conference with Eric regarding outcome of hea
1/2/18	EBZ	3.01	\$ 993.30	Continue review of APCO trial disclosures and work on trial preparation; Appear for calendar call

1/3/18	TH	0.69	\$ 86.00	Receive and process Court filed Order Granting Motion for Partial Summary Judgment regarding: Pay-if-Paid Agreement; Prepare Notice of Entry of Order; File and Serve Notice of Entry of Order Granting Motion for Partial Summary Judgment regarding: Pay-if-Paid Agreement; Receive and process Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting Zitting Brows. Motion for Partial Summary Judgment Against APCO; Provide Attorney Zimbelman with documents as requested;
1/3/18	EBZ	3.01	\$ 993.30	Continue review of APCO trial disclosures and continue work on trial preparation; Receive and review multiple signed orders; Exchange email with paralegal regarding same and entry of same
1/4/18	EBZ	3.61	\$ 1,191.96	Receive and review motion for reconsideration regarding pay-if-paid order; Continue work on trial preparation
1/5/18	TH	0.43	\$ 53.75	Receive and process Notice of Entry of Order on Amended Nuncpro Tunch Order Regarding APCOs Omnibus Motion in Limine No. 7; Receive and process Order on Amended Nunc pro Tunch Order Regarding APCOs Omnibus Motion in Limine No. 7; Receive and process 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 on an Order Shortening Time:
1/5/18	EBZ	3.27	\$ 1,078.44	Continue work on trial preparation; Exchange emails with other counsel regarding pre-trial brief and other issues
1/5/18	EBZ	1.50	\$450.00	Prepare extended email to Andy, Bob and Victor

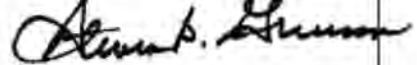
1/8/18	TH	3.44	\$ 430.00	Receive and process Notice of Attorney's Lien filed by Steven Morris, Esq. of Grant, Morris Dodds; Receive and process Camco's Joinder to APCO's Motion for Reconsideration; E-mail transmissions with Attorney Zimbelman regarding trial preparation; Provide Attorney Zimbelman with trial exhibits for Cactus Rose, Fast Glass; Heinaman; Helix and SWPPP; Telephone call with LDG regarding trial exhibits; Meetwith LDG representative regarding instructions for trial exhibits; Telephone callwith Dept. 13 JEA regarding delivery of trial exhibits; Review Dept. 13's Exhibit Guidelines; Review APCO's Exhibit List;
1/8/18	EBZ	5.59	\$ 1,844.70	Prepare for and participate in conference call with other counsel regarding trial procedures and issues; Receiveand review re-numbered APCO exhibits; Receive and review video clips that APCO intends to use at trial; Continue workon trial preparation; Begin work on inserts to pre-trial memorandum
1/9/18	TH	5.16	\$ 645.00	Receive and process APCO's Motion for Reconsideration of the Court's Order Granting Zitting Brothers Motion for Partial Summary Judgment on OST; Prepare Trial Exhibit Lists for Cactus Rose, Fast Glass, Heinaman, Helix, SWPPP in compliance of Dept. 13's Trial Exhibit Guidelines; Forward same to LDG for placement in Trial Exhibit binders; Prepare binder side labels for Cactus Rose, Fast Glass, Heinaman, Helix and SWPPP in compliance of Dept. 13 Trial Exhibit Guidelines; Forward same to LDG for placement in binders; Review file; Gather original sealed deposition transcripts for submission to Court - Dept. 13; Review file for additional deposition transcripts; Review Oppositionto Motion for Reconsideration; File and serve same;
1/9/18	EBZ	4.73	\$ 1,560.90	Prepare opposition to motion for reconsideration; Continue work on trial preparation; Multiple teleconferences and emails regarding same, trial document issues and related matters

1/10/18	EBZ	2.15	\$ 709.50	Continue work on trial preparation; Receive and review reply regarding motion for reconsideration of summary judgment regarding pay-if-paid; Prepare outline for hearing regarding same; Continue work on edits to joint pre-trial memorandum and provide the same to counsel for APCO; Teleconference with counsel for National Wood regarding same
1/11/18	EBZ	4.73	\$ 1,560.90	Continue work on trial preparation; Prepare for and participate in hearing regarding motion for reconsideration of summary judgment regarding pay-if-paid; Prepare Order denying motion and exchange email with other counsel regarding same and other trial issues
1/11/18	TH	0.77	\$ 96.75	Receive and process Plaintiff-in-Intervention National Wood Products, Inc.'s Opposition to APCO'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; Receive and process Plaintiff-in-Intervention National Wood Products Motion in Limine; Receive and process APCO's Reply in Support of its 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; Receive and process Zitting Bros. Opposition to APCO's Motion for Reconsideration of Court's Order Granting Zitting Bros. Partial Motion for Summary Judgment; Receive and process Notice of Entry of Order Granting Plaintiff-in-Intervention National Wood Products Motion in Limine;
1/12/18	EBZ	3.87	\$ 1,277.10	Continue work on trial preparation; Multiple teleconferences and emails with other counsel regarding Pre-Trial Memorandum, revisions to same and issues regarding same
1/12/18	TH	1.72	\$ 215.00	Identify trial exhibits for Court's use; Deliver 2 sets of the Trial Exhibit binders to Dept. 13; Continue trial preparation;
1/13/18	EBZ	3.44	\$ 1,135.20	Continue work on trial preparation
1/14/18	EBZ	5.50	\$1,650.00	Work on client-specific trial preparation
1/15/18	EBZ	5.20	\$1,560.00	Work on client-specific trial preparation
1/16/18	EBZ	10.50	\$3,150.00	Work on client-specific trial preparation; Me

1/17/18	EBZ	11.00	\$3,300.00	Prepare for and participate in day one of trial
1/18/18	TH	1.20	\$ 150.50	Receive and process Plaintiff-in-Intervention National Wood Products, Inc.'s Trial Brief; Receive and process Zitting Bros. Opposition to Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and 62(H); Research APCO's Lien and Amended/Restated Lien; Telephone call with County Recorder's Office regarding liens; Obtain certified copies of lien; Arrange delivery of same to Attorney Zimbelman, District Court - Dept. 13; Receive and process Stipulation and Order Regarding Trial Exhibits Admitted into Evidence;
1/18/18	TH	0.86	\$ 107.50	Receive and process Notice of Entry of Stipulation and Order Regarding Trial Exhibits Admitted into Evidence;
1/18/18	AEA	0.26	\$ 32.25	Searched Clark County Recorder's website for requested documents from EBZ for trial; Spoke with T. Hansen regarding the same;
1/18/18	EBZ	8.50	\$2,550.00	Prepare for and participate in day two of trial
1/18/18	RLP	0.40	\$140.00	Receipt, review correspondence from Eric to Victor
1/19/18	EBZ	6.50	\$1,950.00	Prepare for and participate in day three of trial
1/20/18	EBZ	4.50	\$1,350.00	Begin work on closing argument
1/21/18	EBZ	2.50	\$750.00	Continue work on closing argument and outline
1/22/18	EBZ	6.50	\$1,950.00	Continue work on closing argument and outline
1/23/18	EBZ	5.50	\$1,650.00	Attend day four of trial; Continue work on closing
1/24/18	EBZ	8.00	\$2,400.00	Prepare for and attend day five of trial;
1/25/18	EBZ	4.50	\$1,350.00	Begin work on findings of fact and conclusion
1/26/18	TH	0.26	\$ 32.25	Receive and process Notice of Change of Firm Affiliation and Address; Receive and process Order Denying APCO's Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment;
1/29/18	EBZ	0.26	\$ 85.14	Exchange emails with Camco counsel regarding witness needs and order and possible stipulation to avoid need for live testimony
1/26/18	EBZ	2.50	\$750.00	Continue work on findings of fact and conclusions of law
1/30/18	EBZ	1.00	\$300.00	Exchange multiple emails and teleconferences
2/1/18	EBZ	3.50	\$1,050.00	Exchange emails with other counsel regarding
2/2/18	EBZ	4.20	\$1,260.00	Exchange email with Victor

2/5/18	EBZ	4.73	\$ 1,560.90	Prepare for day 6 of trial; Exchange multiple emails with other counsel regarding proposed deadlines for findings of fact and conclusions of law and post-trial briefs
2/6/18	TH	0.26	\$ 32.25	Receive and process Camco's Exhibit List; Receive and process Camco's Trial Exhibit Nos. 5001 through 5010;
2/6/18	EBZ	7.57	\$ 2,497.44	Prepare for and participate in day 6 of trial; Outline relevant facts and issues for inclusion in proposed findings of fact and conclusions of law
2/7/18	EBZ	2.15	\$ 709.50	Continue work on proposed findings of facts and conclusions of law
2/12/18	EBZ	5.16	\$ 1,702.80	Continue work on Findings of Fact and Conclusions of Law
2/13/18	EBZ	5.59	\$ 1,844.70	Continue work on Findings of Fact and Conclusions of Law
2/14/18	EBZ	4.99	\$ 1,646.04	Continue work on Findings of Fact and Conclusions of Law
2/19/18	EBZ	0.17	\$ 56.76	Exchange emails regarding stipulation for extension of deadline to submit findings of fact, conclusions of law and post-trial briefs
2/20/18	EBZ	0.26	\$ 85.14	Exchange emails regarding stipulation for extension of deadline for post-trial submissions; Review, revise and exchange stipulation drafts
2/20/18	RLP	0.20	\$70.00	Conference with Victor regarding various issues; conference with Eric regarding same; prepare and send correspondence to Victor;
2/21/18	EBZ	2.15	\$ 709.50	Continue work on findings of fact and conclusions of law
2/22/18	EBZ	3.01	\$ 993.30	Continue work on findings of fact and conclusion of law
2/23/18	EBZ	3.44	\$ 1,135.20	Continue work on findings of fact and conclusion of law
2/27/18	EBZ	3.87	\$ 1,277.10	Continue work on findings of fact and conclusion of law
3/3/18	RLP	1.50	\$525.00	Review and provide comments and suggested changes
3/3/18	EBZ	6.50	\$1,950.00	Continue work on findings of fact and conclusion of law
3/5/18	EBZ	1.50	\$450.00	Revise and finalize findings of fact and conclusions of law
3/7/18	EBZ	3.01	\$ 993.30	Revise and finalize proposed findings of fact and conclusions of law
3/14/18	EBZ	2.15	\$ 709.50	Review, study and annotate Camcos post-trial brief; Begin outline of reply
3/21/18	EBZ	5.16	\$ 1,702.80	Work on response to Camcos Post-Trial Brief
3/22/18	EBZ	3.01	\$ 993.30	Continue work on response to Camcos Post-Trial Brief
3/22/18	EBZ	2.50	\$750.00	Work on revisions to APCOs Post-Trial Brief
3/23/18	EBZ	1.50	\$450.00	Final review and revisions to response to APCO brief

3/23/18	EBZ	1.29	\$ 425.70	Final review and revisions to response to Camcos post-trialvbrief and findings of fact and conclusions of law
3/26/18	AEA	1.38	\$ 172.00	Receive & Review National Wood Products Response to APCO & CAMCOs Post-Trial Brief, APCOs Opposition to Helix & National Wood Products FFCL; emailed the same to EBZ for review; Prepared Courtesy Copyof Helix & Lien Claimants' Responses and sent with runnerto deliver the same to the Judge;
3/27/18	EBZ	1.30	\$390.00	Receive and review APCO and Camco responses
4/30/18	EBZ	1.50	\$450.00	Continue work on cost memorandum, motion for
5/1/18	EBZ	1.03	\$ 340.56	Continue work on verified cost memoranda; Office conferences with paralegal, things to do for verified cost memoranda, recoverable costs and related issues
5/2/18	EBZ	0.60	\$ 198.66	Office conferences with paralegal regarding cost memoranda; Review and revise same
5/8/18	TH	0.34	\$ 43.00	Receive and process E&E Fire Protection's Motion for Attorneys Fees and Costs; Summarize same to Attorney Zimbelman;
5/14/18	EBZ	2.75	\$ 908.16	Work on motion for fees and costs against Camco
5/18/18	EBZ	3.00	\$900.00	Continue work on Motion for Fees and Costs; Work on judgment; Exchange email with Camco counsel regarding same
Totals		517.76	\$ 153,342.10	



1 **OPP**

2 **SPENCER FANE LLP**

3 John H. Mowbray, Esq. (Bar No. 1140)

4 John Randall Jefferies, Esq. (Bar No. 3512)

5 Mary E. Bacon, Esq. (Bar No. 12686)

6 300 S. Fourth Street, Suite 950

7 Las Vegas, NV 89101

8 Telephone: (702) 408-3411

9 Facsimile: (702) 408-3401

10 E-mail: JMowbray@spencerfane.com

11 RJJefferies@spencerfane.com

12 MBacon@spencerfane.com

13 -and-

14 **MARQUIS AURBACH COFFING**

15 Jack Juan Chen, Esq.

16 Cody S. Mounteer, Esq. (Bar No. 11220)

17 10001 Park Run Drive

18 Las Vegas, NV 89145

19 Telephone: 702.207.6089

20 Email: cmounteer@maclaw.com

21 *Attorneys for Apco Construction, Inc.*

22 **DISTRICT COURT**

23 **CLARK COUNTY, NEVADA**

24 **APCO CONSTRUCTION, a Nevada**
25 **corporation,**

26 **Plaintiff,**

27 **v.**

28 **GEMSTONE DEVELOPMENT WEST,**
29 **INC., A Nevada corporation,**

30 **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*

APCO CONSTRUCTION, INC.'S
OPPOSITION TO HELIX ELECTRIC
OF NEVADA, LLC AND PLAINTIFF IN
INTERVENTION NATIONAL WOOD
PRODUCTS, INC.'S MOTIONS TO
RETAX COSTS

31 **AND ALL RELATED MATTERS**

1 APCO Construction, Inc. ("APCO") submits its opposition to Helix Electric of
2 Nevada, LLC's ("Helix") and Plaintiff in Intervention National Wood Products, Inc.'s
3 ("National Wood" or "CabineTec") motions to retax costs.¹ In short, APCO was permitted
4 to file its memorandum of costs prior to entry of judgment, APCO's costs were reasonable,
5 and necessary, APCO has provided actual documentation of its costs, and APCO's costs
6 are allowable under NRS 18.005.

7 MEMORANDUM OF POINTS AND AUTHORITIES

8 I. Legal Standard

9 NRS 18.110 governs verified memorandums of costs and retaxing and settling
10 costs. That statute provides:

11 1. The party in whose favor judgment is rendered, and
12 who claims costs, must file with the clerk, and serve a copy
13 upon the adverse party, within 5 days after the entry of
14 judgment, or such further time as the court or judge may grant,
15 a memorandum of the items of the costs in the action or
16 proceeding, which **memorandum must be verified by the
oath of the party, or the party's attorney or agent, or by the
clerk of the party's attorney, stating that to the best of his
or her knowledge and belief the items are correct, and that
the costs have been necessarily incurred in the action or
proceeding.**

17 ...

18 4. Within 3 days after service of a copy of the
19 memorandum, the adverse party may move the court, upon 2
20 days' notice, to retax and settle the costs, notice of which
21 motion shall be filed and served on the prevailing party
claiming costs. Upon the hearing of the motion the court or
judge shall settle the costs.²

22 Under NRS 18.110(4), an adverse party may move the district court to retax and
23 settle the costs within three days after service of a copy of the memorandum of costs.³ A
24

25
26 ¹Given the similarity of National Wood's and Helix's motions to retax costs, APCO
opposes both motions to retax in one opposition for judicial efficiency.

27 ² NRS 18.110.

28 ³ *Sheehan & Sheehan v. Nelson Malley & Co.*, 121 Nev. 481, 493, 117 P.3d 219, 227
(2005) (failure to move to retax and settle costs waives appellate review of issue).

1 party challenging costs must seek to obtain an itemization of the costs claimed and attempt
2 to demonstrate that the costs claimed are not authorized and/or unreasonable in amount.⁴

3 **1. APCO's memorandum of costs was timely.**

4 The party in whose favor judgment is rendered and who claims costs must file a
5 verified memorandum of costs in the action or proceeding "within five days after the entry
6 of judgment, or within such further time as the judge may grant."⁵

7 APCO's judgment against Helix and National Wood was entered on June 1, 2018.
8 APCO filed its Memorandum of Costs ("Memo of Costs") on May 3, 2018, almost a
9 month before entry of judgment, so APCO's Memo of Costs was certainly timely. *See Las*
10 *Vegas Fetish & Fantasy Halloween Ball, Inc. v. Ahern Rentals, Inc.*,⁶ (a prevailing party
11 claiming costs can serve and file a verified memorandum of costs before entry of
12 judgment).

13 **2. APCO provided actual documentation of its costs, and those costs were**
14 **reasonable and necessary and are permitted under NRS 18.005.**

15 National Wood cites *Cadle Co. v. Woods & Erickson, LLP*,⁷ alleging APCO has not
16 complied with its duties regarding a memorandum of costs. *Cadle Co.* confirms "NRS
17 18.110(1) requires a party to file and serve "a memorandum [of costs] ... verified by the
18 oath of the party ... stating that to the best of his or her knowledge and belief the items are
19 correct, and that the costs have been necessarily incurred in the action or proceeding."⁸
20 APCO's memorandum contained this certification:

21 Mary Bacon/ Cody Munteer, Esq., being duly sworn under
22 penalty of perjury states: that Affiant is the attorney for APCO
23 Construction, Inc. and has personal knowledge of the above
24 costs and disbursements expended under Subsection A/B-
Costs; that the items contained in the above Memorandum of
Costs and Disbursements are true and correct to the best of this

25 ⁴ *Schwartz v. Estate of Greenspun*, 110 Nev. 1042, 1050–52, 881 P.2d 638 (1994).

26 ⁵ *NRS 18.110(1)*.

27 ⁶ 124 Nev. 272, 278, 182 P.3d 764, 768 (2008)

28 ⁷ 131 Nev. Adv. Op. 15, 345 P.3d 1049, 1054 (2015)

⁸ 131 Nev. Adv. Op. 15, 345 P.3d 1049, 1054 (2015)

1 Affiant's knowledge and belief; and that the said disbursements
2 have been necessarily incurred and paid in this action.⁹

3 And as detailed below, actual documentation of APCO's reasonable and necessary was
4 provided in APCO's May 26, 2018 Supplement to its Motion for Attorney's Fees, and
5 those costs are allowable under NRS 18.005.¹⁰

6 **II. APCO requests a total \$23,548.47 in costs incurred through Spencer Fane.**

7 As detailed in APCO's Memorandum of Costs, APCO seeks five categories of costs
8 it incurred throughout its representation by Spencer Fane: (1) messenger services, (2)
9 photocopies and reproductions for trial, (3) costs for court reporters/ transcripts, (4) travel
10 and lodging expenses, and (5) reasonable and necessary expenses for computerized
11 services for legal research.¹¹ Each of these categories are recoverable as costs and were
12 necessarily and reasonably incurred in representing APCO in this matter.¹²

13 **1. Messenger Services**

14 APCO seeks \$1,012.99 in messenger services.¹³ Messenger services are recoverable
15 as costs. See *Zuniga v. W. Apartments*,¹⁴ (allowing messenger services as costs); *Harris v.*
16 *Marhoefer*,¹⁵ (holding that "reasonable expenses, though greater than taxable costs, may be
17 proper" and allowing recovery for messenger service); *In re Application of Mgndichian*,¹⁶
18 (confirming messenger services are reasonable and recoverable). Helix and National Wood
19 cite *LVMPD v. Yeghiazarian*,¹⁷ for the proposition that "messenger fees should be included
20 in a motion for attorney's fees, not in a memorandum of costs."¹⁸ But *LVMD* does not

21 ⁹ See APCO's May 3, 2018 Memo of Costs.

22 ¹⁰ See, *infra*, and APCO's May 26, 2018 Supplement to its Motion for Attorney's Fees.

23 ¹¹ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

24 ¹² **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

25 ¹³ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

26 ¹⁴ No. CV 13-04637-JFW, 2014 WL 6655997, at *4 (C.D. Cal. Nov. 24, 2014)

27 ¹⁵ 24 F.3d 16, 19-20 (9th Cir., 1994)

28 ¹⁶ C.D.Cal.2003, 312 F.Supp.2d 1250, amended 2003 WL 23358199

¹⁷ 312 P.3d 503, 510, 129 Nev. 760, 769 (2013)

¹⁸ See National Wood's Motion to Retax Costs at 9:20-2; Helix's Motion to Retax Costs at 8:3-5.

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320
Consolidated with 80508

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

JOINT APPENDIX
VOLUME 91

Eric B. Zimbelman, Esq. (9407)
PEEL BRIMLEY LLP
3333 E. Serene Avenue, Suite 200
Henderson, NV 89074-6571
Telephone: (702) 990-7272
Facsimile: (702) 990-7273
ezimbelman@peelbrimley.com
Attorneys for Appellant
Helix Electric of Nevada, LLC

Mary E. Bacon, Esq. (12686)
SPENCER FANE LLP
400 S. Fourth Street, Suite 500
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
MBacon@spencerfane.com

John Randall Jefferies, Esq. (3512)
Christopher H. Byrd, Esq. (1633)
FENNERMORE CRAIG, P.C.
300 S. Third Street, 14th Floor
Las Vegas, NV 89101
Telephone: (702) 692-8000
Facsimile: (702) 692-8099
rjefferies@fclaw.com
cbyrd@fclaw.com
Attorneys for Respondent

CHRONOLOGICAL APPENDIX OF EXHIBITS

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-24-09	Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint	JA000001- JA000015	1
08-05-09	APCO's Answer to Helix's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA000016 – JA000030	1
04-26-10	CAMCO and Fidelity's Answer and CAMCO's Counterclaim	JA000031- JA000041	1
07-02-10	Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default	JA000042- JA000043	1
06-06-13	APCO's Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO's Motion for Summary Judgment Against Gemstone Only; and (3) Request for Order Shortening Time	JA000044- JA000054	1
	Exhibit 1 – Affidavit of Randy Nickerl in Support of (1) APCO's Limited Motion to Lift Sta for Purposes of this Motion Only; (2) APCO's Motion for Judgment Against Gemstone Only	JA000055- JA000316	1/2/4/5/6
	Exhibit 2 – Findings of Fact and Conclusions of Law and Judgment in Favor of APCO Construction Against Gemstone Development West, Inc. Only	JA000317- JA000326	6

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-13-13	Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone	JA000327	6
08-02-17	Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and <i>Ex Parte</i> Application for Order Shortening Time	JA000328- JA000342	6
	Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories	JA000343- JA000379	6
	Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories	JA000380- JA000392	6
08-21-17	APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000393- JA000409	6/7
	Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017	JA000410- JA000412	7
09-28-17	Peel Brimley Lien Claimants' Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000413- JA000418	7
11-06-17	Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6	JA000419- JA000428	7

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 1 – Notice of Entry of Order	JA000429 JA000435	7
	Exhibit 2 – Amended Notices of 30(b)(6) Deposition of Camco Pacific Construction Company, Inc. from Cactus Rose Construction, Inc., Fast Glass, Inc.’s, Heinaman Contract Glazing, Inc. and Helix Electric of Nevada, LLC’s	JA000436- JA000472	7/8
	Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017	JA000473 JA00489	8
	Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA00490 JA000500	8
	Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000501- JA000511	8
	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
11-06-17	Helix Electric of Nevada’s Motion <i>in Limine</i> Nos. 1-4	JA000534- JA000542	8
	Exhibit 1 – Notice of Entry of Order	JA000543- JA000549	8
	Exhibit 2 – Helix Electric of Nevada, LLC’s Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen’s Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
11-06-17	APCO Construction, Inc.’s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCF Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.’s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting’s Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
	Exhibit 6 – Subcontract Agreement dated April 17, 2007	JA000809- JA000826	11/12
	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
	Exhibit 10 – Special Master Report, Recommendation and District Court Order	JA00845- JA000848	12

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1	JA000849- JA000856	12
	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
11-14-17	Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6	JA000898- JA000905	12
	Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement	JA000906- JA000907	12
	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
	Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs	JA000916- JA000917	13
	Exhibit D – Camco Pacific’s letter dated December 22, 2008	JA000918- JA000920	13
	Exhibit E – Order Approving Sale of Property	JA000921- JA000928	13

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
11-14-17	APCO Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in Limine Nos. 1-4	JA000929- JA000940	13/14
	Exhibit 1 – Excerpts from the Deposition Transcript of Mary Jo Allen taken July 18, 2017	JA000941- JA000966	14/15/16
	Exhibit 2 – Helix Electric's Manhattan West Billing/Payment Status through August 2008	JA000967- JA000969	16/17
	Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Rivera taken July 20, 2017	JA000970- JA000993	17/18/19
11-14-17	Helix Electric of Nevada's Opposition to APCO Construction's Omnibus Motion in Limine	JA000994- JA001008	20
	Exhibit 1 – Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001009- JA001042	20
	Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001043- JA001055	20
	Exhibit 3 – Special Master Order Requiring Completion of Questionnaire	JA001056- JA001059	20
	Exhibit 4 – Excerpts from the Deposition Transcript of the 30(b)(6) Witness for Helix Electric of Nevada taken July 20, 2017	JA001060- JA001064	20
	Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017	JA001065 JA001132	20/21
11-15-17	APCO Construction, Inc.'s Reply in Support of its Omnibus Motion in Limine	JA001133 JA001148	21

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 1 – Special Master Report Regarding Discovery Status	JA001149- JA001151	21
	Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA001152- JA001160	21
12-29-17	Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion in <i>Limine</i> 1-6	JA001161- JA001169	22
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in <i>Limine</i> 1-4	JA001170- JA001177	22
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion in <i>Limine</i>	JA001178- JA001186	22
01-03-18	Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001187- JA001198	22
01-04-18	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 provision on an Order Shortening Time	JA001199- JA001217	22
	Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)	JA001218- JA001245	22/23/24
	Exhibit 2 – Subcontract Agreement (Zitting Brothers)	JA001246- JA001263	24

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 3 – Subcontract Agreement (CabineTec)	JA001264- JA001281	24/25
	Exhibit 4 – Amended Notice of Lien	JA001282- JA001297	25
	Exhibit 5 - Amended NOL	JA001298- JA001309	25
	Exhibit 6 – Notice of Lien	JA001310- JA001313	25
	Exhibit 7 – Order Approving Sale of Property	JA001314- JA001376	25/26
	Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account	JA001377- JA001380	26
	Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration	JA001381- JA001385	26
	Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001386- JA001392	26
	Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment	JA001393- JA001430	26
	Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment	JA001431- JA001435	26
	Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)	JA001436- JA001469	26
	Exhibit 14 – Respondent’s Answering Brief	JA001470- JA001516	26/27
	Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)	JA001517- JA001551	27
01-09-18	Peel Brimley Lien Claimants’ Opposition to APCO Construction’s Motion for Reconsideration of Order	JA001552- JA001560	27

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements		
01-10-18	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	JA001561- JA001573	27
01-12-18	Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]	JA001574- JA001594	27/28
	Exhibit 1 – Exhibit List APCO	JA001595- JA001614	28
	Exhibit 2 – Helix Trial Exhibits	JA001615- JA001616	28
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA001617- JA001635	28
	Exhibit 4 – Cactus Rose Trial Exhibits	JA001636- JA001637	28
	Exhibit 5 – Heinaman Trial Exhibits	JA001638- JA001639	28
	Exhibit 6 – Fast Glass Trial Exhibits	JA001640- JA001641	28
	Exhibit 7 – SWPPP Trial Exhibits	JA001642- JA001643	28
	Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001644- JA001647	28

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 9 - Amended <i>nunc pro tunc</i> order regarding APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i> No. 7	JA001648- JA001650	28
	Exhibit 10 - Order Granting in Part and Denying in part Helix Electric of Nevada, LLC's Motions <i>in Limine</i> 1-4 (Against APCO Construction)	JA001651- JA001653	28
	Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)	JA001654- JA001657	28
	Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>	JA001658- JA001660	28
	Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001661- JA00167	28/9/29
01-17-18	Transcript Bench Trial (Day 1)¹	JA001668- JA001802	29/30
	Trial Exhibit 1 - Grading Agreement (<i>Admitted</i>)	JA001803- JA001825	30
	Trial Exhibit 2 – APCO/Gemstone General Construction Agreement (<i>Admitted</i>)	JA001826- JA001868	30
	Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement (<i>Admitted</i>)	JA001869- JA001884	30

¹ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone <i>(Admitted)</i>	JA001885- JA001974	30/31/32
	Trial Exhibit 5 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work <i>(Admitted)</i>	JA001975- JA001978	32
	Trial Exhibit 6 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work <i>(Admitted)</i>	JA001979- JA001980	32
	Trial Exhibit 10 - Letter from J. Barker to A. Edelstein Re: Notice of Intent to Stop Work (Second Notice) <i>(Admitted)</i>	JA001981- JA001987	32
	Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>	JA001988- JA002001	32
	Trial Exhibit 14 - Letter from W. Gochmour to Sean Thueson Re: [APCO's] Response to [Gemstone's] Termination for Cause <i>(Admitted)</i>	JA002002- JA002010	33
	Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>	JA002011- JA002013	33
	Trial Exhibit 16 - Email from J. Horning to A. Berman and J. Olivares re: Joint Checks <i>(Admitted)</i>	JA002014	33
	Trial Exhibit 23 - APCO Subcontractor Notice of Stopping Work and Letter from J. Barker to A. Edelstein Re: Notice of Stopping Work and Notice of Intent to Terminate Contract <i>(Admitted)</i>	JA002015- JA002016	33

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 24 - Letter from R. Nickerl to Clark County re: Notification of APCO's withdrawal as General Contractor of Record (<i>Admitted</i>)	JA002017- JA002023	33
	Trial Exhibit 26 - Email from J. Gisondo to Subcontractors re: June checks (<i>Admitted</i>)	JA002024	34
	Trial Exhibit 27 - Letter from A. Edelstein to R. Nickerl re: June Progress Payment (<i>Admitted</i>)	JA002025- JA002080	34
	Trial Exhibit 28 - Letter from J. Barker to A. Edelstein Re: Termination of Agreement for GMP (<i>Admitted</i>)	JA002081	34
	Trial Exhibit 31 - Transmission of APCO's Pay Application No. 11 as Submitted to Owner (<i>Admitted</i>)	JA002082- JA002120	34/35
	Trial Exhibit 45 - Subcontractor Agreement (<i>Admitted</i>)	JA002121- JA002146	35
	Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO (<i>Admitted</i>)	JA002147- JA002176	35/36
	Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice (<i>Admitted</i>)	JA002177- JA002181	36
	Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice (<i>Admitted</i>)	JA002182- JA002185	36
	Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors (<i>Admitted</i>)	JA002186- JA002188	36
	Trial Exhibit 506 – Email and Contract Revisions (<i>Admitted</i>)	JA002189 – JA002198	36

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01-18-18	Stipulation and Order Regarding Trial Exhibit Admitted into Evidence	JA002199- JA002201	36
	Exhibit 1 – Exhibit List APCO	JA002208- JA002221	36
	Exhibit 2 – Helix Trial Exhibits	JA002222- JA002223	36
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA002224- JA002242	36/37
	APCO TRIAL EXHIBITS:		
	APCO Related Exhibits:		
	Trial Exhibit 7 - Letter from Scott Financial to APCO re: Loan Status	JA002243	37
	Trial Exhibit 8 - APCO Pay Application No. 10 as submitted to Owner	JA002244- JA002282	37/38
	Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns	JA002283- JA002284	38
	Trial Exhibit 17 – Video (Construction Project)	JA002285	N/A
	Trial Exhibit 18 – Video (Construction Project)	JA002286	N/A
	Trial Exhibit 19 – Video (Construction Project)	JA002287	N/A
	Trial Exhibit 20 – Video (Construction Project)	JA002288	N/A
	Trial Exhibit 21 – Video (Construction Project)	JA002289	N/A
	Trial Exhibit 22 – Video (Construction Project)	JA002290	N/A

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 29 - Email from J. Robbins to Subcontractors re: Billing Cut-Off for August Billing	JA002285	39
	Trial Exhibit 30 - Camco Pay Application No. 11 NCS-Owner Approved with NCS Draw Request	JA002286- JA002306	39
	Trial Exhibit 32 and 125 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixture installed)	JA002307- JA002308	39
	Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002309- JA002310	39
	Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002311- JA002312-	40
	Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002313- JA002314	40
	Exhibit 36 and 130 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002315- JA002316	40
	Trial Exhibits 37 and 131 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002317- JA002318	40
	Trial Exhibits 38 and 132 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002319- JA002320	41

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 39 -Email from K. Costen to Subcontractors informing that Manhattan West Project no longer open	JA002321- JA002322	41
	Trial Exhibit 40- Letter from D. Parry to Subcontractors Re: Funding Withdrawn	JA002323 JA002326	41
	HELIX Related Exhibits:		41
	Trial Exhibit 46 - Helix Pay Application No. 16713-008R1 with Proof of Payment	JA002327- JA002345	41
	Trial Exhibit 47 - Helix Pay Application No. 16713-009R1 with Proof of Payment	JA002346- JA002356	41
	Trial Exhibit 48 - Email from R. Nickerl to B. Johnson Re: Work Suspension Directive	JA002357- JA002358	41
	Trial Exhibit 49 -Helix Pay Application No. 16713-010R2 with Proof of Payment	JA002359- JA002364	41/42
	Trial Exhibit 50 - Unconditional Waiver and Release re: Pay Application No. 8 with Copy of Payment	JA002365- JA002366	42
	Trial Exhibit 51 - Photo re: Building 8 & 9, South (No Exterior fixtures installed. Helix billed out at 90%)	JA002367- JA002368	42
	Trial Exhibit 52 -Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002369- JA002370	42
	Trial Exhibit 53 -Photo re: Building - 2 & 3, West (No Exterior fixtures installed. Helix billed out at 90%)	JA002371- JA002372	42

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 54 - Photo re: Building - 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002373- JA002374	42
	Trial Exhibit 55 - Photo re: Building 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002375- JA002376	42
	Trial Exhibit 56 - Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002377- JA002378	42
	Trial Exhibit 57 - Photo re: Building 2 & 3, and 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002379- JA002381	42
	Trial Exhibit 58 - Helix Pay Application No. 16713-011R1 submitted to Owner	JA002382- JA002391	42
	Trial Exhibit 59 - Helix Pay Application No. 16713-011R1 given to Camco with Proof of Payment	JA002392- JA002405	43
	Trial Exhibit 60 - Helix Retention Rolled to Camco	JA002406- JA002415	43
	Trial Exhibit 61 - Unconditional Waiver and Release re: all Invoices through June 30, 2008 with Proof of Payment	JA002413- JA002415	43
	Trial Exhibit 62 - Photo re: Building 8 & 9, South	JA002416- JA002417	43
	Trial Exhibit 63 - Photo re: Building 2 & 3, West	JA002418- JA002419	43
	Trial Exhibit 64 - Photo re: Building 2 & 3, West	JA002420- JA002421	43
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<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 66 - Letter of transmittal from Helix to APCO re: Helix Pay Application No. 16713-011R1	JA002424- JA002433	43
	Trial Exhibit 67 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002435- JA002436	43
	Trial Exhibit 68 -Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002437- JA002438	43
	Trial Exhibit 69 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002439- JA002440	43
	Trial Exhibit 70 - Photo re: Building 8 & 9, South (No exterior fixtures installed. Helix billed out 90%)	JA002441- JA002442	43
	Trial Exhibit 71 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002443- JA002444	43
	Trial Exhibit 72 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002445- JA002446	43
	Trial Exhibit 73 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002447- JA002448	43
	Trial Exhibit 74 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002448- JA002449	43

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 75 - Unconditional Release re: Pay Application No. 16713-011R1 with Proof of Payment	JA002450- JA002456	43
	Exhibit 77 - Helix Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA002457- JA002494	43
	Zitting Brothers Related Exhibits:		
	Trial Exhibit 100 - Check No. 14392 payable to Zitting (\$27,973.80); Progress Payment No. 7	JA002495- JA002497	44
	Trial Exhibit 101 - Email from R. Nickerl to R. Zitting re: Change Orders	JA002498- JA002500	44
	Trial Exhibit 102 -Email from L. Lynn to J. Griffith, et al. re: Change Order No. 00011 “pending”	JA002501- JA002503	44
	Trial Exhibit 103- Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour	JA002504- JA002505	44
	Trial Exhibit 104 - Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour with copies of change orders	JA002506- JA002526	44
	Trial Exhibit 105 - Ex. C to the Ratification – Zitting Quotes	JA002527- JA002528	44
	Trial Exhibit 106 - Unconditional Lien Release – Zitting (\$27,973.80)	JA002529	44
	Trial Exhibit 108 - Photo of Video (Construction Project)	JA002530- JA002531	44
	Trial Exhibit 109 - Photo of Video (Construction Project)	JA002532- JA002533	44

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 110 - Photo of Video (Construction Project)	JA002534- JA002535	44
	Trial Exhibit 111 - Photo of Video (Construction Project)	JA002536- JA002537	44
	Trial Exhibit 112 - Photo of Video (Construction Project)	JA002538- JA002539	44
	Trial Exhibit 113 -Photo of Video (Construction Project)	JA002550- JA002541	44
	Trial Exhibit 114 -Photo of Video (Construction Project)	JA002542- JA002543	44
	Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting	JA002544- JA002545	44
	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
	Trial Exhibit 129 - Photo of Video (Construction Project)	JA002580- JA002581	46

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
	CAMCO Related Exhibits:		
	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - 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	JA002719- JA002730	48

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 173 - Helix Pay Application No. 16713-012 to Camco with proof of payment	JA002731- JA002745	48
	Trial Exhibit 174 - Helix Change Order Request No. 28	JA002746- JA002747	48
	Trial Exhibit 175 - Change Notice No. 41	JA002748- JA002751	48
	Trial Exhibit 176 - Helix Pay Application No. 16713-013 to Camco	JA002752- JA002771	48/49
	Trial Exhibit 177 - Helix Pay Application No. 16713-014 to Camco	JA002772- JA002782	49
	Trial Exhibit 178 - Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	JA002783 JA002797	49
	National Wood/Cabinetec Related Exhibits:		
	Trial Exhibit 184 - Ratification and Amendment of Subcontract Agreement between CabineTec and Camco (fully executed copy)	JA002798- JA002825	49
	General Related Exhibits:		
	Trial Exhibit 218 - Camco/Owner Pay Application No. 11 w/Backup	JA002826- JA003028	50/51/52
	Trial Exhibit 220 - Camco/Owner Pay Application No. 12 w/Backup	JA003029- JA003333	52/53/54/55
	Trial Exhibit 313 - Letter from A. Edelstein to R. Nickerl re: NRS 624 Notice	JA003334- JA003338	55
	Helix Trial Exhibits:		
	Trial Exhibit 501 - Payment Summary	JA003339 – JA003732	55/56/57 /58/59/60
	Trial Exhibit 508 – Helix Pay Application	JA003733- JA003813	60/61

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 510 - Unsigned Subcontract	JA003814- JA003927	61/62
	Trial Exhibit 512 - Helix's Lien Notice	JA003928- JA004034	62/63
	Trial Exhibit 522 - Camco Billing	JA004035- JA005281	63/64/65 /66/67/ 68/69/70/ 71/72 /73/74/75 /76/77
01-19-18	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA005282- JA005283	78
01-18-18	Transcript – Bench Trial (Day 2)²	JA005284- JA005370	78
	Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) (<i>Admitted</i>)	JA005371- JA005623	78/79/80
01-19-18	Transcript – Bench Trial (Day 3)³	JA005624- JA005785	80
	Trial Exhibit 231 – Helix Electric's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint (<i>Admitted</i>)	JA005786- JA005801	80
	Trial Exhibit 314 - Declaration of Victor Fuchs in support of Helix's Motion for Partial Summary Judgment against Gemstone (<i>Admitted</i>)	JA005802- JA005804	80

² Filed January 31, 201879

³ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 320 – June-August Billings—not paid to APCO (<i>Admitted</i>)	JA005805	80
	Trial Exhibit 321 – Overpayments to Cabinetec (<i>Admitted</i>)	JA005806-	80
	Trial Exhibit 536 – Lien math calculations (handwritten) (<i>Admitted</i>)	JA005807- JA005808	80
	Trial Exhibit 804 – Camco Correspondence (<i>Admitted</i>)	JA005809- JA005816	80
	Trial Exhibit 3176 – APCO Notice of Lien (<i>Admitted</i>)	JA005817- JA005819	81
01-24-18	Transcript – Bench Trial (Day 5)⁴	JA005820- JA005952	81
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC’s (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.’s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	APCO Construction Inc.’s Post-Trial Brief	JA006059- JA006124	82/83
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
03-23-18	Helix Electric of Nevada, LLC’s Responses to APCO Construction’s Post-Trial Brief	JA006173- JA006193	84
04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85

⁴ Filed January 31, 201883

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
05-08-18	APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA006265- JA006284	85
	Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA006285- JA006356	85/86
	Exhibit 2 – National Wood Products, Inc.'s Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support Thereof	JA006357- JA006369	86
	Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)	JA006370- JA006385	86/87
	Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco	JA006386- JA006398	87
	Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC	JA006399- JA006402	87
	Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.	JA006403- JA006406	87
	Exhibit 7 – Declaration of John Randall Jefferies, Esq. in Support of APCO Construction, Inc.'s Motion for Attorney's Fees and Costs	JA006407- JA006411	87
	Exhibit 7A – Billing Entries	JA006412- JA006442	87/88

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 7B – Time Recap	JA006443- JA006474	88
	Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs	JA006475- JA006478	88
	Exhibit 9 – APCO Construction, Inc.’s Memorandum of Costs and Disbursements [Against Helix Electric of Nevada, LLC, and Plaintiff in Intervention National Wood Products, LLC]	JA006479- JA006487	88
	Exhibit 10 – Depository Index	JA006488- JA006508	88/89
05-08-18	Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements	JA006509- JA006521	89
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Against APCO Construction, Inc.]	JA006541 JA006550	90
06-01-18	Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006551- JA006563	90
	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
	Exhibit 3 – Prime Interest Rate	JA006581- JA006601	90
	Exhibit 4 – Declaration of Eric B. Zimbelman in Support of Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006583- JA006588	90
	Exhibit 5 – Summary of Fees	JA006589- JA006614	90
06-15-18	APCO Construction, Inc.’s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Motions to Retax Costs	JA006615- JA006637	90/91
	Exhibit 1-A Declaration of Mary Bacon in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006635 JA006638	91
	Exhibit 1-B – Declaration of Cody Munteer in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006639- JA006916	91/92/93 94/95/96
06-15-18	Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA006917 – JA006942	96
	Exhibit 1 – Notice of Entry of Staying the Case, Except for the Sale of the Property, Pending Resolution of the Petition before the Nevada Supreme Court	JA006943- JA006948	96

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Notice of Entry of Denying APCO Construction’s Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA006949- JA006954	96
	Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed	JA006955- JA006958	96
	Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration	JA006959- JA006963	96
	Exhibit 5 – Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA006964- JA006978	96
	Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire	JA006977- JA006980	96
	Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire	JA006981- JA006984	96
	Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire	JA006985- JA006993	96/97
	Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance	JA006994 JA007001	97
	Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire	JA007002- JA007005	97
	Exhibit 7A – Motion to Appoint Special Master	JA007006- JA007036	97
	Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016	JA007037- JA007060	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda	JA007042- JA007046	97
	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
	Exhibit 10 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA007057- JA007059	97
	Exhibit 11 – Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion <i>in Limine</i>	JA007060- JA007088	97
	Exhibit 12 – Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in Limine (against APCO Construction)	JA007070- JA007078	97
	Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA007079- JA007084	97
	Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary	JA007085- JA007087	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Judgment Precluding Defenses Based on Pay-if-Paid Agreements		
	Exhibit 15 – Notice of Association of Counsel	JA007088- JA007094	97
06-15-18	Plaintiff in Intervention National Wood Products, Inc.’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007095- JA007120	97/98
06-15-18	Declaration of S. Judy Hirahara in support of National Woods’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007121- JA007189	98
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007190- JA007192	99
06-21-18	Helix Electric of Nevada, LLC’s Notice of Non-Opposition to its Motion for Attorney’s Fees, Interest and Costs	JA007193- JA007197	99
06-29-18	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.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-29-18	Helix Electric of Nevada, LLC's Reply Re: Motion to Retax	JA007225- JA007237	100
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
07-19-18	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 Attorney's Fees and Costs	JA007246- JA007261	100
08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
09-28-18	Notice of Entry of (1) Granting APCO Construction, Inc.'s 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	JA007281- JA007299	100
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007313- JA007315	101

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
08-06-19	Helix Electric of Nevada LLC's Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA007316- JA007331	101
	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA007332- JA007335	101
	Exhibit 2 – 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 and all related matters (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	JA007336- JA007344	101
	Exhibit 3 - Notice of Appeal	JA007345- JA007394	101/102
	Exhibit 4 – Amended Notice of Appeal	JA007395- JA007400	102
	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of Nevada, LLC, SWPPP Compliance	JA007401- JA007517	102/103

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Solutions, Inc., E&E Fire Protection		
	Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)	JA007518- JA007519	103
	Exhibit 7 – Order to Show Cause	JA007520- JA007542	103
	Exhibit 8 -Order Dismissing Appeal (Case No. 76276)	JA007524- JA007527	103
	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
	Exhibit 10 (Part One)	JA007537- JA007542	103
	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105 /106/107 /108/109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
	Exhibit 10 (Part Two)	JA008142- JA008149	109

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
	Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status	JA008168- JA008170	109
	Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss	JA008171- JA008177	109
	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts	JA008323- JA008338	110

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.'s Counterclaim		
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC's Motion for Attorney's Fees, Interest and Costs	JA008339 JA008347	110
	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110
	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenetec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc.'s Counterclaim	JA008484- JA008504	111

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal	JA008505- JA008512	111
	Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim	JA008513 JA008517	111
	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111
	Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing's Motion for Attorneys's Fees, Interest and Costs	JA008552- JA008579	111/112
	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
	Exhibit 10CC – Heinaman Contract Glazing's Answer to Camco Pacific Construction Company's Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party	JA008602- JA008621	112

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Complaint and Camco Pacific Construction, Inc.'s Counterclaim		
	Exhibit 10FF – 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	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112
	Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008665- JA008681	112
	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
	Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice	JA008686- JA008693	112

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10MM – Scott Financial Corporation’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008694- JA008717	112/113
	Exhibit 10NN-Notice of Appeal	JA008718 JA008723	113
	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
	Exhibit 13 – Stipulation and Order with Prejudice	JA008759- JA008780	113
	Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment	JA008762- JA008788	113
	Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal	JA008789- JA008798	113

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 16 – Notice of Appeal	JA008799- JA008810	113
08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company, Inc.’s Counterclaim	JA008925- JA008947	116/117
	Exhibit 7 – Answer to Cactus Rose’s Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008966- JA008986	117/118

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Pacific Construction's Counterclaim		
	Exhibit 9 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA008987- JA008998	118
	Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.	JA008998- JA009010	118
	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
	Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond	JA009114- JA009116	119
08-29-19	Helix Electric of Nevada LLC's Reply to APCO's Opposition to Helix Electric of Nevada LLC's Motion to (I) Re-Open Statistically Closed Case, (II)	JA009117- JA009123	119

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Dismiss All Unresolved Claims and/or (III) In The Alternative for a Rule 54(B) Certification as to Helix and APCO		
01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119
01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA009137- JA009166	120
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
02-11-20	Case Appeal Statement	JA009157- JA009163	120
02-11-20	APCO's Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) 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 Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA009168- JA009182	120

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada’s Motion for Rule 54(b) Certification	JA009183- JA00991	120

ALPHABETICAL APPENDIX OF EXHIBITS

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05-08-18	APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA006265- JA006284	85
	Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA006285- JA006356	85/86
	Exhibit 2 – National Wood Products, Inc.'s Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support Thereof	JA006357- JA006369	86
	Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)	JA006370- JA006385	86/87
	Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco	JA006386- JA006398	87
	Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC	JA006399- JA006402	87
	Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.	JA006403- JA006406	87
	Exhibit 7 – Declaration of John Randall Jefferies, Esq. in Support of APCO Construction, Inc.'s Motion for Attorney's Fees and Costs	JA006407- JA006411	87
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		JA006442	
	Exhibit 7B – Time Recap	JA006443- JA006474	88
	Exhibit 8 – Declaration of Cody S. Mounter, Esq. in Support of Motion for Attorney’s Fees and Costs	JA006475- JA006478	88
	Exhibit 9 – APCO Construction, Inc.’s Memorandum of Costs and Disbursements [Against Helix Electric of Nevada, LLC, and Plaintiff in Intervention National Wood Products, LLC]	JA006479- JA006487	88
	Exhibit 10 – Depository Index	JA006488- JA006508	88/89
06-06-13	APCO’s Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO’s Motion for Summary Judgment Against Gemstone Only; and (3) Request for Order Shortening Time	JA000044- JA000054	1
	Exhibit 1 – Affidavit of Randy Nickerl in Support of (I) APCO’s Limited Motion to Lift Sta for Purposes of this Motion Only; (2) APCO’s Motion for Judgment Against Gemstone Only	JA000055- JA000316	1/2/4/5/6
	Exhibit 2 – Findings of Fact and Conclusions of Law and Judgment in Favor of APCO Construction Against Gemstone Development West, Inc. Only	JA000317- JA000326	6
02-11-20	APCO’s Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) 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	JA009168- JA009182	114

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply		
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada's Motion for Rule 54(b) Certification	JA009183- JA00991	120
11-06-17	APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting's Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
	Exhibit 6 – Subcontract Agreement dated April 17, 2007	JA000809- JA000826	11/12
	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
	Exhibit 10 – Special Master Report, Recommendation and District Court Order	JA00845- JA000848	12

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	Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1	JA000849- JA000856	12
	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008925- JA008947	116/117

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 7 – Answer to Cactus Rose's Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.'s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction's Counterclaim	JA008966- JA008986	117/118
	Exhibit 9 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA008987- JA008998	118
	Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.	JA008998- JA009010	118
	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
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	Exhibit 1-B – Declaration of Cody Mounteer in Support of APCO's Supplement to its Motion for Attorney's Fees	JA006639- JA006916	91/92/93 94/95/96
11-14-17	APCO Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in <i>Limine</i> Nos. 1-4	JA000929- JA000940	13/14
	Exhibit 1 – Excerpts from the Deposition Transcript of Mary Jo Allen taken July 18, 2017	JA000941- JA000966	14/15/16
	Exhibit 2 – Helix Electric's Manhattan West Billing/Payment Status through August 2008	JA000967- JA000969	16/17
	Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Rivera taken July 20, 2017	JA000970- JA000993	17/18/19
08-21-17	APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000393- JA000409	6/7
	Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017	JA000410- JA000412	7
03-08-18	APCO Construction Inc.'s Post-Trial Brief	JA006059- JA006124	82/83
11-15-17	APCO Construction, Inc.'s Reply in Support of its Omnibus <i>Motion in Limine</i>	JA001133 JA001148	21

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06-29-18	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.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99
04-26-10	CAMCO and Fidelity’s Answer and CAMCO’s Counterclaim	JA000031- JA000041	1
11-14-17	Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6	JA000898- JA000905	12
	Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement	JA000906- JA000907	12
	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
	Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs	JA000916- JA000917	13
	Exhibit D – Camco Pacific’s letter dated December 22, 2008	JA000918- JA000920	13
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06-15-18	Declaration of S. Judy Hirahara in support of National Woods's Opposition to APCO Construction's Motion for Attorneys' Fees and Costs	JA007121- JA007189	98
06-13-13	Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone	JA000327	6
04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85
11-06-17	Helix Electric of Nevada's Motion <i>in Limine</i> Nos. 1-4	JA000534- JA000542	8
	Exhibit 1 – Notice of Entry of Order	JA000543- JA000549	8
	Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
06-01-18	Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA006551- JA006563	90
	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90
	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
	Exhibit 3 – Prime Interest Rate	JA006581- JA006601	90

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	Exhibit 4 – Declaration of Eric B. Zimbelman in Support of Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006583- JA006588	90
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08-06-19	Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA007316- JA007331	101
	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Against APCO Construction, Inc.	JA007332- JA007335	101
	Exhibit 2 – 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 and all related matters (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	JA007336- JA007344	101
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	Exhibit 4 – Amended Notice of Appeal	JA007395- JA007400	102
	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of	JA007401- JA007517	102/103

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	Exhibit 8 -Order Dismissing Appeal (Case No. 76276)	JA007524- JA007527	103
	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
	Exhibit 10 (Part One)	JA007537- JA007542	103
	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105/ 106/107/108 109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
	Exhibit 10 (Part Two)	JA008142- JA008149	109
	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
	Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status	JA008168- JA008170	109

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	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008323- JA008338	110
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs	JA008339 JA008347	110
	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110

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	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenotec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc's Counterclaim	JA008484- JA008504	111
	Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal	JA008505- JA008512	111
	Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim	JA008513 JA008517	111
	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111

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	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
	Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008602- JA008621	112
	Exhibit 10FF – 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	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112

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	Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008665- JA008681	112
	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
	Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice	JA008686- JA008693	112
	Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008694- JA008717	112/113
	Exhibit 10NN-Notice of Appeal	JA008718 JA008723	113
	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
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	Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal	JA008789- JA008798	113
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05-08-18	Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements	JA006509- JA006521	89
06-21-18	Helix Electric of Nevada, LLC’s Notice of Non-Opposition to its Motion for Attorney’s Fees, Interest and Costs	JA007193- JA007197	99
06-15-18	Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA006917 – JA006942	96
	Exhibit 1 – Notice of Entry of Staying the Case, Except for the Sale of the Property, Pending Resolution of the Petition before the Nevada Supreme Court	JA006943- JA006948	96
	Exhibit 2 – Notice of Entry of Denying APCO Construction’s Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA006949- JA006954	96
	Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed	JA006955- JA006958	96
	Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration	JA006959- JA006963	96
	Exhibit 5 – Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment	JA006964- JA006978	96

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Precluding Defenses Based on Pay-if-Paid Agreements		
	Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire	JA006977- JA006980	96
	Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire	JA006981- JA006984	96
	Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire	JA006985- JA006993	96/97
	Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance	JA006994 JA007001	97
	Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire	JA007002- JA007005	97
	Exhibit 7A – Motion to Appoint Special Master	JA007006- JA007036	97
	Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016	JA007037- JA007060	97
	Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda	JA007042- JA007046	97
	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
	Exhibit 10 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA007057- JA007059	97
	Exhibit 11 – Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion <i>in Limine</i>	JA007060- JA007088	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 12 – Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in Limine (against APCO Construction)	JA007070- JA007078	97
	Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA007079- JA007084	97
	Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA007085- JA007087	97
	Exhibit 15 – Notice of Association of Counsel	JA007088- JA007094	97
11-14-17	Helix Electric of Nevada’s Opposition to APCO Construction’s Omnibus Motion in Limine	JA000994- JA001008	20
	Exhibit 1 – Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001009- JA001042	20
	Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001043- JA001055	20
	Exhibit 3 – Special Master Order Requiring Completion of Questionnaire	JA001056- JA001059	20
	Exhibit 4 – Excerpts from the Deposition Transcript of the 30(b)(6) Witness for Helix Electric of Nevada taken July 20, 2017	JA001060- JA001064	20
	Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017	JA001065 JA001132	20/21
08-29-19	Helix Electric of Nevada LLC’s Reply to APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-	JA009117- JA009123	119

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In The Alternative for a Rule 54(B) Certification as to Helix and APCO		
06-29-18	Helix Electric of Nevada, LLC's Reply Re: Motion to Retax	JA007225- JA007237	100
03-23-18	Helix Electric of Nevada, LLC's Responses to APCO Construction's Post-Trial Brief	JA006173- JA006193	84
06-24-09	Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint	JA000001- JA000015	1
01-12-18	Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]	JA001574- JA001594	27/28
	Exhibit 1 – Exhibit List APCO	JA001595- JA001614	28
	Exhibit 2 – Helix Trial Exhibits	JA001615- JA001616	28
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA001617- JA001635	28
	Exhibit 4 – Cactus Rose Trial Exhibits	JA001636- JA001637	28
	Exhibit 5 – Heinaman Trial Exhibits	JA001638- JA001639	28
	Exhibit 6 – Fast Glass Trial Exhibits	JA001640- JA001641	28
	Exhibit 7 – SWPPP Trial Exhibits	JA001642- JA001643	28
	Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001644- JA001647	28

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 9 - Amended <i>nunc pro tunc</i> order regarding APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i> No. 7	JA001648- JA001650	28
	Exhibit 10 - Order Granting in Part and Denying in part Helix Electric of Nevada, LLC's Motions <i>in Limine</i> 1-4 (Against APCO Construction)	JA001651- JA001653	28
	Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)	JA001654- JA001657	28
	Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>	JA001658- JA001660	28
	Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001661- JA001667	28/9/29
03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
01-04-18	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 provision on an Order Shortening Time	JA001199- JA001217	22
	Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)	JA001218- JA001245	22/23/24
	Exhibit 2 – Subcontract Agreement (Zitting Brothers)	JA001246- JA001263	24

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 3 – Subcontract Agreement (CabineTec)	JA001264- JA001281	24/25
	Exhibit 4 – Amended Notice of Lien	JA001282- JA001297	25
	Exhibit 5 - Amended NOL	JA001298- JA001309	25
	Exhibit 6 – Notice of Lien	JA001310- JA001313	25
	Exhibit 7 – Order Approving Sale of Property	JA001314- JA001376	25/26
	Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account	JA001377- JA001380	26
	Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration	JA001381- JA001385	26
	Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001386- JA001392	26
	Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment	JA001393- JA001430	26
	Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment	JA001431- JA001435	26
	Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)	JA001436- JA001469	26
	Exhibit 14 – Respondent’s Answering Brief	JA001470- JA001516	26/27
	Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)	JA001517- JA001551	27
	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention	JA009137- JA009166	120

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	National Wood Products, Inc.'s Against APCO Construction, Inc.]		
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA006541 JA006550	90
09-28-18	Notice of Entry of Order (1) Granting APCO Construction, Inc.'s 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	JA007281- JA007299	100
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001178- JA001186	22
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119

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01-03-18	Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001187- JA001198	22
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC's Motion <i>in Limine</i> 1-4	JA001170- JA001177	22
12-29-17	Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion <i>in Limine</i> 1-6	JA001161- JA001169	22
01-19-18	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA005282- JA005283	78
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007332- JA007334	101
07-02-10	Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default	JA000042- JA000043	1
08-02-17	Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and <i>Ex Parte</i> Application for Order Shortening Time	JA000328- JA000342	6
	Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories	JA000343- JA000379	6
	Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories	JA000380- JA000392	6
11-06-17	Peel Brimley Lien Claimants' Motion <i>in Limine</i> Nos. 1-6	JA000419- JA000428	7
	Exhibit 1 – Notice of Entry of Order	JA000429	7

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		JA000435	
	Exhibit 2 – Amended Notices of 30(b)(6) Deposition of Camco Pacific Construction Company, Inc. from Cactus Rose Construction, Inc., Fast Glass, Inc.’s, Heinaman Contract Glazing, Inc. and Helix Electric of Nevada, LLC’s	JA000436- JA000472	7/8
	Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017	JA000473 JA00489	8
	Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA00490 JA000500	8
	Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000501- JA000511	8
	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
09-28-17	Peel Brimley Lien Claimants’ Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000413- JA00418	7
01-09-18	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	JA001552- JA001560	27
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition	JA007190- JA007192	99

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	to APCO Construction's Motion for Attorneys' Fees and Costs		
06-15-18	Plaintiff in Intervention National Wood Products, Inc.'s Opposition to APCO Construction's Motion for Attorneys' Fees and Costs	JA007095- JA007120	97/98
07-19-18	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 Attorney's Fees and Costs	JA007246- JA007261	100
01-10-18	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	JA001561- JA001573	27
01-18-18	Stipulation and Order Regarding Trial Exhibit Admitted into Evidence	JA002199- JA002201	36
	Exhibit 1 – Exhibit List APCO	JA002208- JA002221	36
	Exhibit 2 – Helix Trial Exhibits	JA002222- JA002223	36
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA002224- JA002242	36/37
	APCO TRIAL EXHIBITS:		
	APCO Related Exhibits:		
	Trial Exhibit 7 - Letter from Scott Financial to APCO re: Loan Status	JA002243	37
	Trial Exhibit 8 - APCO Pay Application No. 10 as submitted to Owner	JA002244- JA002282	37/38
	Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns	JA002283- JA002284	38

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 17 – Video (Construction Project)	JA002285	N/A
	Trial Exhibit 18 – Video (Construction Project)	JA002286	N/A
	Trial Exhibit 19 – Video (Construction Project)	JA002287	N/A
	Trial Exhibit 20 – Video (Construction Project)	JA002288	N/A
	Trial Exhibit 21 – Video (Construction Project)	JA002289	N/A
	Trial Exhibit 22 – Video (Construction Project)	JA002290	N/A
	Trial Exhibit 29 - Email from J. Robbins to Subcontractors re: Billing Cut-Off for August Billing	JA002285	39
	Trial Exhibit 30 - Camco Pay Application No. 11 NCS-Owner Approved with NCS Draw Request	JA002286- JA002306	39
	Trial Exhibit 32 and 125 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixture installed)	JA002307- JA002308	39
	Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002309- JA002310	39
	Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002311- JA002312-	40
	Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002313- JA002314	40
	Exhibit 36 and 130 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002315- JA002316	40

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibits 37 and 131 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002317- JA002318	40
	Trial Exhibits 38 and 132 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002319- JA002320	41
	Trial Exhibit 39 -Email from K. Costen to Subcontractors informing that Manhattan West Project no longer open	JA002321- JA002322	41
	Trial Exhibit 40- Letter from D. Parry to Subcontractors Re: Funding Withdrawn	JA002323 JA002326	41
	HELIX Related Exhibits:		41
	Trial Exhibit 46 - Helix Pay Application No. 16713-008R1 with Proof of Payment	JA002327- JA002345	41
	Trial Exhibit 47 - Helix Pay Application No. 16713-009R1 with Proof of Payment	JA002346- JA002356	41
	Trial Exhibit 48 - Email from R. Nickerl to B. Johnson Re: Work Suspension Directive	JA002357- JA002358	41
	Trial Exhibit 49 -Helix Pay Application No. 16713-010R2 with Proof of Payment	JA002359- JA002364	41/42
	Trial Exhibit 50 - Unconditional Waiver and Release re: Pay Application No. 8 with Copy of Payment	JA002365- JA002366	42
	Trial Exhibit 51 - Photo re: Building 8 & 9, South (No Exterior fixtures installed. Helix billed out at 90%)	JA002367- JA002368	42
	Trial Exhibit 52 -Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002369- JA002370	42
	Trial Exhibit 53 -Photo re: Building - 2 & 3, West (No Exterior fixtures installed. Helix billed out at 90%)	JA002371- JA002372	42

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 54 - Photo re: Building - 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002373- JA002374	42
	Trial Exhibit 55 - Photo re: Building 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002375- JA002376	42
	Trial Exhibit 56 - Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002377- JA002378	42
	Trial Exhibit 57 - Photo re: Building 2 & 3, and 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002379- JA002381	42
	Trial Exhibit 58 - Helix Pay Application No. 16713-011R1 submitted to Owner	JA002382- JA002391	42
	Trial Exhibit 59 - Helix Pay Application No. 16713-011R1 given to Camco with Proof of Payment	JA002392- JA002405	43
	Trial Exhibit 60 - Helix Retention Rolled to Camco	JA002406- JA002415	43
	Trial Exhibit 61 - Unconditional Waiver and Release re: all Invoices through June 30, 2008 with Proof of Payment	JA002413- JA002415	43
	Trial Exhibit 62 - Photo re: Building 8 & 9, South	JA002416- JA002417	43
	Trial Exhibit 63 - Photo re: Building 2 & 3, West	JA002418- JA002419	43
	Trial Exhibit 64 - Photo re: Building 2 & 3, West	JA002420- JA002421	43
	Trial Exhibit 65 - Photo re: Building 2 & 3, South	JA002422- JA002423	43
	Trial Exhibit 66 - Letter of transmittal from Helix to APCO re: Helix Pay Application No. 16713-011R1	JA002424- JA002433	43
	Trial Exhibit 67 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002435- JA002436	43

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 68 -Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002437- JA002438	43
	Trial Exhibit 69 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002439- JA002440	43
	Trial Exhibit 70 - Photo re: Building 8 & 9, South (No exterior fixtures installed. Helix billed out 90%)	JA002441- JA002442	43
	Trial Exhibit 71 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002443- JA002444	43
	Trial Exhibit 72 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002445- JA002446	43
	Trial Exhibit 73 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002447- JA002448	43
	Trial Exhibit 74 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002448- JA002449	43
	Trial Exhibit 75 - Unconditional Release re: Pay Application No. 16713-011R1 with Proof of Payment	JA002450- JA002456	43
	Exhibit 77 - Helix Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA002457- JA002494	43
	Zitting Brothers Related Exhibits:		
	Trial Exhibit 100 - Check No. 14392 payable to Zitting (\$27,973.80); Progress Payment No. 7	JA002495- JA002497	44
	Trial Exhibit 101 - Email from R. Nickerl to R. Zitting re: Change Orders	JA002498- JA002500	44
	Trial Exhibit 102 -Email from L. Lynn to J. Griffith, et al. re: Change Order No. 00011 “pending”	JA002501- JA002503	44

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 103- Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour	JA002504- JA002505	44
	Trial Exhibit 104 - Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour with copies of change orders	JA002506- JA002526	44
	Trial Exhibit 105 - Ex. C to the Ratification – Zitting Quotes	JA002527- JA002528	44
	Trial Exhibit 106 - Unconditional Lien Release – Zitting (\$27,973.80)	JA002529	44
	Trial Exhibit 108 - Photo of Video (Construction Project)	JA002530- JA002531	44
	Trial Exhibit 109 - Photo of Video (Construction Project)	JA002532- JA002533	44
	Trial Exhibit 110 - Photo of Video (Construction Project)	JA002534- JA002535	44
	Trial Exhibit 111 - Photo of Video (Construction Project)	JA002536- JA002537	44
	Trial Exhibit 112 - Photo of Video (Construction Project)	JA002538- JA002539	44
	Trial Exhibit 113 -Photo of Video (Construction Project)	JA002550- JA002541	44
	Trial Exhibit 114 -Photo of Video (Construction Project)	JA002542- JA002543	44
	Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting	JA002544- JA002545	44
	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
	Trial Exhibit 129 - Photo of Video (Construction Project)	JA002580- JA002581	46
	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
	CAMCO Related Exhibits:		
	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48

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	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - 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	JA002719- JA002730	48
	Trial Exhibit 173 - Helix Pay Application No. 16713-012 to Camco with proof of payment	JA002731- JA002745	48
	Trial Exhibit 174 - Helix Change Order Request No. 28	JA002746- JA002747	48
	Trial Exhibit 175 - Change Notice No. 41	JA002748- JA002751	48
	Trial Exhibit 176 - Helix Pay Application No. 16713-013 to Camco	JA002752- JA002771	48/49
	Trial Exhibit 177 - Helix Pay Application No. 16713-014 to Camco	JA002772- JA002782	49
	Trial Exhibit 178 - Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	JA002783 JA002797	49
	National Wood/Cabinetec Related Exhibits:		
	Trial Exhibit 184 - Ratification and Amendment of Subcontract Agreement between CabineTec and Camco (fully executed copy)	JA002798- JA002825	49
	General Related Exhibits:		
	Trial Exhibit 218 - Camco/Owner Pay Application No. 11 w/Backup	JA002826- JA003028	50/51/52
	Trial Exhibit 220 - Camco/Owner Pay Application No. 12 w/Backup	JA003029- JA003333	52/53/54/55
	Trial Exhibit 313 - Letter from A. Edelstein to R. Nickerl re: NRS 624 Notice	JA003334- JA003338	55
	Helix Trial Exhibits:		

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	Trial Exhibit 501 - Payment Summary	JA003339 – JA003732	55/56/57/ 58/59/60
	Trial Exhibit 508 – Helix Pay Application	JA003733- JA003813	60/61
	Trial Exhibit 510 - Unsigned Subcontract	JA003814- JA003927	61/62
	Trial Exhibit 512 - Helix's Lien Notice	JA003928- JA004034	62/63
	Trial Exhibit 522 - Camco Billing	JA004035- JA005281	63/64/65/66/6 7/ 68/69/70 /71/72 /73/74/75/ 76/77
01-17-18	Transcript Bench Trial (Day 1)⁵	JA001668- JA001802	29/30
	Trial Exhibit 1 - Grading Agreement (Admitted)	JA001803- JA001825	30
	Trial Exhibit 2 – APCO/Gemstone General Construction Agreement (Admitted)	JA001826- JA001868	30
	Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement (Admitted)	JA001869- JA001884	30
	Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone (Admitted)	JA001885- JA001974	30/31/32
	Trial Exhibit 5 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work (Admitted)	JA001975- JA001978	32
	Trial Exhibit 6 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work (Admitted)	JA001979- JA001980	32
	Trial Exhibit 10 - Letter from J. Barker to A. Edelstein Re: Notice of Intent to Stop Work (Second Notice) (Admitted)	JA001981- JA001987	32

⁵ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>	JA001988- JA002001	32
	Trial Exhibit 14 - Letter from W. Gochmour to Sean Thueson Re: [APCO's] Response to [Gemstone's] Termination for Cause <i>(Admitted)</i>	JA002002- JA002010	33
	Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>	JA002011- JA002013	33
	Trial Exhibit 16 - Email from J. Horning to A. Berman and J. Olivares re: Joint Checks <i>(Admitted)</i>	JA002014	33
	Trial Exhibit 23 - APCO Subcontractor Notice of Stopping Work and Letter from J. Barker to A. Edelstein Re: Notice of Stopping Work and Notice of Intent to Terminate Contract <i>(Admitted)</i>	JA002015- JA002016	33
	Trial Exhibit 24 - Letter from R. Nickerl to Clark County re: Notification of APCO's withdrawal as General Contractor of Record <i>(Admitted)</i>	JA002017- JA002023	33
	Trial Exhibit 26 - Email from J. Gisondo to Subcontractors re: June checks <i>(Admitted)</i>	JA002024	34
	Trial Exhibit 27 - Letter from A. Edelstein to R. Nickerl re: June Progress Payment <i>(Admitted)</i>	JA002025- JA002080	34
	Trial Exhibit 28 - Letter from J. Barker to A. Edelstein Re: Termination of Agreement for GMP <i>(Admitted)</i>	JA002081	34
	Trial Exhibit 31 - Transmission of APCO's Pay Application No. 11 as Submitted to Owner <i>(Admitted)</i>	JA002082- JA002120	34/35
	Trial Exhibit 45 - Subcontractor Agreement <i>(Admitted)</i>	JA002121- JA002146	35

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO (<i>Admitted</i>)	JA002147- JA002176	35/36
	Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice (<i>Admitted</i>)	JA002177- JA002181	36
	Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice (<i>Admitted</i>)	JA002182- JA002185	36
	Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors (<i>Admitted</i>)	JA002186- JA002188	36
	Trial Exhibit 506 – Email and Contract Revisions (<i>Admitted</i>)	JA002189 – JA002198	36
01-18-18	Transcript – Bench Trial (Day 2)⁶	JA005284- JA005370	78
	Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) (<i>Admitted</i>)	JA005371- JA005623	78/79/80
01-19-18	Transcript – Bench Trial (Day 3)⁷	JA005624- JA005785	80
	Trial Exhibit 231 – Helix Electric’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint (<i>Admitted</i>)	JA005786- JA005801	80
	Trial Exhibit 314 - Declaration of Victor Fuchs in support of Helix’s Motion for Partial Summary Judgment against Gemstone (<i>Admitted</i>)	JA005802- JA005804	80
	Trial Exhibit 320 – June-August Billings—not paid to APCO (<i>Admitted</i>)	JA005805	80
	Trial Exhibit 321 – Overpayments to Cabinetec (<i>Admitted</i>)	JA005806-	80

⁶ Filed January 31, 201879

⁷ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 536 – Lien math calculations (handwritten) (<i>Admitted</i>)	JA005807- JA005808	80
	Trial Exhibit 804 – Camco Correspondence (<i>Admitted</i>)	JA005809- JA005816	80
	Trial Exhibit 3176 – APCO Notice of Lien (<i>Admitted</i>)	JA005817- JA005819	81
01-24-18	Transcript – Bench Trial (Day 5)⁸	JA005820- JA005952	81
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101

⁸ Filed January 31, 2018

1 discuss messenger fees being inappropriate in a memorandum of costs. Instead, it analyzes
2 messenger fees in a motion for attorney's fees. The position that messenger/runner fees are
3 not allowable appears to be a convenient interpretation of the law for Helix who listed
4 \$876.56 in "runner's fees" in its May 3, 2018 Memorandum of Costs and Disbursements
5 filed against Camco.¹⁹

6 A chart summarizing the amount of each messenger service and the reason each
7 messenger service was necessary is attached as **Exhibit A**.²⁰ Invoices for those services are
8 attached as **Exhibit B** to this opposition.²¹ The name and date of the document messengered
9 is contained in each specific invoice.²² Each of these messenger services were required to
10 deliver the specific document referenced in the invoice to either the court or to opposing
11 counsel for the process of facilitating signing stipulations and/or orders.²³ Each of these
12 messenger services was for this case, and was necessary to facilitate APCO's defense.²⁴

13 **2. Photocopies and Reproductions for Trial**

14 APCO seeks \$15,013.42 for trial exhibit reproductions for trial.²⁵ The costs for these
15 reproductions include exhibits and exhibit binders, the videos APCO used as exhibits at
16 trial, and copies of Helix's and National Wood's exhibits.²⁶ The recovery of these costs is
17 permitted. See NRS 18.005(12) allowing photocopies as a recoverable costs, and NRS
18 18.005(17) allowing for costs "reasonable and necessary" incurred in connection with the
19 action. The cost of reproducing documents for inclusion in document books, and for
20 introduction at trial is recoverable where copies are necessary for trial or pretrial.²⁷

21 ¹⁹ See Helix Electric of Nevada, LLC's May 3, 2018 Memorandum of Costs and
22 Disbursements at 1:24.

23 ²⁰ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

24 ²¹ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

25 ²² **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

26 ²³ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

27 ²⁴ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

28 ²⁵ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

²⁶ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

²⁷ *Advance Business Systems & Supply Co. v. SCM Corp.*, D.C.Md.1968, 287 F.Supp. 143,
affirmed and remanded on other grounds 415 F.2d 55, certiorari denied 90 S.Ct. 928, 397 U.S.
920, 25 L.Ed.2d 101.

1 Videotapes and video duplication are also properly taxable costs.²⁸ See *Weitz Co. v. MH*
2 *Washington*,²⁹ (allowing costs of trial exhibits); *In re Online DVD-Rental Antitrust*
3 *Litigation*,³⁰ (allowing costs for scanning and assembly of documents and preparation of
4 visual aids).

5 Invoices for those services are attached as **Exhibit C** to this opposition. These costs
6 were necessary for APCO's defense at trial.³¹

7 **3. Costs for court reporters/ transcripts**

8 APCO seeks \$1,789.68 for court reporters and trial transcripts.³² These fees are
9 allowed under NRS 18.005(2). Invoices for those services are attached as **Exhibit D** to
10 this opposition. These costs are allowable. See *Farmer v. Arabian Am. Oil Co.*,³³
11 (prevailing party was entitled to recover the cost of a trial transcript. *In re Application of*
12 *Mgndichian*,³⁴ (awarding costs for deposition, pretrial and trial transcripts); 28 U.S.C.A. §
13 1920 (confirming taxable costs include transcripts).

14 **Exhibit A** summarizes the reasons these court reporter/ transcripts were necessary for
15 trial and post-trial briefing.³⁵ **Exhibit D** includes the invoices for the court reporter
16 fees/transcripts.

17 **4. Travel and lodging expenses**

18 APCO also seeks \$3,942.38 for travel and lodging costs.³⁶ APCO requested attorney
19 John Randall Jefferies appear as trial counsel months before trial in this case.³⁷ While Mr.
20 Jefferies maintains offices in both Arizona and Nevada, his residence is in Arizona and he

21 ²⁸ *Andrews v. Suzuki Motor Co., Ltd.*, 161 F.R.D. 383 (S.D. Ind. 1995)

22 ²⁹ 631 F.3d 510 (8th Cir. 2011)

23 ³⁰ C.A.9 (Cal.) 2015, 779 F.3d 914

24 ³¹ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

25 ³² **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

26 ³³ 379 U.S. 227, 85 S. Ct. 411, 13 L. Ed. 2d 248 (1964)

27 ³⁴ 312 F. Supp. 2d 1250, 1266 (C.D. Cal. 2003), *amended sub nom. In re Mgndichian*, No.
CV02-09580MMMSHX, 2003 WL 23358199 (C.D. Cal. Dec. 2, 2003) (awarding costs for
transcripts); *United States v. Hitachi America, Ltd.*, 101 F.Supp.2d 830, 833, 838 (C.I.T.2000)

28 ³⁵ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

³⁶ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

1 had to travel in for critical hearings and trial.³⁸ These expenses are recoverable under NRS
2 18.005(17) as reasonable and necessary expenses incurred in connection with the action.
3 *See Thon v. Thompson*,³⁹ (specifically allowing hotel, travel and airfare expenses and
4 confirming the prevailing party may recover reasonable travel expenses incurred by the
5 out-of-county attorneys whom in retained in order to attend proceedings conducted in
6 county of jurisdiction); *Seever v. Copley Press, Inc.*,⁴⁰ (affirming trial court's decision to
7 award travel costs); *Howard v. Am. Nat. Fire Ins. Co.*,⁴¹ ("The expense of taking
8 depositions—including travel expenses incurred by out-of-town-counsel to attend
9 depositions—is an allowable cost" and refusing to overturn trial court's decision to award
10 the cost of meals); *Aston v. Secretary of Health and Human Services*⁴² (affirming an award
11 of travel expenses); NRS 18.005 (allowing reasonable costs for travel and lodging incurred
12 taking depositions and conducting discovery).

13 Mr. Jefferies' travel and lodging expenses, as well as the reason for each of those
14 expenses is summarized in **Exhibit A**.⁴³ Invoices for those services are attached as **Exhibit**
15 **E**.⁴⁴

16 **5. Computerized legal research expenses.**

17 APCO seeks \$1,790.00 for computerized legal research.⁴⁵ These costs are recoverable
18 under NRS 18.005(17), which specifically allows costs for computerized legal research.
19 *See Waddell v. L.V.R.V. Inc.*,⁴⁶ (recognized the recoverability of computerized research
20

21 ³⁷ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

22 ³⁸ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

23 ³⁹ 29 Cal. App. 4th 1546, 35 Cal. Rptr. 2d 346 (1994)

24 ⁴⁰ 141 Cal. App. 4th 1550, 1560, 47 Cal. Rptr. 3d 206, 213 (2006), *as modified* (Aug. 22,
25 2006)

26 ⁴¹ 187 Cal. App. 4th 498, 541, 115 Cal. Rptr. 3d 42, 79 (2010), *as modified on denial of*
27 *reh'g* (Sept. 9, 2010)(internal citations omitted)

28 ⁴² , 808 F.2d 9, 12 (2d Cir.1986)

⁴³ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

⁴⁴ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

⁴⁵ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

⁴⁶ 122 Nev. 15, 125 P.3d 1160, 58 U.C.C. Rep. Serv. 2d 655 (2006),

1 expenses as costs); *Sever v. Alaska Pulp Corp.*,⁴⁷ (affirming an award of \$18,323.01 for
2 computerized research); *CTA Architects of Alaska, Inc. v. Active Erectors & Installers,*
3 *Inc.*,⁴⁸ (recognizing computer assisted legal research as recoverable costs); *Kennedy v.*
4 *King Soopers Inc.*,⁴⁹ (awarding costs for computerized legal research); *Mackall v. Jalisco*
5 *Intern., Inc.*,⁵⁰ (holding a contractor is entitled to an award of costs for computerized legal
6 services). Invoices for those services are attached as **Exhibit F** to this opposition, and the
7 research completed is for each charge is explained in **Exhibit A**. These costs were
8 necessary to assist the attorneys in researching the many complex legal issues in this
9 case.⁵¹

10 **Summary of APCO's Costs at Spencer Fane**

11 Spencer Fane entered the case as trial counsel on September 29, 2017.⁵² Besides
12 some relatively minor negotiations Spencer Fane participated in to settle with other
13 subcontractors, Spencer Fane's work focused on defending against the claims of Helix and
14 CabineTec (National Wood).⁵³ And as such, the costs are clearly attributable to those
15 subcontractors that actually went to trial. APCO believes it would be fair to split the costs
16 APCO incurred at Spencer Fane (\$23,548.46) between Helix and National Wood evenly,
each paying \$11,774.23.⁵⁴

17 APCO also requests an additional \$10,500 from Helix as a result of a 2010 Nevada
18 State Contractor's Board audit of APCO's finances, ordered as result of Helix's claims
19 against APCO in this matter. These amounts are reasonable and recoverable under NRS
20 18.005(17) since specifically ordered by the Nevada State Contractor's Board based solely

21 ⁴⁷ 931 P.2d 354, 132 Lab. Cas. (CCH) ¶58182 (Alaska 1996),

22 ⁴⁸ 781 P.2d 1364 (Alaska 1989)

23 ⁴⁹ 148 P.3d 385 (Colo. Ct. App. 2006)

24 ⁵⁰ 28 P.3d 975 (Colo. Ct. App. 2001)

25 ⁵¹ See for example APCO's Post-Trial Brief, including sections on assignment, ratification,
novation, and judicial admissions to name a few.

26 ⁵² See Docket at September 29, 2017 Notice of Appearance.

27 ⁵³ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

28 ⁵⁴ **Exhibit 1-A**, Declaration of Mary Bacon, Esq.(This also appears fair since APCO
already removed certain expenses, like the cost of subcontractor Zitting's deposition, and runner
fees associated with stipulations with other subcontracts, etc from APCO's costs).

1 on Helix's Complaint.⁵⁵ The Nevada State Contractor's Board ordering this audit in
2 connection with the Project, and APCO's invoice for the audit are attached as **Exhibit Q**.

3 For clarity, thus far, APCO seeks \$11,774.23 against National Wood and \$22,274.23
4 against Helix.

5 **I. APCO requests \$23,180.42 in costs through Marquis Aurbach Coffing**
6 **("MAC").**

7 As detailed in APCO's Memorandum of Costs, APCO seeks \$23,180.42 in costs
8 incurred throughout MAC's representation of APCO.

9 **1. Filing Fees.**

10 APCO seeks \$890.50 in filing fees.⁵⁶ Filing fees are recoverable under NRS
11 18.005(1). These fees were incurred in filing all relevant documents required and/or
12 allowed by the Nevada Rules of Civil Procedure to defend the case, which include, but are
13 not limited to, motions to dismiss, motion for summary judgment, oppositions to the
14 respective defendant's motion, pretrial and trial pleading and that were all necessary to
15 limit issues between the Parties involved in the case, prior to trial and successfully defend
16 the instant action.⁵⁷ The docket, detailing over \$1500 in filing fees on behalf of APCO, and
17 confirming each filing these fees were incurred filing is attached as **Exhibit G**.⁵⁸

18 **2. Special Master Fees**

19 APCO seeks \$3,078.68 in special master fees, which are recoverable as costs
20 reasonably and necessary incurred in connection with the action pursuant to NRS
21 18.005(17).⁵⁹ These fees were incurred through order of the Court by appointment of the
22 Special Master, which the Parties stipulated to, and were necessary to more efficiently
23

24
25 ⁵⁵ See also *Freedman v. Philadelphia Terminals Auction Co.*, 198 F. Supp. 429 (E.D. Pa.
1961) (allowing recovery of account's time as costs).

26 ⁵⁶ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27 ⁵⁷ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

28 ⁵⁸ Only \$890.50 of these fees were incurred during MAC's representation of APCO.

⁵⁹ See also *Dore Energy Corp. v. Prospective Inv. & Trading Co.*, 270 F.R.D. 262, 266
(W.D. La. 2010).

1 manage and resolve the discovery disputes between the Parties.⁶⁰ Invoices for the special
2 master fees are attached as **Exhibit H**.⁶¹

3
4 **3. Printing Services**

5 APCO seeks \$2,901.92 in printing costs that MAC incurred through Holo
6 Discovery.⁶² Photocopies are recoverable as costs under NRS 18.005(12) and under NRS
7 18.005(17) as reasonably and necessary costs incurred in connection with the action. *See*
8 *In Weiss v. Harper*, 803 N.E.2d 201 (Ind. Ct. App. 2003) (costs include photocopies).
9 These fees were incurred on the dates and for the services noted in the invoices to comply
10 with the multiple large productions that were necessary in this case.⁶³ Invoices for the
11 litigation support costs are attached as **Exhibit I**.⁶⁴

12 **4. Transcripts/ Reporter's fees**

13 APCO seeks \$4,231.95 for transcripts/ reporter's fees.⁶⁵ Reporter's fees are
14 recoverable under NRS 18.005(2). These fees were incurred as a measure to keep an
15 accurate record in a highly contentious case, and were necessary to efficiently present
16 sworn testimony and representations by the parties in motion work, pretrial, trial, and post-
17 trial briefing.⁶⁶ Invoices for the transcript/reporter's costs are attached as **Exhibit J**, and
18 note the hearing each was for within the invoice. ⁶⁷

19
20
21
22 **5. Professional Services**

23 ⁶⁰ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

24 ⁶¹ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

25 ⁶² **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

26 ⁶³ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27 ⁶⁴ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

28 ⁶⁵ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

⁶⁶ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

⁶⁷ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

1
2 APCO seeks \$2,550 for professional services. Professional services are recoverable
3 under NRS 18.005(17) when reasonably and necessarily incurred in connection with the
4 action. These fees were incurred by MAC in engaging bankruptcy counsel to advise APCO
5 and attend and counsel APCO during a mediation.⁶⁸ Invoices for the professional services
6 are attached as **Exhibit K**.⁶⁹

7
8 **6. Long distance**

9 APCO seeks \$85.75 in long distance phone calls.⁷⁰ Long distance calls are
10 recoverable as costs under NRS 118.005(13). The 31 calls, chronicled below, were
11 necessary to coordinate with APCO's co-counsel Randy Jefferies (whose primary office is
12 in Arizona), Helix's counsel, Eric Zimbleman (who has offices in both Nevada and
13 Washington) and John Taylor, National Wood's counsel, in California.⁷¹ Records of these
14 costs were kept internally at MAC, and are attached within **Exhibit L**.⁷²

15
16 **7. Flash drives**

17 APCO seeks \$44.37 for flash drives.⁷³ Photocopies are recoverable as costs under
18 NRS 18.005(12). *See In Weiss v. Harper*, 803 N.E.2d 201 (Ind. Ct. App. 2003) (costs
19 include photocopies). The use and cost of flash drives were incurred as a vast reduction of
20 costs in lieu of having to photo copy thousands of pages of disclosure to each of the parties
21 that would have exponentially increased the cost of production, and should be thus be
22 awarded.⁷⁴ The cost of the flash drive was \$ 44.37 for document productions on September
23

24 ⁶⁸ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

25 ⁶⁹ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

26 ⁷⁰ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27 ⁷¹ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

28 ⁷² **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

⁷³ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

⁷⁴ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

1 28, 2017 and October 2, 2017 to transport critical documents to APCO and Spencer Fane
2 when Spencer Fane came in as co-counsel.⁷⁵

3
4 **8. Messenger services**

5 APCO seeks \$197 in messenger services.⁷⁶ Messenger services are recoverable as
6 costs under NRS 18.005(17) since they were reasonably and necessarily incurred in
7 connection with the action. *See Zuniga v. W. Apartments*,⁷⁷ (allowing messenger services
8 as costs); *In re Application of Mgndichian*, C.D.Cal.2003,⁷⁸ (messenger services are
9 reasonable and recoverable). These services were incurred in delivering disclosures,
10 filings, and orders to the court and stipulations to other parties.⁷⁹ The purpose of each
11 messenger service, the date of the messenger service, and the total cost of each messenger
12 services is listed on each respective invoice.⁸⁰ Invoices for the messenger services are
13 attached as **Exhibit L**.⁸¹

14 **9. Parking fees**

15 Parking fees are recoverable as litigation costs under NRS 18.005(17) since they were
16 reasonably and necessarily incurred in connection with the action.⁸² APCO seeks \$166 in
17 parking fees.⁸³ These fees were incurred parking at the courthouse for hearings. Invoices
18 for these parking charges are attached as **Exhibit M**.

19 **10. Postage**

20
21 ⁷⁵ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

22 ⁷⁶ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

23 ⁷⁷ *No. CV 13-04637-JFW*, 2014 WL 6655997, at *4 (C.D. Cal. Nov. 24, 2014)

24 ⁷⁸ 312 F.Supp.2d 1250, amended 2003 WL 23358199

25 ⁷⁹ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

26 ⁸⁰ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27 ⁸¹ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

28 ⁸² See also *Meacham v. Knolls Atomic Power Laboratory*, N.D.N.Y.2002, 185 F.Supp.2d 193,
affirmed 381 F.3d 56, vacated 125 S.Ct. 1731, 544 U.S. 957, 161 L.Ed.2d 596, on remand 461
F.3d 134, remanded 305 Fed.Appx. 748, 2009 WL 33609, on remand 627 F.Supp.2d 72.

⁸³ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

1 APCO seeks \$29.31 in postage.⁸⁴ The cost of postage is recoverable under NRS
2 18.005(14). This postage was incurred to efficiently serve disclosures and pleadings to the
3 parties and was necessary to serve disclosure and pleading pursuant to the Nevada Rules of
4 Civil Procedure.⁸⁵ Postage is tracked internally at MAC.⁸⁶ Invoices for postage are
5 included in **Exhibit L**.

6 **11. Westlaw Research**

7 APCO seeks \$1,453.94 in Westlaw legal research costs for MAC.⁸⁷ These fees are
8 recoverable under NRS 18.005(17). *See Waddell v. L.V.R.V. Inc.*,⁸⁸ (recognized the
9 recoverability of computerized research expenses as costs); *Sever v. Alaska Pulp Corp.*,⁸⁹
10 (affirming an award of \$18,323.01 for computerized research); *CTA Architects of Alaska,*
11 *Inc. v. Active Erectors & Installers, Inc.*,⁹⁰ (recognizing computer assisted legal research as
12 recoverable costs); *Kennedy v. King Soopers Inc.*,⁹¹ (awarding costs for computerized legal
13 research).; *Mackall v. Jalisco Intern., Inc.*,⁹² (which held that a water blasting company
14 was entitled to an award of costs for computerized legal services). These fees were
15 necessary to necessary to assist the attorneys in researching the legal issues it issue in the
16 case.⁹³ The Court and parties are wall aware of the vast amount of pleadings between them
17 and briefing that occurred, which, Apco ultimately prevailed on.⁹⁴ Invoices for the
18 Westlaw research are attached as **Exhibit N**.

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21 ⁸⁴ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

22 ⁸⁵ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

23 ⁸⁶ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

24 ⁸⁷ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

25 ⁸⁸ 122 Nev. 15, 125 P.3d 1160, 58 U.C.C. Rep. Serv. 2d 655 (2006),

26 ⁸⁹ 931 P.2d 354, 132 Lab. Cas. (CCH) ¶58182 (Alaska 1996),

27 ⁹⁰ 781 P.2d 1364 (Alaska 1989)

28 ⁹¹ 148 P.3d 385 (Colo. Ct. App. 2006)

⁹² 28 P.3d 975 (Colo. Ct. App. 2001)

⁹³ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

⁹⁴ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

1 **12. Copies**

2 APCO seeks \$6,924.00 in photocopies made by or for MAC

3 .⁹⁵ Photocopies are recoverable as costs under NRS 18.005(12). *See In Weiss v.*
4 *Harper*,⁹⁶ (costs include photocopies). These costs were incurred in printing disclosures,
5 drafts of motions, attorney word product, and in keeping a paper file.⁹⁷ Copying costs are
6 tracked internally at MAC.⁹⁸ MAC's internal records showing the date of each photocopy
7 and the total cost is attached as **Exhibit O**.⁹⁹ Based upon the work involved in prosecuting
8 this lawsuit, the copying costs incurred were both reasonable and necessary.¹⁰⁰

9 **13. Scanning**

10 APCO seeks \$627.50 in costs related to scanning.¹⁰¹ These costs are recoverable. *In*
11 *re Online DVD-Rental Antitrust Litigation*,¹⁰² (allowing costs for scanning and assembly of
12 documents and preparation of visual aids). Scanning was necessary to scan in parties'
13 disclosures, keeping MAC's electronic files up to date, disclosing documents, scanning in
14 motions with exhibits, and other various tasks.¹⁰³ Scanning costs are tracked internally at
15 MAC. MAC's internal records showing the date of each photocopy and the total cost is
16 attached as **Exhibit P**.¹⁰⁴ Based upon the work involved in prosecuting this lawsuit, the
17 scanning costs incurred were both reasonable and necessary.¹⁰⁵

18
19
20 ⁹⁵ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

21 ⁹⁶ 803 N.E.2d 201 (Ind. Ct. App. 2003)

22 ⁹⁷ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

23 ⁹⁸ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

24 ⁹⁹ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

25 ¹⁰⁰ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

26 ¹⁰¹ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27 ¹⁰² C.A.9 (Cal.) 2015, 779 F.3d 914

28 ¹⁰³ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

¹⁰⁴ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

¹⁰⁵ **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

1 **3. Lastly, APCO's splitting of costs was reasonable.**

2 The Nevada Supreme Court found that apportionment of costs is not mandatory
3 when defending a claim against multiple parties in the same action when defending against
4 "similar claims based on the same factual circumstances."¹⁰⁶ Instead, the district court can
5 reasonably conclude that the claims are "inextricably intertwined" as to make
6 apportionment "impractical, if not impossible."¹⁰⁷ In this case, almost all costs would have
7 been incurred to defend against either Helix or CabineTec's claims. For example, APCO
8 still would have needed to order all trial transcripts, make copies of all parties' trial
9 exhibits, incur messenger fees for stipulations, incur travel expenses to attend hearings, etc.
10 So while APCO did not need to apportion these fees, it did so. Fees that were clearly only
11 related to Helix or National Wood were apportioned as such.¹⁰⁸ Remaining fees were split
12 in half. This is reasonable, and neither National Wood nor Helix have suggested a more
13 reasonable apportionment.

14 Finally, in addition to the statutory bases cited above, all costs are certainly
15 allowable pursuant to APCO's subcontracts with Helix and CabineTec which allow "all
16 costs" and "other reasonable expenses."¹⁰⁹ As such, since the court is hearing APCO's
17 Motion for Attorney's Fees on the same day as Helix and National Wood's Motion to
18 Retax Costs, a ruling on APCO's Motion for Attorney's Fees and Costs may render the
19 hearings on National Wood's and Helix's Motions to Retax moot since APCO is entitled to
20 recovery as a matter of contract and NRS 18.005.

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¹⁰⁶ *Mayfield v. Koroghli*, 124 Nev. 343, 353, 184 P.3d 362, 369 (2008)

26 ¹⁰⁷ *Mayfield v. Koroghli*, 124 Nev. 343, 353, 184 P.3d 362, 369 (2008).

27 ¹⁰⁸ See APCO's Supplement to its Motion for Attorney's Fees.

28 ¹⁰⁹ Trial Exhibit 45, Helix Subcontract at Section 18.5; Trial Exhibit 149 CabineTec Subcontract at Section 18.5.

1 **I. CONCLUSION**

2 Based on the foregoing reasons, APCO requests costs in the amount of \$57,228.89.

3
4 Dated this 15th day of June, 2018.

5 **SPENCER FANE LLP**

6
7 */s/ Mary Bacon*

8 John H. Mowbray, Esq. (Bar No. 1140)
9 John Randall Jefferies, Esq. (Bar No. 3512)
10 Mary E. Bacon, Esq. (Bar No. 12686)
11 300 S. Fourth Street, Suite 950
12 Las Vegas, NV 89101
13 Telephone: (702) 408-3400
14 Facsimile: (702) 408-3401
15 *Attorneys for Apco Construction, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Spencer Fane LLP and that a copy of the foregoing **APCO CONSTRUCTION, INC.'S OPPOSITION TO HELIX ELECTRIC OF NEVADA, LLC AND PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS, INC.'S MOTIONS TO RETAX COST** was served by electronic transmission through the E-Filing system pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26 or by mailing a copy to their last known address, first class mail, postage prepaid for non-registered users, on this 15th day of June, 2018, as follows:

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 (rltdtdck@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 Mounter, Esq." . (cmounter@marquisaurbach.com)
"Cori Mandy, Legal Secretary" . (cori.mandy@procopio.com)
"Donald H. Williams, Esq." . (dwilliams@dhwlawlv.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@Langsdalelaw.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@djmmerrillpc.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@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@marquisaurbach.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@madaw.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 . (rittdck@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 Timothy E. Salter . (tim.salter@procopio.com)
13 Wade B. Gochmour . (wbg@h2law.com)

14 /s/ Adam Miller
15 an employee of Spencer Fane LLP
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Exhibit 1-A

**DECLARATION OF MARY BACON IN SUPPORT OF
APCO'S SUPPLEMENT TO ITS MOTION FOR ATTORNEY'S FEES**

I, MARY BACON, declare as follows:

1. I am over 21 years old and have personal knowledge of the facts stated herein.

2. I am counsel for APCO in *APCO Construction, Inc. v. Gemstone Development West*, Case No: A571228.

3. APCO requests a total \$23,548.47 in costs incurred through Spencer Fane. All of these fees were reasonably and necessarily incurred in APCO's defense, and true and accurate copies of the invoices for those fees are attached to the instant motion.

4. As detailed in APCO's Memorandum of Costs, APCO seeks five categories of costs it incurred throughout its representation at Spencer Fane: (1) messenger services, (2) photocopies and reproductions for trial, (3) costs for court reporters/ transcripts, (4) travel and lodging expenses, and (5) reasonable and necessary expenses for computerized services for legal research.

5. APCO seeks \$1,012.99 in messenger services. A chart summarizing the amount of each messenger service and the reason each messenger service was necessary is attached as **Exhibit A**. Invoices for those services are attached as **Exhibit B** to this supplement. The name and date of the document messengered is contained in each specific invoice. Each of these messenger services were required to messenger the specific document referenced in the invoice to either the court or to opposing counsel for the process of facilitating signing stipulations and/or orders. Each of these messenger services was for this case, and was necessary to facilitate APCO's defense.

6. APCO seeks \$15,013.42 for trial exhibit reproductions for trial. The costs for these reproductions include exhibits in exhibit binders, the videos APCO used as exhibits at trial, and copies of Helix's and National Wood's exhibits. Invoices for those

1 services are attached as **Exhibit C** to this supplement. These costs were necessary for
2 APCO's defense at trial.

3
4 7. APCO seeks \$1,789.68 for court reporters and trial transcripts. Invoices for
5 those services are attached as **Exhibit D** to this supplement. **Exhibit A** summarizes the
6 reason each of these court reporter/ transcripts were necessary, and each of these
7 transcripts were necessary for post-trial briefing. **Exhibit D** includes the invoices for the
8 court reporter fees/transcripts.

9
10 8. APCO also seeks \$3,942.38 for travel and lodging costs. APCO requested
11 attorney John Randall Jefferies appear as trial counsel months before trial in this case.
12 While Jefferies maintains offices in both Arizona and Nevada, his residence is in Arizona
13 and he had to travel in for critical hearings and trial. Jefferies' travel and lodging
14 expenses, as well as the reason for each of those expenses is summarized in **Exhibit A**.
15 Invoices for those services are attached as **Exhibit E**.

16
17 9. APCO seeks \$1,790.00 for computerized legal research. Invoices for those
18 services are attached as **Exhibit F** to this supplement. These costs were necessary to assist
19 the attorneys in researching the many complex legal issues in this case.¹

20
21 10. Spencer Fane entered the case as trial counsel on September 29, 2017.²
22 Besides some relatively minor negotiations Spencer Fane participated in to settle with
23 other subcontractors, Spencer Fane's work focused on defending against the claims of
24 Helix and CabineTec (National Wood). And as such, the costs are clearly attributable to
25 those subcontractors that actually went to trial. As such, APCO believes it would be fair
26 to split these costs between Helix and CabineTec evenly, each paying \$11,774.23.

27 ¹ See for example APCO's Post-Trial Brief, including sections on assignment, ratification,
28 novation, and judicial admissions to name a few.

² See Docket at September 29, 2017 Notice of Appearance.

1 I declare, under penalty of perjury, that the foregoing is true and correct to the best
2 of my knowledge, information and belief.

3 DATED the 25th day of May, 2018.

4 Mary Bacon
5 MARY BACON, ESQ.
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Exhibit 1-B

**DECLARATION OF CODY MOUNTEER IN SUPPORT OF
APCO'S SUPPLEMENT TO ITS MOTION FOR ATTORNEY'S FEES**

I, CODY MOUNTEER, declare as follows:

1. I am over 21 years old and have personal knowledge of the facts stated herein.

2. I am counsel for APCO Construction, Inc. ("APCO") in *APCO Construction, Inc. v. Gemstone Development West*, Case No: A571228.

3. As detailed in APCO's Memorandum of Costs, APCO seeks \$22,491.93 in costs incurred throughout Marquis Aurbach Coffing's ("MAC") representation of APCO. All of these fees were reasonably and necessarily incurred in APCO's defense, and true and accurate copies of the invoices for those fees are attached to the instant motion.

1. Filing Fees.

APCO seeks \$890.50 in filing fees. These fees were incurred in filing all relevant documents required and/or allowed by the Nevada Rules of Civil Procedure to defend the case, which include, but are not limited to, motions to dismiss, motion for summary judgment, oppositions to the respective defendant's motion, pretrial and trial pleading and that were all necessary to limit issues between the Parties involved in the case, prior to trial and successfully defend the instant action. The docket, detailing these fees and each pleading the costs were incurred for is attached as **Exhibit G**.

2. Special Master Fees

APCO seeks \$3,078.68 in special master fees. These fees were incurred through order of the Court by appointment of the Special Master, which the Parties stipulated to, and were necessary to more efficiently manage and resolve the discovery disputes between the Parties. Invoices for the special master fees are attached as **Exhibit H**.

3. Printing Services

APCO seeks \$2,901.92 in printing costs that MAC incurred through Holo Discovery. These fees were incurred on the dates and for the services noted in the invoices

1 to comply with the multiple large productions that were necessary in this case. Invoices
2 for the litigation support costs are attached as **Exhibit I**.

3
4 4. Transcripts/ Reporter's fees

5 APCO seeks \$4,231.95 for transcripts/ reporter's fees. These fees were incurred as
6 a measure to keep an accurate record in a highly contented case, and were necessary to
7 efficiently present sworn testimony and representations by the parties in motion work,
8 pretrial, trial, and post-trial briefing. Invoices for the transcript/reporter's costs are
9 attached as **Exhibit J**, and note the hearing each was for within the invoice.

10 5. Professional Services

11 APCO seeks \$2,550 for professional services. These fees were incurred by MAC in
12 engaging bankruptcy counsel to advise APCO and attend and counsel APCO during a
13 mediation. Invoices for the professional services are attached as **Exhibit K**.

14 6. Long distance

15 APCO seeks \$85.75 in long distance phone calls. The 31 calls, chronicled below,
16 were necessary to coordinate with APCO's co-counsel Randy Jefferies (whose primary
17 office is in Arizona), Helix's counsel, Eric Zimbleman (who has offices in both Nevada
18 and Washington) and John Taylor, National Wood's counsel, in California. Invoices are
19 attached as **Exhibit L**.

20 7. Flash drives

21 APCO seeks \$44.37 for flash drives. The use and cost of flash drives were incurred as a
22 vast reduction of costs in lieu of having to photo copy thousands of pages of disclosure to
23 each of the parties that would have exponentially increased the cost of production, and
24 should be thus be awarded. The cost of the flash drive was \$ 44.37 for document
25 productions on September 28, 2017 and October 2, 2017 to transport large numbers of
26 documents to APCO and Spencer Fane when Spencer Fane came in as co-counsel.
27

28 8. Messenger services

1
2 APCO seeks \$197 in messenger services. These services were incurred in delivering
3 disclosures, filings, and orders to the court and stipulations to other parties. The purpose
4 of each messenger service, the date of the messenger service, and the total cost of each
5 messenger services is listed on each respective invoice. Invoices for the messenger
6 services are attached as **Exhibit L**.

7
8 **9. Parking fees**

9
10 Parking fees are recoverable as litigation costs.¹ APCO seeks \$166 in parking fees.
11 These fees were incurred parking at the courthouse for hearings on the dates listed on the
12 invoices. Invoices for these parking charges are attached as **Exhibit M**.

13
14 **10. Postage**

15
16 APCO seeks \$29.31 in postage. This postage was incurred to efficiently serve
17 disclosures and pleadings to the parties and was necessary to serve disclosure and
18 pleading pursuant to the Nevada Rules of Civil Procedure. Postage is tracked internally at
19 MAC. Invoices for postage are attached as **Exhibit L**.

20
21 **11. Westlaw Research**

22
23 APCO seeks \$1,453.94 in Westlaw legal research costs. These fees were necessary
24 to necessary to assist the attorneys in researching the legal issues it issue in the case. The
25 Court and parties are wall aware of the vast amount of pleadings between them and
26 briefing that occurred, which, APCO ultimately prevailed on. Invoices for the Westlaw
27 research are attached as **Exhibit N**.

28
29 **12. Copies**

30
31 APCO seeks \$6,924.00 in photocopies. These costs were incurred in printing
32 disclosures, drafts of motions, attorney word product, and in keeping a paper file.
33 Copying costs are tracked internally at MAC. MAC's internal records showing the date of
34 each photocopy and the total cost is attached as **Exhibit O**.

35
36 ¹ *Meacham v. Knolls Atomic Power Laboratory*, N.D.N.Y.2002, 185 F.Supp.2d 193,
37 affirmed 381 F.3d 56, vacated 125 S.Ct. 1731, 544 U.S. 957, 161 L.Ed.2d 596, on remand
38 461 F.3d 134, remanded 305 Fed.Appx. 748, 2009 WL 33609, on remand 627 F.Supp.2d
39 72.

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I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information and belief.

Cody Mounter
CODY MOUNTEER, ESQ.

EXHIBIT A

EXHIBIT A APCO CONSTRUCTION Cost Recap				
Cost Date	Timekeeper	Cost Description	Amount Billed	Reason for Charge
10/4/2017	MEB	Online Legal Research	\$75.00	Research for dispositive motions
10/7/2017	MEB	Online Legal Research	\$75.00	Research on retention issues
10/10/2017	MEB	Online Legal Research	\$75.00	Research NRS 624 and retention issues
10/11/2017	MEB	Online Legal Research	\$75.00	Research NRS 624 and retention issues
10/12/2017	MEB	Online Legal Research	\$75.00	Research legislative history of NRS 624
10/13/2017	MEB	Online Legal Research	\$75.00	Research retention and ratification
9/26/2017	JRJ	Travel John Randall Jefferies APCO meeting	\$230.98	½ value of airfare from Phoenix to Las Vegas to meet with APCO to come in as trial counsel
9/28/2017	JRJ	Travel John Randall Jefferies APCO meeting	\$78.28	Travel related expenses for initial meeting with APCO
9/28/2017	JRJ	Meals John Randall Jefferies APCO meeting	\$65.87	Travel related expenses for initial meeting with APCO
9/28/2017	JRJ	Travel John Randall Jefferies APCO meeting	\$259.64	Travel related expenses for initial meeting with APCO
9/27/2017	JRJ	Meals John Randall Jefferies APCO meeting	\$18.00	Travel related expenses for initial meeting with APCO
9/27/2017	JRJ	Meals John Randall Jefferies APCO meeting	\$11.86	Travel related expenses for initial meeting with APCO
9/27/2017	JRJ	Meals John Randall Jefferies APCO meeting	\$8.46	Travel related expenses for initial meeting with APCO
9/27/2017	JRJ	Meals John Randall Jefferies APCO meeting	\$7.87	Travel related expenses for initial meeting with APCO

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9/27/2017	JRJ	Meals John Randall Jefferies APCO meeting	\$47.83	Travel related expenses for initial meeting with APCO
9/28/2017	JRJ	Meals John Randall Jefferies APCO meeting	\$33.64	Travel related expenses for initial meeting with APCO
9/28/2017	JRJ	Meals John Randall Jefferies APCO meeting	\$16.89	Travel related expenses for initial meeting with APCO
11/8/2017	MEB	Online Legal Research	\$75.00	Research for motions in limine
11/9/2017	MEB	Online Legal Research	\$75.00	Research for motions in limine
11/10/2017	MEB	Online Legal Research	\$75.00	Research for motions in limine
11/11/2017	MEB	Online Legal Research	\$75.00	Research for motions in limine
11/13/2017	JRJ	Reproduction Axion Discovery Reproduction, Exhibit production	\$798.17	Exhibit production for trial exhibits
11/13/2017	MEB	Online Legal Research	\$75.00	Research for motions in limine
11/14/2017	MEB	Online Legal Research	\$75.00	Research for motions in limine
11/15/2017	JRJ	Travel John Randall Jefferies Las Vegas for preparation and attendance at hearing 11/16/17	\$75.25	Travel related expenses hearing on motions in limine
11/16/2017	JRJ	Travel John Randall Jefferies Travel to Las Vegas for preparation and attendance at hearing 11/16/17	\$33.34	Travel related expenses hearing on motions in limine
11/16/2017	JRJ	Travel John Randall Jefferies Las Vegas for preparation and attendance at hearing 11/16/17	\$107.44	Travel related expenses hearing on motions in limine
11/21/2017	JRJ	Reproduction Axion Discovery Reproduction, APCO video clips/CD creation	\$238.51	Exhibit reproduction (of videos) for trial
11/30/2017	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, ROC Offer of Judgment to National Wood Products to Law Offices of Richard Tobler	\$55.94	Deliver offer of judgment to National Wood
11/30/2017	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, ROC Offer of Judgment to Peel Brimley.	\$63.56	Deliver offer of judgment to Helix Electric
11/20/2017	JRJ	Travel John Randall Jefferies APCO - Pretrial Conference and Calendar Call	\$97.53	Travel for trial counsel to attend pretrial conference and

				calendar call
11/20/2017	JRJ	Travel John Randall Jefferies APCO - Pretrial Conference and Calendar Call	\$33.34	Travel for trial counsel to attend pretrial conference and calendar call
12/2/2017	MEB	Online Legal Research	\$75.00	Research for motion for reconsideration
12/3/2017	MEB	Online Legal Research	\$75.00	Research for motion for reconsideration
12/5/2017	MEB	Online Legal Research	\$75.00	Research for motion for reconsideration
12/6/2017	MEB	Online Legal Research	\$75.00	Research for APCO's pre-trial brief
12/13/2017	MEB	Online Legal Research	\$75.00	Research for motion for reconsideration
12/16/2017	MEB	Online Legal Research	\$75.00	Research for motion for reconsideration
12/27/2017	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Deliver Order Granting Peel Brimley's Motion for Partial Summary Judgment to Department 13 for Judge's signature.	\$12.71	Delivery of form of order for motion for reconsideration.
1/5/2018	JRJ	Reproduction Axion Discovery Reproduction, Exhibit printing and assembly	\$4,128.97	Printing and assembly of trial exhibits
1/8/2018	JRJ	Reproduction Axion Discovery Reproduction, Deposition exhibits - printing and assembly	\$2,040.29	Printing and assembly of trial exhibits
1/10/2018	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Print and Deliver Motion for Reconsideration	\$597.45	Deliver motion for reconsideration to courthouse
1/10/2018	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Rush - Deliver courtesy copy of Reply in Support to Dept. 13	\$33.05	Deliver courtesy copy to court
1/12/18	MEB	Reproduction Axion Discovery Reproduction, Exhibit Prep	\$667.11	Prepare trial exhibits

1/16/2018	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Rush - Deliver Trial Brief & E-File Confirmation to Dept. 13.	\$33.05	Deliver courtesy copy of trial brief to court.
1/22/2018	JRJ	Reproduction Axion Discovery Reproduction, Exhibit prep.	\$1,047.89	Printing and assembly of trial exhibits
1/26/2018	JRJ	HOLLO Discovery - Exhibit duplication and preparation for trial	\$6,092.48	Printing and assembly of trial exhibits
1/30/2018	JRJ	Trial Transcript 01/17/18 - Brittany Mangelson	\$676.35	Copies of trial transcripts
1/30/2018	JRJ	Trial Transcript - JD Reporting, Inc.	\$811.62	Copies of trial transcripts
1/31/2018	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Rush - Deliver checks & invoices for trial transcripts to department 13.	\$33.05	Deliver checks for trial transcripts
1/24/2018	JRJ	Travel John Randall Jefferies Trial - APCO (hotel)	\$33.34	Hotel for out-of-state trial counsel during trial
1/20/2018	JRJ	Travel John Randall Jefferies Trial - APCO (Hotel)	\$1,356.58	Hotel for out-of-state trial counsel during trial
1/23/2018	JRJ	Travel John Randall Jefferies Trial - APCO (airfare)	\$529.96	Airfare for out-of-state trial counsel to attend trial
1/22/2018	JRJ	Travel John Randall Jefferies Trial - APCO (hotel/room)	\$109.16	Hotel for out-of-state trial counsel during trial
1/24/2018	JRJ	Travel John Randall Jefferies Trial - APCO (mileage)	\$428.80	Reimbursement for out-of-state trial counsel to attend trial
1/24/2018	JRJ	Meals John Randall Jefferies Trial - APCO (misc. tips)	\$35.00	Meals
1/18/2018	JRJ	Meals John Randall Jefferies Trial - APCO (lunch/trial prep)	\$47.24	Meals during trial
1/24/2018	JRJ	Meals John Randall Jefferies Trial - APCO	\$17.31	Meals during trial
1/23/2018	JRJ	Meals John Randall Jefferies Trial - APCO	\$70.99	Meals during trial
1/19/2018	JRJ	Meals John Randall Jefferies Trial - APCO	\$70.23	Meals during trial
1/17/2018	JRJ	Meals John Randall Jefferies Trial - APCO	\$43.43	Meals during trial
1/17/2018	JRJ	Meals John Randall Jefferies Trial - APCO	\$50.00	Meals during trial
1/24/2018	JRJ	Meals John Randall Jefferies Trial - APCO	\$30.67	Meals during trial

2/2/2018	MEB	Court reporter Mary E. Bacon Trial Transcript for day 2 of Trial (1/18/18).	\$435.87	Cost of trial transcript, necessary for post-trial briefing
2/2/2018	MEB	Court reporter Mary E. Bacon Trial Transcript for day 5 of Trial (1/24/18).	\$666.33	Cost of trial transcript, necessary for post-trial briefing
2/12/2018	MEB	Peel Brimley LLP - check # 11060 Trial Transcripts	(\$863.39)	Reimbursement for portion of trial transcript
2/12/2018	JRJ	Cadden & Fuller LLP - check# 5371 Costs Advance	(\$863.39)	Reimbursement for portion of trial transcript
2/12/2018	JRJ	AZ-Accurate Transcription Service, LLC - Transcript for the last day of trail 02/06/2018	\$646.29	Cost of trial transcript, necessary for for post-trial briefing
2/14/2018	MEB	Online Legal Research	\$110.00	Research for post-trial briefing
2/15/2018	JRJ	Clark County Treasurer - Trial Transcript Recording Fee	\$280.00	Cost of trial transcript, necessary for post-trial briefing
2/15/2018	MEB	Online Legal Research	\$110.00	Research for post-trial briefing
2/16/2018	MEB	Online Legal Research	\$110.00	Research for post-trial briefing
12/2/2017 & 1/3/2018	JRJ	Travel John Randall Jefferies Lyft - to hotel	\$28.95	Travel from court to hotel
2/19/2018	MEB	Online Legal Research	\$110.00	Research for post-trial briefing
2/21/2018	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Pick up Stip & Order from Richard Tobler's office.	\$37.57	Picking up stipulation to extend post-trial briefing
2/23/2018	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Pick up signed Stip & Order from Peel Brimley	\$45.48	Picking up stipulation to extend post-trial briefing
2/23/2018	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Pick up signed Stip & Order from Grant Morris Dodds	\$45.48	Picking up stipulation to extend post-trial briefing
2/23/2018	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Pick up signed Stip & Order from Bradley Slighting	\$22.60	Picking up stipulation to extend post-trial briefing

3/9/2018	MEB	Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Rush delivery - deliver proposed findings of fact and conclusions of law to Judge	\$33.05	Delivery of proposed FFCL to Judge Denton's chambers
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EXHIBIT B

**American Legal Services Nevada**

PR 951452
P.O. Box 59701
Los Angeles CA 90074-9701

TAX ID# 26-1476985

INVOICE

SPENCER FANE LLP
ATTN: ADAM MILLER
300 S. 4TH STREET, SUITE 700
LAS VEGAS, NV 89101

BILLING/PAYMENT QUESTIONS
CLIENT CARE (877) 350-8698

Customer No.		Invoice No.		Period Ending	Amount Due	Pg	
Date	Order No.	Svc	Service Detail			Charges	Total
11/13/17	55056521	ASP	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Caller: Adam Miller 08A571228 Apco v. Gemstone Offer of Judgment to National Wood Products Please ROC Offer of Signed: ROC SIGNED ROR	Law Offices of Richard Tobler 3654 N Rancho Drive LAS VEGAS NV 89130 Ref: 5026372.0002	Base Chg : 49.50 Fuel Chg : 6.44	55.94	
DELIVERY-ASAP VEHICLE							
11/13/17	55056560	ASP	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Caller: Adam Miller 08A571228 Apco v. Gemstone Offer of Judgment Please ROC ASAP Signed: ROC SIGNED/ROR	Peel Brimley LLP 3333 E. Serene Avenue HENDERSON NV 89074 Ref: 5026372.0002	Base Chg : 56.25 Fuel Chg : 7.31	63.56	
DELIVERY-ASAP VEHICLE							

INVOICE PAYMENT DUE UPON RECEIPT**JA006652**



American Legal Services Nevada

PI-MS 1452

P.O. Box 59701

Los Angeles CA 90074-9701

TAX ID# 26-1476985

INVOICE



SPENCER FANE LLP
ATTN: ADAM MILLER
300 S. 4TH STREET, SUITE 700
LAS VEGAS, NV 89101

BILLING/PAYMENT QUESTIONS
CLIENT CARE (877)350-8698

			Customer No.	Invoice No.	Period Ending	Amount Due	Pg			
Date	Ord# No.	Svc	Service Detail				Charges	Total		
12/27/17	55060886	REG	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Caller: Adam Miller A571228 Apco vs. Gemstone Order Granting Apco's Mtn to Request Buchele Comply Please deliver Order Signed: SUBMITTED DEPT 13				District Court 200 Lewis Avenue LAS VEGAS NV 89101 Ref: 5026372.0002	Base Chg : 11.25 Fuel Chg : 1.46	12.71	
12/27/17	55060903	REG	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Caller: Adam Miller A571228 Apco vs. Gemstone Order Granting Peel Brimley's Mtn PSJ Please deliver Signed: SUBMITTED DEPT 13				EIGHTH JUDICIAL DISTRICT COURT 200 LEWIS AVENUE LAS VEGAS NV 89155 Ref: 5026372.0002	Base Chg : 11.25 Fuel Chg : 1.46	12.71	
									Total	151.12

not charged

INVOICE PAYMENT DUE UPON RECEIPT

JA006653

**American Legal Services Nevada**

PH-PS 1452

P.O. Box 59701

Los Angeles CA 90074-9701

TAX ID# 26-1476985

INVOICE

SPENCER FANE LLP
ATTN: ADAM MILLER
300 S. 4TH STREET, SUITE 950
LAS VEGAS, NV 89101

BILLING/PAYMENT QUESTIONS
CLIENT CARE (877) 350-8698

Customer No.		Invoice No.		Period Ending		Amount Due		Pg	
Date	Order No.	Svc	Service Detail			Charges		Total	
1/10/18	55062302	PDF	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Caller: Adam Miller A571228 Apco vs. Gemstone Motion for Reconsideration Filed 1/8/18 & 1/4/18 Please deliver Signed: DELIVERED		EIGHTH JUDICIAL DISTRICT COURT 200 LEWIS AVENUE LAS VEGAS NV 89155		Base Chg : 20.50 PDF/Ship : 576.95	597.45	
1/10/18	55062357	ASP	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Caller: Adam Miller A571228 Apco vs. Gemstone Reply in Support Please deliver Signed: DELIVERED		EIGHTH JUDICIAL DISTRICT COURT 200 LEWIS AVENUE LAS VEGAS NV 89155		Base Chg : 29.25 Fuel Chg : 3.80	33.05	
1/16/18	55062803	ASP	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Caller: Adam Miller A571228 Apco vs. Gemstone Trial Brief & E-File Confirmation Please deliver Signed: DELIVERED DEPT 13		EIGHTH JUDICIAL DISTRICT COURT 200 LEWIS AVENUE LAS VEGAS NV 89155		Base Chg : 29.25 Fuel Chg : 3.80	33.05	



American Legal Services Nevada
PI-PS 1452
P.O. Box 59701
Los Angeles CA 90074-9701

TAX ID# 26-1476985

INVOICE

SPENCER FANE LLP
ATTN: ADAM MILLER
300 S. 4TH STREET, SUITE 950
LAS VEGAS, NV 89101

BILLING/PAYMENT QUESTIONS
CLIENT CARE (877) 350-8698

Date	Order No.	Svc	Service Detail	Charges	Total
1/29/18	55064488	REG	Sullivan Mill 228 S Fourth Street, 1st Floor LAS VEGAS NV 89101 Caller: Adam Miller Stip & Order Please pick up Signed: PICKED UP RETURNED	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Base Chg : 11.75 Fuel Chg : 1.53	13.28
1/29/18	55064510	CND	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Caller: Adam Miller A571228 Apco vs. Gemstone Stip & Order to Dismiss Please deliver Stip Signed: SUBMITTED	EIGHTH JUDICIAL DISTRICT COURT 200 LEWIS AVENUE LAS VEGAS NV 89155 Comment: * NO BASE CHARGE * Ref: 5026372.0002	
1/31/18	55064755	ASP	SPENCER FANE LLP 300 South Fourth Street LAS VEGAS NV 89101 Caller: Adam Miller A571228 Apco vs. Gemstone Checks & Invoices Please deliver Signed: DELIVERED DEPT 13	EIGHTH JUDICIAL DISTRICT COURT 200 LEWIS AVENUE LAS VEGAS NV 89155 Base Chg : 29.25 Fuel Chg : 1.80 Ref: 5026372.0002	31.05
				Invoice Amount: 1,078.86 Fees Advanced: 68.00 Total Amount Due: 1,146.86	

not changed

INVOICE PAYMENT DUE UPON RECEIPT

JA006655

02/21/2018	8143	Mary E. Bacon	140	1.00	37.57	37.57	Courier Delivery Charge
05/10/2018		Invoice=638242		1.00	37.57	37.57	American Legal Services Nevada Courier Delivery
							Charge, Pick up Stip & Order from Richard
							Tobler's office.
		Voucher=380393 Paid					Vendor=American Legal Services Nevada Balance= .00 Amount=
							355.37
							Check #5338664 04/04/2018
02/23/2018	8143	Mary E. Bacon	140	1.00	45.48	45.48	Courier Delivery Charge
05/10/2018		Invoice=638242		1.00	45.48	45.48	American Legal Services Nevada Courier Delivery
							Charge, Pick up signed Stip & Order from Peel
							Brimley
		Voucher=380393 Paid					Vendor=American Legal Services Nevada Balance= .00 Amount=
							355.37
							Check #5338664 04/04/2018

02/23/2018	8143	Mary E. Bacon	140	1.00	45.48	45.48	Courier Delivery Charge
05/10/2018		Invoice=638242		1.00	45.48	45.48	American Legal Services Nevada Courier Delivery
							Charge, Pick up signed Stip & Order from Grant
							Morris Dodds
		Voucher=380393 Paid					Vendor=American Legal Services Nevada Balance= .00 Amount=
							355.37
							Check #5338664 04/04/2018
02/23/2018	8143	Mary E. Bacon	140	1.00	22.60	22.60	Courier Delivery Charge
05/10/2018		Invoice=638242		1.00	22.60	22.60	American Legal Services Nevada Courier Delivery
							Charge, Pick up signed Stip & Order from Bradley
							Slighting
		Voucher=380393 Paid					Vendor=American Legal Services Nevada Balance= .00 Amount=
							355.37
							Check #5338664 04/04/2018



Invoice No.	Customer No.
[REDACTED]	

BILLING/PAYMENT QUESTIONS
CLIENT CARE (877) 350-8698

INVOICE PAYMENT DUE UPON RECEIPT

JA006657

EXHIBIT C

Axion Discovery, LLC

602.492.1889

support@axiondiscovery.com

www.axiondiscovery.com

Invoice

AXION

Discovery

BILL TO

Spencer Fane LLP
Attn: Vivian Bowron
2425 E. Camelback Road, Suite 850
Phoenix, AZ 85016

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1032	11/14/2017	\$798.17	11/29/2017	Net 15	

PROJECT NAME
APCO/Gemstone

MATTER NUMBER
5026372-0002

ACTIVITY	QTY	RATE	AMOUNT
Prints of APCO and CAMCO files			
Printing - B/W Stapled	4,705	0.08	376.40T
Printing - Color	474	0.79	374.46T
Thank you for your business!			
	SUBTOTAL		750.86
	TAX (6.3%)		47.31
	TOTAL		798.17
	BALANCE DUE		\$798.17

Please remit payments to:

Axion Discovery, LLC
Attn: Accounts Receivable
4490 N. Black Canyon Hwy
Phoenix, AZ 85017

JA006659

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320
Consolidated with 80508

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

JOINT APPENDIX
VOLUME 92

Eric B. Zimbelman, Esq. (9407)
PEEL BRIMLEY LLP
3333 E. Serene Avenue, Suite 200
Henderson, NV 89074-6571
Telephone: (702) 990-7272
Facsimile: (702) 990-7273
ezimbelman@peelbrimley.com
Attorneys for Appellant
Helix Electric of Nevada, LLC

Mary E. Bacon, Esq. (12686)
SPENCER FANE LLP
400 S. Fourth Street, Suite 500
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
MBacon@spencerfane.com

John Randall Jefferies, Esq. (3512)
Christopher H. Byrd, Esq. (1633)
FENNERMORE CRAIG, P.C.
300 S. Third Street, 14th Floor
Las Vegas, NV 89101
Telephone: (702) 692-8000
Facsimile: (702) 692-8099
rjefferies@fclaw.com
cbyrd@fclaw.com
Attorneys for Respondent

CHRONOLOGICAL APPENDIX OF EXHIBITS

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-24-09	Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint	JA000001- JA000015	1
08-05-09	APCO's Answer to Helix's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA000016 – JA000030	1
04-26-10	CAMCO and Fidelity's Answer and CAMCO's Counterclaim	JA000031- JA000041	1
07-02-10	Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default	JA000042- JA000043	1
06-06-13	APCO's Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO's Motion for Summary Judgment Against Gemstone Only; and (3) Request for Order Shortening Time	JA000044- JA000054	1
	Exhibit 1 – Affidavit of Randy Nickerl in Support of (1) APCO's Limited Motion to Lift Sta for Purposes of this Motion Only; (2) APCO's Motion for Judgment Against Gemstone Only	JA000055- JA000316	1/2/4/5/6
	Exhibit 2 – Findings of Fact and Conclusions of Law and Judgment in Favor of APCO Construction Against Gemstone Development West, Inc. Only	JA000317- JA000326	6

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-13-13	Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone	JA000327	6
08-02-17	Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and <i>Ex Parte</i> Application for Order Shortening Time	JA000328- JA000342	6
	Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories	JA000343- JA000379	6
	Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories	JA000380- JA000392	6
08-21-17	APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000393- JA000409	6/7
	Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017	JA000410- JA000412	7
09-28-17	Peel Brimley Lien Claimants' Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000413- JA000418	7
11-06-17	Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6	JA000419- JA000428	7

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 1 – Notice of Entry of Order	JA000429 JA000435	7
	Exhibit 2 – Amended Notices of 30(b)(6) Deposition of Camco Pacific Construction Company, Inc. from Cactus Rose Construction, Inc., Fast Glass, Inc.’s, Heinaman Contract Glazing, Inc. and Helix Electric of Nevada, LLC’s	JA000436- JA000472	7/8
	Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017	JA000473 JA00489	8
	Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA00490 JA000500	8
	Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000501- JA000511	8
	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
11-06-17	Helix Electric of Nevada’s Motion <i>in Limine</i> Nos. 1-4	JA000534- JA000542	8
	Exhibit 1 – Notice of Entry of Order	JA000543- JA000549	8
	Exhibit 2 – Helix Electric of Nevada, LLC’s Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen’s Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
11-06-17	APCO Construction, Inc.’s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCF Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.’s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting’s Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
	Exhibit 6 – Subcontract Agreement dated April 17, 2007	JA000809- JA000826	11/12
	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
	Exhibit 10 – Special Master Report, Recommendation and District Court Order	JA00845- JA000848	12

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1	JA000849- JA000856	12
	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
11-14-17	Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6	JA000898- JA000905	12
	Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement	JA000906- JA000907	12
	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
	Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs	JA000916- JA000917	13
	Exhibit D – Camco Pacific’s letter dated December 22, 2008	JA000918- JA000920	13
	Exhibit E – Order Approving Sale of Property	JA000921- JA000928	13

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
11-14-17	APCO Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in Limine Nos. 1-4	JA000929- JA000940	13/14
	Exhibit 1 – Excerpts from the Deposition Transcript of Mary Jo Allen taken July 18, 2017	JA000941- JA000966	14/15/16
	Exhibit 2 – Helix Electric's Manhattan West Billing/Payment Status through August 2008	JA000967- JA000969	16/17
	Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Rivera taken July 20, 2017	JA000970- JA000993	17/18/19
11-14-17	Helix Electric of Nevada's Opposition to APCO Construction's Omnibus Motion in Limine	JA000994- JA001008	20
	Exhibit 1 – Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001009- JA001042	20
	Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001043- JA001055	20
	Exhibit 3 – Special Master Order Requiring Completion of Questionnaire	JA001056- JA001059	20
	Exhibit 4 – Excerpts from the Deposition Transcript of the 30(b)(6) Witness for Helix Electric of Nevada taken July 20, 2017	JA001060- JA001064	20
	Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017	JA001065 JA001132	20/21
11-15-17	APCO Construction, Inc.'s Reply in Support of its Omnibus Motion in Limine	JA001133 JA001148	21

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 1 – Special Master Report Regarding Discovery Status	JA001149- JA001151	21
	Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA001152- JA001160	21
12-29-17	Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion in <i>Limine</i> 1-6	JA001161- JA001169	22
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in <i>Limine</i> 1-4	JA001170- JA001177	22
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion in <i>Limine</i>	JA001178- JA001186	22
01-03-18	Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001187- JA001198	22
01-04-18	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 provision on an Order Shortening Time	JA001199- JA001217	22
	Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)	JA001218- JA001245	22/23/24
	Exhibit 2 – Subcontract Agreement (Zitting Brothers)	JA001246- JA001263	24

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 3 – Subcontract Agreement (CabineTec)	JA001264- JA001281	24/25
	Exhibit 4 – Amended Notice of Lien	JA001282- JA001297	25
	Exhibit 5 - Amended NOL	JA001298- JA001309	25
	Exhibit 6 – Notice of Lien	JA001310- JA001313	25
	Exhibit 7 – Order Approving Sale of Property	JA001314- JA001376	25/26
	Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account	JA001377- JA001380	26
	Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration	JA001381- JA001385	26
	Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001386- JA001392	26
	Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment	JA001393- JA001430	26
	Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment	JA001431- JA001435	26
	Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)	JA001436- JA001469	26
	Exhibit 14 – Respondent’s Answering Brief	JA001470- JA001516	26/27
	Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)	JA001517- JA001551	27
01-09-18	Peel Brimley Lien Claimants’ Opposition to APCO Construction’s Motion for Reconsideration of Order	JA001552- JA001560	27

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements		
01-10-18	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	JA001561- JA001573	27
01-12-18	Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]	JA001574- JA001594	27/28
	Exhibit 1 – Exhibit List APCO	JA001595- JA001614	28
	Exhibit 2 – Helix Trial Exhibits	JA001615- JA001616	28
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA001617- JA001635	28
	Exhibit 4 – Cactus Rose Trial Exhibits	JA001636- JA001637	28
	Exhibit 5 – Heinaman Trial Exhibits	JA001638- JA001639	28
	Exhibit 6 – Fast Glass Trial Exhibits	JA001640- JA001641	28
	Exhibit 7 – SWPPP Trial Exhibits	JA001642- JA001643	28
	Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001644- JA001647	28

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 9 - Amended <i>nunc pro tunc</i> order regarding APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i> No. 7	JA001648- JA001650	28
	Exhibit 10 - Order Granting in Part and Denying in part Helix Electric of Nevada, LLC's Motions <i>in Limine</i> 1-4 (Against APCO Construction)	JA001651- JA001653	28
	Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)	JA001654- JA001657	28
	Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>	JA001658- JA001660	28
	Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001661- JA00167	28/9/29
01-17-18	Transcript Bench Trial (Day 1)¹	JA001668- JA001802	29/30
	Trial Exhibit 1 - Grading Agreement (<i>Admitted</i>)	JA001803- JA001825	30
	Trial Exhibit 2 – APCO/Gemstone General Construction Agreement (<i>Admitted</i>)	JA001826- JA001868	30
	Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement (<i>Admitted</i>)	JA001869- JA001884	30

¹ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone <i>(Admitted)</i>	JA001885- JA001974	30/31/32
	Trial Exhibit 5 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work <i>(Admitted)</i>	JA001975- JA001978	32
	Trial Exhibit 6 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work <i>(Admitted)</i>	JA001979- JA001980	32
	Trial Exhibit 10 - Letter from J. Barker to A. Edelstein Re: Notice of Intent to Stop Work (Second Notice) <i>(Admitted)</i>	JA001981- JA001987	32
	Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>	JA001988- JA002001	32
	Trial Exhibit 14 - Letter from W. Gochmour to Sean Thueson Re: [APCO's] Response to [Gemstone's] Termination for Cause <i>(Admitted)</i>	JA002002- JA002010	33
	Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>	JA002011- JA002013	33
	Trial Exhibit 16 - Email from J. Horning to A. Berman and J. Olivares re: Joint Checks <i>(Admitted)</i>	JA002014	33
	Trial Exhibit 23 - APCO Subcontractor Notice of Stopping Work and Letter from J. Barker to A. Edelstein Re: Notice of Stopping Work and Notice of Intent to Terminate Contract <i>(Admitted)</i>	JA002015- JA002016	33

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	Trial Exhibit 24 - Letter from R. Nickerl to Clark County re: Notification of APCO's withdrawal as General Contractor of Record (<i>Admitted</i>)	JA002017- JA002023	33
	Trial Exhibit 26 - Email from J. Gisondo to Subcontractors re: June checks (<i>Admitted</i>)	JA002024	34
	Trial Exhibit 27 - Letter from A. Edelstein to R. Nickerl re: June Progress Payment (<i>Admitted</i>)	JA002025- JA002080	34
	Trial Exhibit 28 - Letter from J. Barker to A. Edelstein Re: Termination of Agreement for GMP (<i>Admitted</i>)	JA002081	34
	Trial Exhibit 31 - Transmission of APCO's Pay Application No. 11 as Submitted to Owner (<i>Admitted</i>)	JA002082- JA002120	34/35
	Trial Exhibit 45 - Subcontractor Agreement (<i>Admitted</i>)	JA002121- JA002146	35
	Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO (<i>Admitted</i>)	JA002147- JA002176	35/36
	Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice (<i>Admitted</i>)	JA002177- JA002181	36
	Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice (<i>Admitted</i>)	JA002182- JA002185	36
	Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors (<i>Admitted</i>)	JA002186- JA002188	36
	Trial Exhibit 506 – Email and Contract Revisions (<i>Admitted</i>)	JA002189 – JA002198	36

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	Exhibit 1 – Exhibit List APCO	JA002208- JA002221	36
	Exhibit 2 – Helix Trial Exhibits	JA002222- JA002223	36
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA002224- JA002242	36/37
	APCO TRIAL EXHIBITS:		
	APCO Related Exhibits:		
	Trial Exhibit 7 - Letter from Scott Financial to APCO re: Loan Status	JA002243	37
	Trial Exhibit 8 - APCO Pay Application No. 10 as submitted to Owner	JA002244- JA002282	37/38
	Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns	JA002283- JA002284	38
	Trial Exhibit 17 – Video (Construction Project)	JA002285	N/A
	Trial Exhibit 18 – Video (Construction Project)	JA002286	N/A
	Trial Exhibit 19 – Video (Construction Project)	JA002287	N/A
	Trial Exhibit 20 – Video (Construction Project)	JA002288	N/A
	Trial Exhibit 21 – Video (Construction Project)	JA002289	N/A
	Trial Exhibit 22 – Video (Construction Project)	JA002290	N/A

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 29 - Email from J. Robbins to Subcontractors re: Billing Cut-Off for August Billing	JA002285	39
	Trial Exhibit 30 - Camco Pay Application No. 11 NCS-Owner Approved with NCS Draw Request	JA002286- JA002306	39
	Trial Exhibit 32 and 125 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixture installed)	JA002307- JA002308	39
	Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002309- JA002310	39
	Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002311- JA002312-	40
	Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002313- JA002314	40
	Exhibit 36 and 130 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002315- JA002316	40
	Trial Exhibits 37 and 131 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002317- JA002318	40
	Trial Exhibits 38 and 132 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002319- JA002320	41

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 39 -Email from K. Costen to Subcontractors informing that Manhattan West Project no longer open	JA002321- JA002322	41
	Trial Exhibit 40- Letter from D. Parry to Subcontractors Re: Funding Withdrawn	JA002323 JA002326	41
	HELIX Related Exhibits:		41
	Trial Exhibit 46 - Helix Pay Application No. 16713-008R1 with Proof of Payment	JA002327- JA002345	41
	Trial Exhibit 47 - Helix Pay Application No. 16713-009R1 with Proof of Payment	JA002346- JA002356	41
	Trial Exhibit 48 - Email from R. Nickerl to B. Johnson Re: Work Suspension Directive	JA002357- JA002358	41
	Trial Exhibit 49 -Helix Pay Application No. 16713-010R2 with Proof of Payment	JA002359- JA002364	41/42
	Trial Exhibit 50 - Unconditional Waiver and Release re: Pay Application No. 8 with Copy of Payment	JA002365- JA002366	42
	Trial Exhibit 51 - Photo re: Building 8 & 9, South (No Exterior fixtures installed. Helix billed out at 90%)	JA002367- JA002368	42
	Trial Exhibit 52 -Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002369- JA002370	42
	Trial Exhibit 53 -Photo re: Building - 2 & 3, West (No Exterior fixtures installed. Helix billed out at 90%)	JA002371- JA002372	42

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 54 - Photo re: Building - 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002373- JA002374	42
	Trial Exhibit 55 - Photo re: Building 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002375- JA002376	42
	Trial Exhibit 56 - Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002377- JA002378	42
	Trial Exhibit 57 - Photo re: Building 2 & 3, and 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002379- JA002381	42
	Trial Exhibit 58 - Helix Pay Application No. 16713-011R1 submitted to Owner	JA002382- JA002391	42
	Trial Exhibit 59 - Helix Pay Application No. 16713-011R1 given to Camco with Proof of Payment	JA002392- JA002405	43
	Trial Exhibit 60 - Helix Retention Rolled to Camco	JA002406- JA002415	43
	Trial Exhibit 61 - Unconditional Waiver and Release re: all Invoices through June 30, 2008 with Proof of Payment	JA002413- JA002415	43
	Trial Exhibit 62 - Photo re: Building 8 & 9, South	JA002416- JA002417	43
	Trial Exhibit 63 - Photo re: Building 2 & 3, West	JA002418- JA002419	43
	Trial Exhibit 64 - Photo re: Building 2 & 3, West	JA002420- JA002421	43
	Trial Exhibit 65 - Photo re: Building 2 & 3, South	JA002422- JA002423	43

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 66 - Letter of transmittal from Helix to APCO re: Helix Pay Application No. 16713-011R1	JA002424- JA002433	43
	Trial Exhibit 67 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002435- JA002436	43
	Trial Exhibit 68 -Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002437- JA002438	43
	Trial Exhibit 69 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002439- JA002440	43
	Trial Exhibit 70 - Photo re: Building 8 & 9, South (No exterior fixtures installed. Helix billed out 90%)	JA002441- JA002442	43
	Trial Exhibit 71 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002443- JA002444	43
	Trial Exhibit 72 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002445- JA002446	43
	Trial Exhibit 73 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002447- JA002448	43
	Trial Exhibit 74 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002448- JA002449	43

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	Trial Exhibit 75 - Unconditional Release re: Pay Application No. 16713-011R1 with Proof of Payment	JA002450- JA002456	43
	Exhibit 77 - Helix Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA002457- JA002494	43
	Zitting Brothers Related Exhibits:		
	Trial Exhibit 100 - Check No. 14392 payable to Zitting (\$27,973.80); Progress Payment No. 7	JA002495- JA002497	44
	Trial Exhibit 101 - Email from R. Nickerl to R. Zitting re: Change Orders	JA002498- JA002500	44
	Trial Exhibit 102 -Email from L. Lynn to J. Griffith, et al. re: Change Order No. 00011 “pending”	JA002501- JA002503	44
	Trial Exhibit 103- Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour	JA002504- JA002505	44
	Trial Exhibit 104 - Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour with copies of change orders	JA002506- JA002526	44
	Trial Exhibit 105 - Ex. C to the Ratification – Zitting Quotes	JA002527- JA002528	44
	Trial Exhibit 106 - Unconditional Lien Release – Zitting (\$27,973.80)	JA002529	44
	Trial Exhibit 108 - Photo of Video (Construction Project)	JA002530- JA002531	44
	Trial Exhibit 109 - Photo of Video (Construction Project)	JA002532- JA002533	44

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	Trial Exhibit 110 - Photo of Video (Construction Project)	JA002534- JA002535	44
	Trial Exhibit 111 - Photo of Video (Construction Project)	JA002536- JA002537	44
	Trial Exhibit 112 - Photo of Video (Construction Project)	JA002538- JA002539	44
	Trial Exhibit 113 -Photo of Video (Construction Project)	JA002550- JA002541	44
	Trial Exhibit 114 -Photo of Video (Construction Project)	JA002542- JA002543	44
	Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting	JA002544- JA002545	44
	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
	Trial Exhibit 129 - Photo of Video (Construction Project)	JA002580- JA002581	46

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
	CAMCO Related Exhibits:		
	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - 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	JA002719- JA002730	48

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 173 - Helix Pay Application No. 16713-012 to Camco with proof of payment	JA002731- JA002745	48
	Trial Exhibit 174 - Helix Change Order Request No. 28	JA002746- JA002747	48
	Trial Exhibit 175 - Change Notice No. 41	JA002748- JA002751	48
	Trial Exhibit 176 - Helix Pay Application No. 16713-013 to Camco	JA002752- JA002771	48/49
	Trial Exhibit 177 - Helix Pay Application No. 16713-014 to Camco	JA002772- JA002782	49
	Trial Exhibit 178 - Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	JA002783 JA002797	49
	National Wood/Cabinetec Related Exhibits:		
	Trial Exhibit 184 - Ratification and Amendment of Subcontract Agreement between CabineTec and Camco (fully executed copy)	JA002798- JA002825	49
	General Related Exhibits:		
	Trial Exhibit 218 - Camco/Owner Pay Application No. 11 w/Backup	JA002826- JA003028	50/51/52
	Trial Exhibit 220 - Camco/Owner Pay Application No. 12 w/Backup	JA003029- JA003333	52/53/54/55
	Trial Exhibit 313 - Letter from A. Edelstein to R. Nickerl re: NRS 624 Notice	JA003334- JA003338	55
	Helix Trial Exhibits:		
	Trial Exhibit 501 - Payment Summary	JA003339 – JA003732	55/56/57 /58/59/60
	Trial Exhibit 508 – Helix Pay Application	JA003733- JA003813	60/61

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	Trial Exhibit 510 - Unsigned Subcontract	JA003814- JA003927	61/62
	Trial Exhibit 512 - Helix's Lien Notice	JA003928- JA004034	62/63
	Trial Exhibit 522 - Camco Billing	JA004035- JA005281	63/64/65 /66/67/ 68/69/70/ 71/72 /73/74/75 /76/77
01-19-18	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA005282- JA005283	78
01-18-18	Transcript – Bench Trial (Day 2)²	JA005284- JA005370	78
	Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) (<i>Admitted</i>)	JA005371- JA005623	78/79/80
01-19-18	Transcript – Bench Trial (Day 3)³	JA005624- JA005785	80
	Trial Exhibit 231 – Helix Electric's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint (<i>Admitted</i>)	JA005786- JA005801	80
	Trial Exhibit 314 - Declaration of Victor Fuchs in support of Helix's Motion for Partial Summary Judgment against Gemstone (<i>Admitted</i>)	JA005802- JA005804	80

² Filed January 31, 201879

³ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 320 – June-August Billings—not paid to APCO (<i>Admitted</i>)	JA005805	80
	Trial Exhibit 321 – Overpayments to Cabinetec (<i>Admitted</i>)	JA005806-	80
	Trial Exhibit 536 – Lien math calculations (handwritten) (<i>Admitted</i>)	JA005807- JA005808	80
	Trial Exhibit 804 – Camco Correspondence (<i>Admitted</i>)	JA005809- JA005816	80
	Trial Exhibit 3176 – APCO Notice of Lien (<i>Admitted</i>)	JA005817- JA005819	81
01-24-18	Transcript – Bench Trial (Day 5)⁴	JA005820- JA005952	81
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC’s (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.’s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	APCO Construction Inc.’s Post-Trial Brief	JA006059- JA006124	82/83
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
03-23-18	Helix Electric of Nevada, LLC’s Responses to APCO Construction’s Post-Trial Brief	JA006173- JA006193	84
04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85

⁴ Filed January 31, 201883

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
05-08-18	APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA006265- JA006284	85
	Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA006285- JA006356	85/86
	Exhibit 2 – National Wood Products, Inc.'s Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support Thereof	JA006357- JA006369	86
	Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)	JA006370- JA006385	86/87
	Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco	JA006386- JA006398	87
	Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC	JA006399- JA006402	87
	Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.	JA006403- JA006406	87
	Exhibit 7 – Declaration of John Randall Jefferies, Esq. in Support of APCO Construction, Inc.'s Motion for Attorney's Fees and Costs	JA006407- JA006411	87
	Exhibit 7A – Billing Entries	JA006412- JA006442	87/88

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 7B – Time Recap	JA006443- JA006474	88
	Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs	JA006475- JA006478	88
	Exhibit 9 – APCO Construction, Inc.’s Memorandum of Costs and Disbursements [Against Helix Electric of Nevada, LLC, and Plaintiff in Intervention National Wood Products, LLC]	JA006479- JA006487	88
	Exhibit 10 – Depository Index	JA006488- JA006508	88/89
05-08-18	Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements	JA006509- JA006521	89
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Against APCO Construction, Inc.]	JA006541 JA006550	90
06-01-18	Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006551- JA006563	90
	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
	Exhibit 3 – Prime Interest Rate	JA006581- JA006601	90
	Exhibit 4 – Declaration of Eric B. Zimbelman in Support of Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006583- JA006588	90
	Exhibit 5 – Summary of Fees	JA006589- JA006614	90
06-15-18	APCO Construction, Inc.’s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Motions to Retax Costs	JA006615- JA006637	90/91
	Exhibit 1-A Declaration of Mary Bacon in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006635 JA006638	91
	Exhibit 1-B – Declaration of Cody Munteer in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006639- JA006916	91/92/93 94/95/96
06-15-18	Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA006917 – JA006942	96
	Exhibit 1 – Notice of Entry of Staying the Case, Except for the Sale of the Property, Pending Resolution of the Petition before the Nevada Supreme Court	JA006943- JA006948	96

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Notice of Entry of Denying APCO Construction’s Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA006949- JA006954	96
	Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed	JA006955- JA006958	96
	Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration	JA006959- JA006963	96
	Exhibit 5 – Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA006964- JA006978	96
	Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire	JA006977- JA006980	96
	Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire	JA006981- JA006984	96
	Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire	JA006985- JA006993	96/97
	Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance	JA006994 JA007001	97
	Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire	JA007002- JA007005	97
	Exhibit 7A – Motion to Appoint Special Master	JA007006- JA007036	97
	Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016	JA007037- JA007060	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda	JA007042- JA007046	97
	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
	Exhibit 10 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA007057- JA007059	97
	Exhibit 11 – Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion <i>in Limine</i>	JA007060- JA007088	97
	Exhibit 12 – Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in Limine (against APCO Construction)	JA007070- JA007078	97
	Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA007079- JA007084	97
	Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary	JA007085- JA007087	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Judgment Precluding Defenses Based on Pay-if-Paid Agreements		
	Exhibit 15 – Notice of Association of Counsel	JA007088- JA007094	97
06-15-18	Plaintiff in Intervention National Wood Products, Inc.’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007095- JA007120	97/98
06-15-18	Declaration of S. Judy Hirahara in support of National Woods’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007121- JA007189	98
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007190- JA007192	99
06-21-18	Helix Electric of Nevada, LLC’s Notice of Non-Opposition to its Motion for Attorney’s Fees, Interest and Costs	JA007193- JA007197	99
06-29-18	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.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-29-18	Helix Electric of Nevada, LLC's Reply Re: Motion to Retax	JA007225- JA007237	100
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
07-19-18	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 Attorney's Fees and Costs	JA007246- JA007261	100
08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
09-28-18	Notice of Entry of (1) Granting APCO Construction, Inc.'s 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	JA007281- JA007299	100
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007313- JA007315	101

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
08-06-19	Helix Electric of Nevada LLC's Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA007316- JA007331	101
	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.	JA007332- JA007335	101
	Exhibit 2 – 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 and all related matters (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	JA007336- JA007344	101
	Exhibit 3 - Notice of Appeal	JA007345- JA007394	101/102
	Exhibit 4 – Amended Notice of Appeal	JA007395- JA007400	102
	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of Nevada, LLC, SWPPP Compliance	JA007401- JA007517	102/103

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Solutions, Inc., E&E Fire Protection		
	Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)	JA007518- JA007519	103
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	Exhibit 8 -Order Dismissing Appeal (Case No. 76276)	JA007524- JA007527	103
	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
	Exhibit 10 (Part One)	JA007537- JA007542	103
	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105 /106/107 /108/109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
	Exhibit 10 (Part Two)	JA008142- JA008149	109

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	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
	Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status	JA008168- JA008170	109
	Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss	JA008171- JA008177	109
	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts	JA008323- JA008338	110

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	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110
	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenetec Against APCO	JA008379- JA008450	110/111
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	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc.'s Counterclaim	JA008484- JA008504	111

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	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111
	Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing's Motion for Attorneys's Fees, Interest and Costs	JA008552- JA008579	111/112
	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
	Exhibit 10CC – Heinaman Contract Glazing's Answer to Camco Pacific Construction Company's Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
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	Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112
	Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008665- JA008681	112
	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
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<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10MM – Scott Financial Corporation’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008694- JA008717	112/113
	Exhibit 10NN-Notice of Appeal	JA008718 JA008723	113
	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
	Exhibit 13 – Stipulation and Order with Prejudice	JA008759- JA008780	113
	Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment	JA008762- JA008788	113
	Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal	JA008789- JA008798	113

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company, Inc.’s Counterclaim	JA008925- JA008947	116/117
	Exhibit 7 – Answer to Cactus Rose’s Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008966- JA008986	117/118

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	Exhibit 9 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA008987- JA008998	118
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	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
	Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond	JA009114- JA009116	119
08-29-19	Helix Electric of Nevada LLC's Reply to APCO's Opposition to Helix Electric of Nevada LLC's Motion to (I) Re-Open Statistically Closed Case, (II)	JA009117- JA009123	119

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01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA009137- JA009166	120
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
02-11-20	Case Appeal Statement	JA009157- JA009163	120
02-11-20	APCO's Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) 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 Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA009168- JA009182	120

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada’s Motion for Rule 54(b) Certification	JA009183- JA00991	120

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05-08-18	APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA006265- JA006284	85
	Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenotec Against APCO	JA006285- JA006356	85/86
	Exhibit 2 – National Wood Products, Inc.'s Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support Thereof	JA006357- JA006369	86
	Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)	JA006370- JA006385	86/87
	Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco	JA006386- JA006398	87
	Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC	JA006399- JA006402	87
	Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.	JA006403- JA006406	87
	Exhibit 7 – Declaration of John Randall Jefferies, Esq. in Support of APCO Construction, Inc.'s Motion for Attorney's Fees and Costs	JA006407- JA006411	87
	Exhibit 7A – Billing Entries	JA006412-	87/88

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	Exhibit 7B – Time Recap	JA006443- JA006474	88
	Exhibit 8 – Declaration of Cody S. Mounter, Esq. in Support of Motion for Attorney’s Fees and Costs	JA006475- JA006478	88
	Exhibit 9 – APCO Construction, Inc.’s Memorandum of Costs and Disbursements [Against Helix Electric of Nevada, LLC, and Plaintiff in Intervention National Wood Products, LLC]	JA006479- JA006487	88
	Exhibit 10 – Depository Index	JA006488- JA006508	88/89
06-06-13	APCO’s Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO’s Motion for Summary Judgment Against Gemstone Only; and (3) Request for Order Shortening Time	JA000044- JA000054	1
	Exhibit 1 – Affidavit of Randy Nickerl in Support of (I) APCO’s Limited Motion to Lift Sta for Purposes of this Motion Only; (2) APCO’s Motion for Judgment Against Gemstone Only	JA000055- JA000316	1/2/4/5/6
	Exhibit 2 – Findings of Fact and Conclusions of Law and Judgment in Favor of APCO Construction Against Gemstone Development West, Inc. Only	JA000317- JA000326	6
02-11-20	APCO’s Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) 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	JA009168- JA009182	114

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply		
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada's Motion for Rule 54(b) Certification	JA009183- JA00991	120
11-06-17	APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting's Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
	Exhibit 6 – Subcontract Agreement dated April 17, 2007	JA000809- JA000826	11/12
	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
	Exhibit 10 – Special Master Report, Recommendation and District Court Order	JA00845- JA000848	12

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1	JA000849- JA000856	12
	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008925- JA008947	116/117

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 8 – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction's Counterclaim	JA008966- JA008986	117/118
	Exhibit 9 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA008987- JA008998	118
	Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.	JA008998- JA009010	118
	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
	Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond	JA009114- JA009116	119

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 1-A Declaration of Mary Bacon in Support of APCO's Supplement to its Motion for Attorney's Fees	JA006635 JA006638	91
	Exhibit 1-B – Declaration of Cody Mounteer in Support of APCO's Supplement to its Motion for Attorney's Fees	JA006639- JA006916	91/92/93 94/95/96
11-14-17	APCO Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in Limine Nos. 1-4	JA000929- JA000940	13/14
	Exhibit 1 – Excerpts from the Deposition Transcript of Mary Jo Allen taken July 18, 2017	JA000941- JA000966	14/15/16
	Exhibit 2 – Helix Electric's Manhattan West Billing/Payment Status through August 2008	JA000967- JA000969	16/17
	Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Rivera taken July 20, 2017	JA000970- JA000993	17/18/19
08-21-17	APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000393- JA000409	6/7
	Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017	JA000410- JA000412	7
03-08-18	APCO Construction Inc.'s Post-Trial Brief	JA006059- JA006124	82/83
11-15-17	APCO Construction, Inc.'s Reply in Support of its Omnibus Motion in Limine	JA001133 JA001148	21

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 1 – Special Master Report Regarding Discovery Status	JA001149- JA001151	21
	Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA001152- JA001160	21
06-29-18	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.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99
04-26-10	CAMCO and Fidelity’s Answer and CAMCO’s Counterclaim	JA000031- JA000041	1
11-14-17	Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6	JA000898- JA000905	12
	Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement	JA000906- JA000907	12
	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
	Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs	JA000916- JA000917	13
	Exhibit D – Camco Pacific’s letter dated December 22, 2008	JA000918- JA000920	13
	Exhibit E – Order Approving Sale of Property	JA000921- JA000928	13
02-11-20	Case Appeal Statement	JA009157- JA009163	120

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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06-15-18	Declaration of S. Judy Hirahara in support of National Woods's Opposition to APCO Construction's Motion for Attorneys' Fees and Costs	JA007121- JA007189	98
06-13-13	Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone	JA000327	6
04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85
11-06-17	Helix Electric of Nevada's Motion <i>in Limine</i> Nos. 1-4	JA000534- JA000542	8
	Exhibit 1 – Notice of Entry of Order	JA000543- JA000549	8
	Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
06-01-18	Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA006551- JA006563	90
	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90
	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
	Exhibit 3 – Prime Interest Rate	JA006581- JA006601	90

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 4 – Declaration of Eric B. Zimbelman in Support of Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006583- JA006588	90
	Exhibit 5 – Summary of Fees	JA006589- JA006614	90
08-06-19	Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA007316- JA007331	101
	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Against APCO Construction, Inc.	JA007332- JA007335	101
	Exhibit 2 – 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 and all related matters (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	JA007336- JA007344	101
	Exhibit 3 - Notice of Appeal	JA007345- JA007394	101/102
	Exhibit 4 – Amended Notice of Appeal	JA007395- JA007400	102
	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of	JA007401- JA007517	102/103

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	Exhibit 8 -Order Dismissing Appeal (Case No. 76276)	JA007524- JA007527	103
	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
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	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105/ 106/107/108 109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
	Exhibit 10 (Part Two)	JA008142- JA008149	109
	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
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	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008323- JA008338	110
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs	JA008339 JA008347	110
	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110

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	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenotec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc's Counterclaim	JA008484- JA008504	111
	Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal	JA008505- JA008512	111
	Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim	JA008513 JA008517	111
	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
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	Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008602- JA008621	112
	Exhibit 10FF – 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	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
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	Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice	JA008686- JA008693	112
	Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008694- JA008717	112/113
	Exhibit 10NN-Notice of Appeal	JA008718 JA008723	113
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	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
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	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
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	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
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	Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017	JA001065 JA001132	20/21
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03-23-18	Helix Electric of Nevada, LLC's Responses to APCO Construction's Post-Trial Brief	JA006173- JA006193	84
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01-12-18	Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]	JA001574- JA001594	27/28
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	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA001617- JA001635	28
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	Exhibit 6 – Fast Glass Trial Exhibits	JA001640- JA001641	28
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	Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>	JA001658- JA001660	28
	Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001661- JA00167	28/9/29
03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
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	Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001386- JA001392	26
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09-28-18	Notice of Entry of Order (1) Granting APCO Construction, Inc.'s 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	JA007281- JA007299	100
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	Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017	JA000473 JA00489	8
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	Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000501- JA000511	8
	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
09-28-17	Peel Brimley Lien Claimants’ Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000413- JA00418	7
01-09-18	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	JA001552- JA001560	27
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition	JA007190- JA007192	99

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07-19-18	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 Attorney's Fees and Costs	JA007246- JA007261	100
01-10-18	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	JA001561- JA001573	27
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	Trial Exhibit 8 - APCO Pay Application No. 10 as submitted to Owner	JA002244- JA002282	37/38
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	Trial Exhibit 20 – Video (Construction Project)	JA002288	N/A
	Trial Exhibit 21 – Video (Construction Project)	JA002289	N/A
	Trial Exhibit 22 – Video (Construction Project)	JA002290	N/A
	Trial Exhibit 29 - Email from J. Robbins to Subcontractors re: Billing Cut-Off for August Billing	JA002285	39
	Trial Exhibit 30 - Camco Pay Application No. 11 NCS-Owner Approved with NCS Draw Request	JA002286- JA002306	39
	Trial Exhibit 32 and 125 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixture installed)	JA002307- JA002308	39
	Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002309- JA002310	39
	Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002311- JA002312-	40
	Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002313- JA002314	40
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	Trial Exhibits 37 and 131 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002317- JA002318	40
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	Trial Exhibit 39 -Email from K. Costen to Subcontractors informing that Manhattan West Project no longer open	JA002321- JA002322	41
	Trial Exhibit 40- Letter from D. Parry to Subcontractors Re: Funding Withdrawn	JA002323 JA002326	41
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	Trial Exhibit 48 - Email from R. Nickerl to B. Johnson Re: Work Suspension Directive	JA002357- JA002358	41
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	Trial Exhibit 50 - Unconditional Waiver and Release re: Pay Application No. 8 with Copy of Payment	JA002365- JA002366	42
	Trial Exhibit 51 - Photo re: Building 8 & 9, South (No Exterior fixtures installed. Helix billed out at 90%)	JA002367- JA002368	42
	Trial Exhibit 52 -Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002369- JA002370	42
	Trial Exhibit 53 -Photo re: Building - 2 & 3, West (No Exterior fixtures installed. Helix billed out at 90%)	JA002371- JA002372	42

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 54 - Photo re: Building - 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002373- JA002374	42
	Trial Exhibit 55 - Photo re: Building 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002375- JA002376	42
	Trial Exhibit 56 - Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002377- JA002378	42
	Trial Exhibit 57 - Photo re: Building 2 & 3, and 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002379- JA002381	42
	Trial Exhibit 58 - Helix Pay Application No. 16713-011R1 submitted to Owner	JA002382- JA002391	42
	Trial Exhibit 59 - Helix Pay Application No. 16713-011R1 given to Camco with Proof of Payment	JA002392- JA002405	43
	Trial Exhibit 60 - Helix Retention Rolled to Camco	JA002406- JA002415	43
	Trial Exhibit 61 - Unconditional Waiver and Release re: all Invoices through June 30, 2008 with Proof of Payment	JA002413- JA002415	43
	Trial Exhibit 62 - Photo re: Building 8 & 9, South	JA002416- JA002417	43
	Trial Exhibit 63 - Photo re: Building 2 & 3, West	JA002418- JA002419	43
	Trial Exhibit 64 - Photo re: Building 2 & 3, West	JA002420- JA002421	43
	Trial Exhibit 65 - Photo re: Building 2 & 3, South	JA002422- JA002423	43
	Trial Exhibit 66 - Letter of transmittal from Helix to APCO re: Helix Pay Application No. 16713-011R1	JA002424- JA002433	43
	Trial Exhibit 67 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002435- JA002436	43

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 68 -Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002437- JA002438	43
	Trial Exhibit 69 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002439- JA002440	43
	Trial Exhibit 70 - Photo re: Building 8 & 9, South (No exterior fixtures installed. Helix billed out 90%)	JA002441- JA002442	43
	Trial Exhibit 71 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002443- JA002444	43
	Trial Exhibit 72 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002445- JA002446	43
	Trial Exhibit 73 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002447- JA002448	43
	Trial Exhibit 74 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002448- JA002449	43
	Trial Exhibit 75 - Unconditional Release re: Pay Application No. 16713-011R1 with Proof of Payment	JA002450- JA002456	43
	Exhibit 77 - Helix Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA002457- JA002494	43
	Zitting Brothers Related Exhibits:		
	Trial Exhibit 100 - Check No. 14392 payable to Zitting (\$27,973.80); Progress Payment No. 7	JA002495- JA002497	44
	Trial Exhibit 101 - Email from R. Nickerl to R. Zitting re: Change Orders	JA002498- JA002500	44
	Trial Exhibit 102 -Email from L. Lynn to J. Griffith, et al. re: Change Order No. 00011 “pending”	JA002501- JA002503	44

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 103- Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour	JA002504- JA002505	44
	Trial Exhibit 104 - Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour with copies of change orders	JA002506- JA002526	44
	Trial Exhibit 105 - Ex. C to the Ratification – Zitting Quotes	JA002527- JA002528	44
	Trial Exhibit 106 - Unconditional Lien Release – Zitting (\$27,973.80)	JA002529	44
	Trial Exhibit 108 - Photo of Video (Construction Project)	JA002530- JA002531	44
	Trial Exhibit 109 - Photo of Video (Construction Project)	JA002532- JA002533	44
	Trial Exhibit 110 - Photo of Video (Construction Project)	JA002534- JA002535	44
	Trial Exhibit 111 - Photo of Video (Construction Project)	JA002536- JA002537	44
	Trial Exhibit 112 - Photo of Video (Construction Project)	JA002538- JA002539	44
	Trial Exhibit 113 -Photo of Video (Construction Project)	JA002550- JA002541	44
	Trial Exhibit 114 -Photo of Video (Construction Project)	JA002542- JA002543	44
	Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting	JA002544- JA002545	44
	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
	Trial Exhibit 129 - Photo of Video (Construction Project)	JA002580- JA002581	46
	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
	CAMCO Related Exhibits:		
	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - 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	JA002719- JA002730	48
	Trial Exhibit 173 - Helix Pay Application No. 16713-012 to Camco with proof of payment	JA002731- JA002745	48
	Trial Exhibit 174 - Helix Change Order Request No. 28	JA002746- JA002747	48
	Trial Exhibit 175 - Change Notice No. 41	JA002748- JA002751	48
	Trial Exhibit 176 - Helix Pay Application No. 16713-013 to Camco	JA002752- JA002771	48/49
	Trial Exhibit 177 - Helix Pay Application No. 16713-014 to Camco	JA002772- JA002782	49
	Trial Exhibit 178 - Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	JA002783 JA002797	49
	National Wood/Cabinetec Related Exhibits:		
	Trial Exhibit 184 - Ratification and Amendment of Subcontract Agreement between CabineTec and Camco (fully executed copy)	JA002798- JA002825	49
	General Related Exhibits:		
	Trial Exhibit 218 - Camco/Owner Pay Application No. 11 w/Backup	JA002826- JA003028	50/51/52
	Trial Exhibit 220 - Camco/Owner Pay Application No. 12 w/Backup	JA003029- JA003333	52/53/54/55
	Trial Exhibit 313 - Letter from A. Edelstein to R. Nickerl re: NRS 624 Notice	JA003334- JA003338	55
	Helix Trial Exhibits:		

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 501 - Payment Summary	JA003339 – JA003732	55/56/57/ 58/59/60
	Trial Exhibit 508 – Helix Pay Application	JA003733- JA003813	60/61
	Trial Exhibit 510 - Unsigned Subcontract	JA003814- JA003927	61/62
	Trial Exhibit 512 - Helix's Lien Notice	JA003928- JA004034	62/63
	Trial Exhibit 522 - Camco Billing	JA004035- JA005281	63/64/65/66/6 7/ 68/69/70 /71/72 /73/74/75/ 76/77
01-17-18	Transcript Bench Trial (Day 1)⁵	JA001668- JA001802	29/30
	Trial Exhibit 1 - Grading Agreement (Admitted)	JA001803- JA001825	30
	Trial Exhibit 2 – APCO/Gemstone General Construction Agreement (Admitted)	JA001826- JA001868	30
	Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement (Admitted)	JA001869- JA001884	30
	Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone (Admitted)	JA001885- JA001974	30/31/32
	Trial Exhibit 5 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work (Admitted)	JA001975- JA001978	32
	Trial Exhibit 6 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work (Admitted)	JA001979- JA001980	32
	Trial Exhibit 10 - Letter from J. Barker to A. Edelstein Re: Notice of Intent to Stop Work (Second Notice) (Admitted)	JA001981- JA001987	32

⁵ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>	JA001988- JA002001	32
	Trial Exhibit 14 - Letter from W. Gochmour to Sean Thueson Re: [APCO's] Response to [Gemstone's] Termination for Cause <i>(Admitted)</i>	JA002002- JA002010	33
	Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>	JA002011- JA002013	33
	Trial Exhibit 16 - Email from J. Horning to A. Berman and J. Olivares re: Joint Checks <i>(Admitted)</i>	JA002014	33
	Trial Exhibit 23 - APCO Subcontractor Notice of Stopping Work and Letter from J. Barker to A. Edelstein Re: Notice of Stopping Work and Notice of Intent to Terminate Contract <i>(Admitted)</i>	JA002015- JA002016	33
	Trial Exhibit 24 - Letter from R. Nickerl to Clark County re: Notification of APCO's withdrawal as General Contractor of Record <i>(Admitted)</i>	JA002017- JA002023	33
	Trial Exhibit 26 - Email from J. Gisondo to Subcontractors re: June checks <i>(Admitted)</i>	JA002024	34
	Trial Exhibit 27 - Letter from A. Edelstein to R. Nickerl re: June Progress Payment <i>(Admitted)</i>	JA002025- JA002080	34
	Trial Exhibit 28 - Letter from J. Barker to A. Edelstein Re: Termination of Agreement for GMP <i>(Admitted)</i>	JA002081	34
	Trial Exhibit 31 - Transmission of APCO's Pay Application No. 11 as Submitted to Owner <i>(Admitted)</i>	JA002082- JA002120	34/35
	Trial Exhibit 45 - Subcontractor Agreement <i>(Admitted)</i>	JA002121- JA002146	35

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO (<i>Admitted</i>)	JA002147- JA002176	35/36
	Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice (<i>Admitted</i>)	JA002177- JA002181	36
	Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice (<i>Admitted</i>)	JA002182- JA002185	36
	Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors (<i>Admitted</i>)	JA002186- JA002188	36
	Trial Exhibit 506 – Email and Contract Revisions (<i>Admitted</i>)	JA002189 – JA002198	36
01-18-18	Transcript – Bench Trial (Day 2)⁶	JA005284- JA005370	78
	Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) (<i>Admitted</i>)	JA005371- JA005623	78/79/80
01-19-18	Transcript – Bench Trial (Day 3)⁷	JA005624- JA005785	80
	Trial Exhibit 231 – Helix Electric’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint (<i>Admitted</i>)	JA005786- JA005801	80
	Trial Exhibit 314 - Declaration of Victor Fuchs in support of Helix’s Motion for Partial Summary Judgment against Gemstone (<i>Admitted</i>)	JA005802- JA005804	80
	Trial Exhibit 320 – June-August Billings—not paid to APCO (<i>Admitted</i>)	JA005805	80
	Trial Exhibit 321 – Overpayments to Cabinetec (<i>Admitted</i>)	JA005806-	80

⁶ Filed January 31, 201879

⁷ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 536 – Lien math calculations (handwritten) (<i>Admitted</i>)	JA005807- JA005808	80
	Trial Exhibit 804 – Camco Correspondence (<i>Admitted</i>)	JA005809- JA005816	80
	Trial Exhibit 3176 – APCO Notice of Lien (<i>Admitted</i>)	JA005817- JA005819	81
01-24-18	Transcript – Bench Trial (Day 5)⁸	JA005820- JA005952	81
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101

⁸ Filed January 31, 2018

Axion Discovery, LLC

Invoice

602.492.1889

support@axiondiscovery.com

www.axiondiscovery.com

AXION

Discovery

BILL TO

Spencer Fane LLP

Attn: Vivian Bowron

2425 E. Camelback Road, Suite 850

Phoenix, AZ 85016

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1034	11/21/2017	\$238.51	12/06/2017	Net 15	

PROJECT NAME

Apco/Gemstone

MATTER NUMBER

5026372-0002

ACTIVITY	QTY	RATE	AMOUNT
APCO video clips			
Media:CD Creation	6	20.00	120.00T
Tech Time (Hour) - Edit Video	1	95.00	95.00
APCO104410			
Materials:Tabs-Custom CD Sleeve	6	2.50	15.00T
Thank you for your business!			
	SUBTOTAL		230.00
	TAX (6.3%)		8.51
	TOTAL		238.51
	BALANCE DUE		\$238.51

Please remit payments to:

Axion Discovery, LLC

Attn: Accounts Receivable

4490 N. Black Canyon Hwy

Phoenix, AZ 85017

JA006660

Axion Discovery, LLC

Invoice

AXION Discovery

602.492.1889

support@axiondiscovery.com

www.axiondiscovery.com

BILL TO

Spencer Fane LLP

Attn: Vivian Bowron

2425 E. Camelback Road, Suite 850

Phoenix, AZ 85016

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1045	01/05/2018	\$4,128.97	01/20/2018	Net 15	

PROJECT NAME

Apco/Gemstone

MATTER NUMBER

5026372-0002

ACTIVITY	QTY	RATE	AMOUNT
2 sets of prints - Helix and NWP exhibits			
1 set of prints - Apco			
Printing - B/W	6,872	0.08	549.76T
Printing - Color	3,699	0.79	2,922.21T
Materials: Tabs	262	0.35	91.70T
Materials: Tabs-Custom	350	0.75	262.50T
Tech Time (Hour)	0.65	95.00	61.75
Thank you for your business!			
		SUBTOTAL	3,887.92
		TAX (6.3%)	241.05
		TOTAL	4,128.97
		BALANCE DUE	\$4,128.97

Please remit payments to:

Axion Discovery, LLC

Attn: Accounts Receivable

4490 N. Black Canyon Hwy

Phoenix, AZ 85017

JA006661

Axion Discovery, LLC

Invoice

602.492.1889
support@axiondiscovery.com
www.axiondiscovery.com

AXION

Discovery

BILL TO
Spencer Fane LLP
Attn: Vivian Bowron
2425 E. Camelback Road, Suite 850
Phoenix, AZ 85016

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1049	01/12/2018	\$667.11	01/27/2018	Net 15	

PROJECT NAME
Apco/Gemstone

MATTER NUMBER
5026372-0002

ACTIVITY	QTY	RATE	AMOUNT
1/8/2018 - Print Exhibits 310-319 and 528-534			
Printing - B/W	844	0.08	67.52T
Printing - Color	689	0.79	544.31T
Materials: Tabs	45	0.35	15.75T
Thank you for your business!			
	SUBTOTAL		627.58
	TAX (6.3%)		39.53
	TOTAL		667.11
	BALANCE DUE		\$667.11

Please remit payments to:

Axion Discovery, LLC
Attn: Accounts Receivable
4490 N. Black Canyon Hwy
Phoenix, AZ 85017

JA006662

Axion Discovery, LLC

602.492.1889
support@axiondiscovery.com
www.axiondiscovery.com

Invoice

AXION

Discovery

BILL TO

Spencer Fane LLP
Attn: Vivian Bowron
2425 E. Camelback Road, Suite 850
Phoenix, AZ 85016

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1046	01/08/2018	\$2,040.29	01/23/2018	Net 15	

PROJECT NAME
Apco/Gemstone

MATTER NUMBER
5026372.0002

ACTIVITY	QTY	RATE	AMOUNT
Process and print exhibits APCO-TR-EX209 through 309			
File Conversion (Page)	3,318	0.04	132.72
Branding - Electronic Bates (Page)	3,318	0.01	33.18
PDF Creation (Page)	3,318	0.02	66.36
Tech Time (Hour)	2.40	95.00	228.00
Printing - B/W	5,340	0.08	427.20T
Printing - Color	1,296	0.79	1,023.84T
Materials: Tabs	101	0.35	35.35T
Thank you for your business!			
	SUBTOTAL		1,946.65
	TAX (6.3%)		93.64
	TOTAL		2,040.29
	BALANCE DUE		\$2,040.29

Please remit payments to:

Axion Discovery, LLC
Attn: Accounts Receivable
4490 N. Black Canyon Hwy
Phoenix, AZ 85017

JA006663

Axion Discovery, LLC

Invoice

AXION Discovery

602.492.1889

support@axiondiscovery.com

www.axiondiscovery.com

BILL TO

Spencer Fane LLP

Attn: Vivian Bowron

2425 E. Camelback Road, Suite 850

Phoenix, AZ 85016

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1043	12/22/2017	\$1,047.89	01/06/2018	Net 15	

PROJECT NAME

Apco/Gemstone

MATTER NUMBER

5026372-0002

ACTIVITY	QTY	RATE	AMOUNT
Exhibit Conversions/Printing APCO-TR-EX			
File Conversion (Page)	2,215	0.04	88.60
Branding - Electronic Bates (Page)	2,215	0.01	22.15
Printing - B/W	1,422	0.08	113.76T
Printing - Color	793	0.79	626.47T
Materials: Tabs	208	0.25	52.00T
Tech Time (Hour)	1	95.00	95.00
Thank you for your business!			
	SUBTOTAL		997.98
	TAX (6.3%)		49.91
	TOTAL		1,047.89
	BALANCE DUE		\$1,047.89

Please remit payments to:

Axion Discovery, LLC

Attn: Accounts Receivable

4490 N. Black Canyon Hwy

Phoenix, AZ 85017

JA006664



HOLO Discovery
3016 West Charleston Blvd
Suite 170
Las Vegas, NV 89102
702.333.4321

Invoice

BILL TO

Spencer Fane LLP
400 S. Fourth St. #500
Las Vegas, NV 89101

INVOICE	4229
DATE	1/10/2018
TERMS	Net 30
DUE DATE	2/9/2018

ORDERED BY

Vivian Bowron

CLIENT MATTER

Apco/Gemstone

REP

Jim

ACTIVITY	QTY	AMOUNT
CLIENT MATTER: Apco/Gemstone-5026372.0002		0.00
Description: Print documents x2 and organize into binders.		
B/W Printing	33,232	3,323.20T
Color Digital Printing	860	593.40T
Color Printing 11x17	4	5.96T
B/W Oversize Printing-Per Sq. Ft. 36"x50"	16	80.00T
Index Tabs	450	157.50T
Index Tabs - 100+, AA+	1,298	584.10T
1.5 Inch Binder	8	72.00T
2 Inch Binder	4	40.00T
3 Inch Binder	52	676.00T
4 Inch Binder	6	96.00T
Sales Tax		464.32

Project Numbers- 18982, 19018, 19017

Date Delivered- 01/02/2018, 01/09/2018, 01/11/2018

Total Due \$6,092.48

Payments/Credits \$0.00

Balance Due \$6,092.48

Thank you for your business. Please make checks payable to HOLO Discovery.

Tax ID: 81-2158838

JA006665

EXHIBIT D

PER DIEM BILLING INFORMATION

DATE:	February 14, 2018		
CASE #:	08A571228		
CASE NAME:	APCO Construction vs. Gemstone Development, et al.		
HEARING DATE:	01/17/18, 01/18/18, 01/19/18, 01/23/18, 01/24/18 & 02/06/18		
DEPARTMENT #	13		
COURT RECORDER CONTACT INFO:	Jennifer Gerold 702-671-4425		
ORDERED BY:	J. Randy Jefferies, Mary E. Bacon		
FIRM:	Spencer Fane		
EMAIL:	amiller@spencerfane.com rjefferies@spencerfane.com		
PAYABLE TO:	<p>Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check</p> <p>Mailing Address: Regional Justice Center Fiscal Services Attn: Jennifer Garcia 200 Lewis Ave. Las Vegas, NV 89155</p>		
BILL AMOUNT:		CDs @ \$25 each =	\$
	21	Hour(s) @ \$40/hour recording fee =	\$840.00
		pages @ \$	per page of trans. \$
	TOTAL: Split between parties		\$280.00
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check/money order payable to:		Tax ID #:
BILL AMOUNT:		pages @ \$	per page of trans \$
<p align="center">TRANSCRIPTS WILL NOT BE FILED AND/OR RELEASED UNTIL PAYMENT IS RECEIVED. THANK YOU.</p>			

JA006667

Shannon D. Romero

14445 Galy Street
Tustin, CA 92780
Phone 602.622.2922
sromeagg@gmail.com

T SPENCER FANE LLP
O Mary E. Bacon, Esq.
300 S. Fourth Street, Suite 700
Las Vegas, NV 89101
(702)408-3411
MBAcon@spencerfane.com

Payment due within 30 days of date of invoice.

THANK YOU FOR YOUR BUSINESS!

JA006668

FLORENCE M. HOYT
6160 ELDORA AVENUE, SUITE A
LAS VEGAS, NEVADA 89146
(702) 221-0246

INVOICE

30 January 2018

Mary E. Bacon, Esq.
Spencer Fane LLP
400 South Fourth Street, #500
Las Vegas, Nevada 89101

MY JOB # : 1801003
CASE # : A-08-571228-B
PROCEEDING DATE : 1/24/18

TAX ID # 128364993

☐ Criminal ☒ Civil

Date Ordered
1/25/18

Date Delivered
1/30/18

RATE: EXPEDITE

PAGES	CASE NAME	PRICE PER PAGE	TOTAL CHARGES
133	APCO CONSTRUCTION, et al., v. GEMSTONE DEVELOPMENT WEST, et et al. Bench Trial - Day 5 DUE UPON RECEIPT Please Include MY Job Number on Check Thank you.	\$ 5.01	\$ 666.33

AZ-Accurate Transcription Service, LLC

8050 North 19th Avenue #215
Phoenix, AZ 85021
Phone 602.312.5204 Fax 623.201.2085
AZACCURATETRANSCRIPTION@GMAIL.COM

[illegible]

Make all checks payable to AZ-Accurate Transcription Service, LLC

JA006670

INVOICE

BRITTANY MANGELSON
TRANSCRIBER
4613 Standing Bluff Way
Las Vegas, NV 89130
(916) 753-8199
bdmangelson@gmail.com

Attention:	mbacon@spencerfane.com	Job #:	209
Attorney's Name:	Mary E. Bacon, Esq.	Department #:	XIII
Date Ordered:	01/25/18	Case #:	08A571228
Date Delivered:	01/30/18	Tax ID #	46-3765787

RATE: 4-day Expedited

# OF PAGES	CASE INFORMATION	PRICE PER PAGE	TOTAL CHARGES
135	<i>APCO Construction versus Gemstone Development West</i> 01/17/18 - Bench Trial - Day 1	\$5.01	\$676.35
TOTAL OWED:		\$676.35	

JA006671

JD Reporting, Inc.
 11246 Ethan Brook St.
 Las Vegas, NV 89183
 702.378-3456

Invoice

Bill To
SPENCER FANE LLP 702.408.3400 400 S. FOURTH ST #500 LAS VEGAS, NV 89101

Date	Invoice No.	Department No.	Terms	Date/Case No./Name
01/30/18	2018-003	13	Due on receipt	2018-01-19 / 08A571228 / APCO vs Gemstone

Item	Description	Quantity	Rate	Amount
Transcript - 4 Days	2018-01-19 / 08A571228 / APCO vs Gemstone - Bench Trial Day03	162	5.01	811.62
We accept credit cards, corporate checks and bank/cashier's checks. Credit card payments are subject to a 3% transaction fee. NO PERSONAL CHECKS.				
PLEASE NOTE NEW ADDRESS				
Tax ID No. 47-2121214				
Subtotal				\$811.62
Sales Tax				\$0.00
Total				\$811.62

JA006672

EXHIBIT E

Hartloff, Terri

From: Jefferies, Randy
Sent: Sunday, September 24, 2017 10:37 AM
To: Hartloff, Terri
Subject: Fwd: UPDATED flight reservation (MGJE8M) | 26SEP17 | PHX-LAS | Jefferies/John

Please print out.

John R. Jefferies
Spencer Fane LLP
C: 602.618.1200

Begin forwarded message:

From: Southwest Airlines <SouthwestAirlines@luv.southwest.com>
Date: September 24, 2017 at 10:35:52 AM MST
To: <rjefferies@spencerfane.com>
Subject: UPDATED flight reservation (MGJE8M) | 26SEP17 | PHX-LAS | Jefferies/John
Reply-To: Southwest Airlines <reply@wnco.com>

Thanks for choosing Southwest® for your trip.

Southwest

 [Log In](#) | [View my itinerary](#)

Check In
Online

Check Flight
Status

Change
Flight

Special
Offers

Hotel
Offers

Car
Offers

Ready for takeoff!



Thanks for choosing Southwest® for your trip. You'll find everything you need to know about your reservation below. Happy travels!



Air itinerary

AIR Confirmation: MGJE8M

Confirmation Date: 09/24/2017

Save up to 30%

Plus earn up to 2,400
Rapid Rewards® points.

Let's go!



Date	Flight	Early Bird	Departure/Arrival
Tue Sep 26	116		Depart PHOENIX, AZ (PHX) on Southwest Airlines at 11:40 AM Arrive in LAS VEGAS, NV (LAS) at 12:45 PM Travel Time 1 hrs 5 mins Wanna Get Away

- ✓ Earn Rapid Rewards® points
- ✓ Best rate guarantee
- ✓ Free cancellation

[Book a hotel >](#)

Date	Flight	Business Select	Departure/Arrival
------	--------	-----------------	-------------------

Thu Sep 28

948



Depart LAS VEGAS, NV (LAS) on Southwest Airlines at 07:30 PM

Arrive in PHOENIX, AZ (PHX) at 08:35 PM

Travel Time 1 hrs 5 mins

Business Select



Bags fly free®: First and second checked bags. Weight and size limits apply. One small bag and one personal item are permitted as carryon items, free of charge.



30 minutes before departure: We encourage you to arrive in the gate area no later than 30 minutes prior to your flight's scheduled departure as we may begin boarding as early as 30 minutes before your flight.



10 minutes before departure: You must obtain your boarding pass(es) and be in the gate area for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.



If you do not plan to travel on your flight: In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on your flight. Customers who fail to cancel reservations for a Wanna Get Away fare segment at least ten (10) minutes prior to travel and who do not board the flight will be considered a no show, and all remaining unused Wanna Get Away funds will be forfeited. All remaining unused Business Select and Anytime funds will be converted to reusable travel funds. If you no show your reward travel reservation, the points will be redeposited to the purchaser's Rapid Rewards account. Any taxes and fees associated with your reward travel reservation will be held for future use in the form of reusable travel funds under the name of the traveler(s).

Customers calling Southwest to request a refund or to research travel funds for a specific ticket must provide their confirmation number, ticket number or flight information (date, origin and destination).

Air Cost: 461 96

Fare Rule(s): 5268767384434: NONTRANSFERABLE -BG WN

Valid only on Southwest Airlines. All travel involving funds from this

Confirmation Number must be completed by the expiration date. Unused travel



Add a rental car

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- ✓ Guaranteed low rates
- ✓ Free cancellation

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Travel more for less.

Exclusive deals for your favorite destinations.

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Southwest
Rapid Rewards®

- ✓ Unlimited reward seats
- ✓ No blackout dates
- ✓ Redeem for International flights and more

Enroll now >

1/2
\$230.98

①

LAS4.10PHX4.10





Learn about our boarding process >



Learn about inflight WiFi & entertainment >

Hartloff, Terri

From: Prepaid Sky Harbor <support@prepaidskyharbor.com>
Sent: Tuesday, September 26, 2017 9:31 AM
To: Jefferies, Randy
Subject: Parking Confirmation #686605 for John Jefferies

 PHX Phoenix Sky Harbor International Airport		PARKING CONFIRMATION													
Dear John, Your reservation at Phoenix Sky Harbor Intl. Airport is confirmed. Thank you for parking with Prepaid Sky Harbor.															
YOU MUST PRESENT THIS VOUCHER AT THE TIME OF CHECK-OUT OR YOU WILL BE CHARGED AGAIN															
Reservation #		686605													
Parker		John Jefferies													
Parking Facility		Phoenix Sky Harbor Intl. Airport- Terminal 4 Parking													
Check In		9/26/2017 10:30:00 AM													
Check Out		9/28/2017 10:00:00 PM													
Duration		2 days, 11 hours, 30 minutes													
Payment Information		<table><tr><td>Subtotal</td><td>54.00</td></tr><tr><td>Tax and Surcharge</td><td>\$2.00</td></tr><tr><td>Total Cost</td><td>\$56.00</td></tr><tr><td>Amount Paid Online</td><td>\$56.00</td></tr><tr><td>Amount Due at the Lot</td><td>\$0.00</td></tr></table>		Subtotal	54.00	Tax and Surcharge	\$2.00	Total Cost	\$56.00	Amount Paid Online	\$56.00	Amount Due at the Lot	\$0.00		
Subtotal	54.00														
Tax and Surcharge	\$2.00														
Total Cost	\$56.00														
Amount Paid Online	\$56.00														
Amount Due at the Lot	\$0.00														
Facility Address		3400 E Sky Harbor Blvd, Phoenix, AZ - 85034													
Facility Contact Information		Phone: 602-273-4545 Email: avn.skyharbormarking@phoenix.gov													
Detailed Instructions		<p>Please pull a ticket when you enter the parking facility</p> <p>When you return, exit the facility through an open cashier</p> <p>Present your ticket and payment confirmation to the cashier</p> <p>If you believe you have overpaid your parking stay please : copy of your final receipt and confirmation number to support@prepaidskyharbor.com</p>													
		HELPFUL INFORMATION: This voucher is your receipt. Please bring a copy of this voucher with you when you park. Print Voucher When should I arrive at the parking facility? Please allow plenty of time to reach the terminal. Check the details of the facility you have booked for more information. Our Cancellation Policy													
															
		Phoenix Sky Harbor Int'l Airport 2114 E. Sky Harbor Circle South Phoenix, AZ 85034 Phone: 602-273-4545 or 4546 Fax: 602-392-0149													
		Receipt 6079/5071/825 09/28/17 20:53:49													
		<table><tr><td>010149 Eval. disc. ST C30</td><td>75.00 \$</td></tr><tr><td colspan="2">09/26/17 10:20 - 09/28/17 20:53</td></tr><tr><td colspan="2">Length of stay: 2 Dy. 10 Hr. 33 Min.</td></tr><tr><td>013149 Discount CP 10149</td><td>-21.00 \$</td></tr><tr><td>000004 Per Day Overring</td><td>-54.00 \$</td></tr><tr><td>Total Amount</td><td>0.00 \$</td></tr></table>		010149 Eval. disc. ST C30	75.00 \$	09/26/17 10:20 - 09/28/17 20:53		Length of stay: 2 Dy. 10 Hr. 33 Min.		013149 Discount CP 10149	-21.00 \$	000004 Per Day Overring	-54.00 \$	Total Amount	0.00 \$
010149 Eval. disc. ST C30	75.00 \$														
09/26/17 10:20 - 09/28/17 20:53															
Length of stay: 2 Dy. 10 Hr. 33 Min.															
013149 Discount CP 10149	-21.00 \$														
000004 Per Day Overring	-54.00 \$														
Total Amount	0.00 \$														

Thank you *
visiting *



Sep 28, 2017 - 4:16 PM

Pickup 4:16 PM

3170 W Charleston Blvd, Las Vegas

Dropoff 4:39 PM

Wayne Newton, Paradise

Lyft fare (7.96mi, 23m 36s)	\$18.55
-----------------------------	---------

NV Cost Recovery Fee	\$0.48
----------------------	--------

Tip	\$2.00
-----	--------

Total	\$21.03
-------	---------

Lyft Credit	-\$1.38
-------------	---------



*1018

2

JA006677

\$19.65

1/2 \$9.82

②



Lyft

3570 S Las Vegas Blvd, Las Vegas, NV 89109, USA



Riepilogo

Ho pagato un importo errato

He married in 1924. A006678

IN 1.
CARDHOLDER'S AGREEMENT
WITH THE ISSUER
Vehicle: 30
Driver ID: 24418

9/28/17 8:08 AM

Receipt N. 1957

Start 9/28/17 7:58 AM

End 9/28/17 8:08 AM

Fare \$19.83

Voucher \$3.00

Subtotal \$22.83

Excise Tax \$0.68

Tip \$3.00

Total \$26.51

AMERICAN EXPRESS
ATC: 002B
AC: A113A08AD7EF09C3
TERMINAL: T261049877
MERCHANT: 5271346181

CARDHOLDER ACKNOWLEDGES
RECEIPT OF FUNDS IN THE
AMOUNT OF THE TOTAL
INDICATED AND AGREES TO
PERFORM THE OBLIGATIONS
NOTED IN THE
CARDHOLDER'S AGREEMENT
WITH THE ISSUER

1/2 \$13.26 ②

DRIVER COPY

RECEIPT

PID: 0010F3399A28

CAB ID: 6022

DATE: 09/26/17

START TIME: 14:23

END TIME: 14:44

TRIP NUMBER: 10565

DISTANCE: 10.40

RATE: 1

FARE AMOUNT: \$33.86

CC FEE: \$3.00

TAX RECOVERY: \$1.11

TIP AMOUNT: \$2.00

TOTAL USD: \$39.97

APPL. NAME:
AMERICAN EXPRESS
ATC: 002A
AC:
20964F8E9FDE89E4
REC/INV#: 10565
TID: 327563304

DESCRIPTION:

1/2 \$19.99 ②

NOBU HOTEL
 CAESARS PALACE

3570 Las Vegas Boulevard South
 Las Vegas, Nevada 89109
 1-800-727-4923
 www.nobucaesarspalace.com

Name: JOHN/CHERI JEFFERIES
 Address: ** LCO 1
 US
 Group Code: WNEXB17
 Company Name: EXPEDIA ELITE

Room: NT 8007
 Arrive: 9/26/17
 Depart: 9/28/17
 Persons: 2
 Deposit Amt:
 Reservation ID:
 Guest Folio ID:

DATE	REFERENCE	DESCRIPTION	TKT#	S	AMOUNT
09/26/17	430031879532	RESORT FEE	0001476		39.68
		RESORT FEE			
09/26/17	430031756455	RESORT FEE \$39.68 DAILY			
09/26/17	430031765072	MESA GRILL	6080027		52.38
09/27/17	430042549015	RESORT FEE	0001255		39.68
		RESORT FEE			

DATE	REFERENCE	DESCRIPTION
------	-----------	-------------

1/2 \$65.87 ③

TOTAL

131.74

C/O CASHIER

GUEST SIGNATURE: _____

Share your experience on TripAdvisor! www.tripadvisor.com/Rateit-CaesarsLV

Join Caesars Entertainment's loyalty program, Total Rewards, to receive credit for everything you do!
 Download our free mobile app, "Play by Total Rewards" from the App Store or Google Play, to check your Reward Credit balance and explore
 Caesars Entertainment resorts, shows, restaurants and nightclubs worldwide.

Visit www.totalrewards.com for more information or to sign up.

JA006680

Hotel in Las Vegas

Sep 26, 2017 - Sep 28, 2017

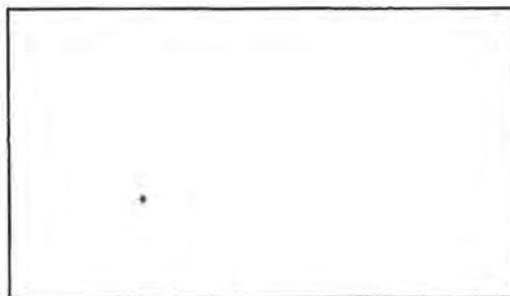
See live updates to your itinerary, anywhere and anytime.

[See your itinerary](#)

Or get the free app:



Hotel overview



Nobu Hotel

3570 Las Vegas Boulevard South, Las Vegas, NV, 89109 United States of America

[View hotel](#)

[Map and directions](#)

[Message hotel](#)

Reservation dates

Sep 26, 2017 - Sep 28, 2017

...lations or missed hotel nights

...hours after confirmation of hotel booking

Check-in and Check-out

Check-in time
4 PM

Check-out time
11 AM

Check-in time starts at 4 PM
Check-in time ends at 11:30 PM
Minimum check-in age is 21
Your room/unit will be guaranteed for late arrival.

Special instructions

24-hour airport shuttle service is available. Contact the property in advance to get details.

Room

Guests

Reserved for John Jefferies
2 adults

Room

Nobu Deluxe Room, 1 King Bed

Room requests

1 king bed
Non-smoking room

[Message hotel](#)

Price summary

Price breakdown

Room price \$519.28
2 nights: \$229.00 avg./night
9/26/2017 \$249.00
9/27/2017 \$209.00
Taxes & fees : \$61.28

Total \$519.28
Collected by Expedia

1/2 \$259.64 (4)

Unless specified otherwise, rates are quoted in US dollars.

Additional hotel fees

The below fees and deposits only apply if they are not included in your selected room

6

Cafe Americano
3570 Las Vegas B
Las Vegas, NV 89109
702-650-5921
Date: Sep27'17 09:02AM

Server: 6240002 DANIELLE

Subtotal: 35.72

TIP

7.00

TOTAL

42.72

SIGNATURE

APR
I AGREE TO PAY THE ABOVE TOTAL
ACCORDING TO MY CARD ISSUER
AGREEMENT!

36.00

1/2 \$18.00

7

8

09/27/17 12:53
SALES DRAFT

Caesars Las Vegas
3570 Las Vegas Blvd South.
Las Vegas, NV 89109

MERCH ID: 520601
CASHIER: Patric
TERMINAL: 636 Payard Pastr

American Exp

CHECK: 6366251
TABLE:

TOTAL: 23.71

GRATUITY: _____

TOTAL: _____

X _____
SIGNATURE

2017-09-27 12:53:05 564170 053240

1/2 \$11.86

Trevi
3500 Las Vegas Blvd G 9
Las Vegas, NV 89109
(702)-735-4663

Server: Ryan
09:18 PM
P12/1

DOB: 09/27/2017
09/27/2017
2/20165

SALE

AMEX

1048612

Amount: \$11.91

+ Service/Tip: 5.00

= Balance Due: 16.91

I agree to pay the above
total amount according to the
card issuer agreement.

X

For banquet events, balance due includes
suggested gratuity if accepted.

Trevi Copy

1/2 \$8.46

9

10

09/27/17 18:53

SALES DRAFT

Caesars Las Vegas
3570 Las Vegas Blvd South.
Las Vegas, NV 89109

MERCH ID: 485888
CASHIER: Joshua
TERMINAL: 612 NCBU - Resta

American Exp

CHEL 123267
TABLE: 69

TOTAL: 9.74

GRATUITY: 6.00

TOTAL: 15.74

X
SIGNATURE

2017-09-27 18:52:55 564590 149972

1/2 \$ 7.87

09/27/17 20:03

SALES DRAFT

Caesars Las Vegas
3570 Las Vegas Blvd South.
Las Vegas, NV 89109

MERCH ID: 485268
CASHIER: David
TERMINAL: 762 Mr. Chow

American Exp

NAME: JEFFERIES/JOHN

TABLE: 004

TOTAL: 80.65

GRATUITY: 15.00

TOTAL: 95.65

X
SIGNATURE

2017-09-27 20:03:47 541062 295528

1/2 \$ 47.83

11

PGA TOUR GRILL B GATE
LAS VEGAS MCCARRAN AIRPORT

Merchant ID :
TERMINAL ID : 679917
Check # : 2673
Table # : 14
Server : 117835 Romano
Acct Num : XXXXXXXXXXXX
Date : 9/28/17

Sub Total : \$ 55.28

GRATUITY: 12.00

TOTAL: 67.28

X

Signature

I Agree to pay total amount as
per the Card Issuer Agreement.

Merchant Copy

1/2 \$33.64

12

Cafe Americano
3570 Las Vegas B

Las Vegas, NV 89109
702-650-5921

Date: Sep28'17 07:19AM

Server: 6240003 CAPTAVO

Sub Total: 29.77

IP

TOTAL

AMOUNT

TO PAY THE ABOVE TOTAL

WITH MY CARD ISSUER

AS SHOWN

1/2 \$16.89

Hotel overview



Golden Nugget Las Vegas Hotel & Casino

129 Fremont St, Las Vegas, NV, 89101
United States of America

[View hotel](#)

[Map and directions](#)

Reservation dates

Nov 15, 2017 - Nov 16, 2017

Itinerary

ons or missed hotel nights

Check-in and Check-out

Check-in time

3 PM

Check-out time

11 AM

Check-in policies

Check-in time starts at 3 PM

Check-in time ends at 5 AM

Minimum check-in age is 18

Your room/unit will be guaranteed for late arrival.

Special instructions

24-hour airport shuttle service is available. Contact the property in advance to get details. The pool complex, including swimming areas at The Tank and The Hideout as well as the sundeck, poolside gaming, tank viewing area and food and beverage outlets will be closed for annual maintenance from Monday, November 27 2017 through and including Thursday, February 1 2018.

Room

Guests

1 adult

Room

Rush Tower King

Room requests

1 King Bed

Non-smoking room

Price summary

Price breakdown

Room price \$75.25

1 night: \$66.60

Taxes & fees : \$8.65

Total \$75.25 ✓

Collected by Expedia

13

Limited time offer: save 40%

Prices shown after -\$44.40 savings

Unless specified otherwise, rates are quoted in US dollars

Additional hotel fees

The below fees and deposits only apply if they are not included in your selected room rate.

You'll be asked to pay the following charges at the property:

Resort fee: USD 33.34 per accommodation, per night

The resort fee includes:

Spa access

Fitness center access

Internet access

Newspaper

In-room bottled water

Self parking

Valet parking



JOHN R. JEFFERIES

Room Number: RT 9223
Arrival Date: 11/15/2017
Departure Date: 11/16/2017
Confirmation Number:
Page No: 1 of 1
Date: 11/16/2017

Date	Description	Charges	Balance
11/15/2017	RESORT FEE RESORT FEE \$29.50/\$3.84 T	33.34	33.34
11/16/2017	FRONT DESK AMEX	33.34	14

SUMMARY OF CHARGES

ROOM 29.50
TAX2 3.84

Balance .00

Vehicle: 1449

Driver ID: 117204

Name: David Cortez Jr.

11/15/17 5:56 PM

Receipt N. 13274

Start 11/15/17 5:13 PM

End 11/15/17 5:56 PM

Fare \$35.93

Extras \$2.00

Voucher \$3.00

Subtotal \$40.93

Excise Tax \$1.23

Tip \$4.55

Total \$46.71

CREDIT CARD \$46.71

Authoriz. STFW

Method: Swipe

SIGNATURE

Thanks for using A Cab

(702) 369-5686

PASSENGER RECEIPT

PID: 0010F3364725

CAB ID: 4947

DATE: 11/16/17

START TIME: 10:31

END TIME: 10:52

TRIP NUMBER: 51543

DISTANCE: 6.30

RATE: 1

FARE AMOUNT: \$24.89

CC FEE: \$3.00

TAX RECOVERY: \$0.84

TIP AMOUNT: \$5.00

TOTAL USD: \$33.73

AMEX

AUTHOR.:

MID: 52

ENTRY METHOD:

CONTACT CHIP

AID: A0

APPL. NAME:

AMERICAN EXPRESS

ATC: 002E

AC:

7A97D8999FF4A148

REC/INV#: 51543

TID: 327679963

WWW.VERIFONETS.COM

THANK YOU!

THANK YOU!

ANLV CAB
SERVING Managed Company

Sky Harbor Intl.

Terminal 4

from: 11/15/17 15:35:00

to: 11/16/17 13:45

Amount to Pay: 27 00 \$

American Express

XXXX XXXXX



Visit us at skyharbor.com/parking
FOR INFORMATION REGARDING PARKING CALL (602) 273-4545
PHOENIX SKY HARBOR INTERNATIONAL AIRPORT PARKING RECEIPT

15
\$107.44

Phoenix Sky Harbor Int'l Airport
3420 E. Sky Harbor Blvd. Ste 200
Phoenix, AZ 85034
Phone: 602-273-4545 or 4546
Fax: 602-392-0149

Receipt 8973/5075/823 11/20/17 20:29:31

010100 Pay parking ticket 49.00 \$
11/19/17 15:13 - 11/20/17 20:29
Length of stay: 1 Dy. 5 Hr. 16 Min.

Total Amount 49.00 \$

Credit Amex 49.00 \$

American Express

JEFFERTES/JOHN

Account: xxxx xxxxxx

Amount = \$ 49.00

** Thank you **
** for visiting **

116

RECEIPT

PID: 0010F33C06D7
CAB ID: 6456
DATE: 11/19/17
START TIME: 16:09
END TIME: 16:22
TRIP NUMBER: 8690
DISTANCE: 12.50
RATE: 1
FARE AMOUNT: \$40.23
CC FEE: \$3.00
TAX RECOVERY: \$1.30
TIP AMOUNT: \$4.00
TOTAL USD: \$48.53

AMEX
AUTHOR.:
MID: 5
ENTRY METHOD:
CONTACT CHIP
AID: A00000002501
APPL. NAME:
AMERICAN EXPRESS
ATC: 002F
AC:
DBDFBF4D8F0BFB13
REC/INV#: 8690
TID: 327700554

DESCRIPTION:

SIGNATURE:

JEFFERTES/JOHN

CARDHOLDER ACKNOWLEDGES
RECEIPT OF FUNDS IN THE
AMOUNT OF THE TOTAL
INDICATED AND AGREES TO
PERFORM THE OBLIGATIONS
NOTED IN CARDHOLDER'S
AGREEMENT WITH ISSUER

WWW.VERIFONETS.COM

THANK YOU!
THANK YOU!

116



JOHN JEFFERIES

Room Number: RT 18226
Arrival Date: 11/19/2017
Departure Date: 11/20/2017
Confirmation Number: 430476959801
Page No: 1 of 1
Date: 11/20/2017

Date	Description	Charges	Balance
11/19/2017	RESORT FEE	33.34	33.34
	RESORT FEE \$29.50/\$3.84 T		
11/20/2017	FRONT DESK AMEX *****	33.34	(17)

SUMMARY OF CHARGES

ROOM	29.50
TAX2	3.84

Balance .00



JOHN JEFFERIES

Room Number: RT 17212
Arrival Date: 01/23/2018
Departure Date: 01/24/2018
Confirmation Number: 431223910895
Page No: 1 of 1
Date: 01/24/2018

Date	Description	Charges	Balance
01/23/2018	RESORT FEE RESORT FEE \$29.50/\$3.84 T	33.34	33.34
01/24/2018	FRONT DESK VISA	33.34	(18)

SUMMARY OF CHARGES

ROOM 29.50
TAX2 3.84

Balance .00

TRUMP

INTERNATIONAL HOTEL

LAS VEGAS

John Jefferies

Room No. : 5706
Arrival : 01-16-18
Departure : 01-20-18
Folio No. :

AR No. :
Conf. No. : 1205675

Date	Description	Charges	Credits
01-16-18	Deposit Transferred at Check-In		211.74
01-16-18	DJT - Dinner Food Room# 5706 : CHECK# 17101	147.48 100.00	
01-16-18	Room Charge	186.75	
01-16-18	Room Tax	24.99	
01-16-18	Resort Fee	35.00	
01-16-18	Resort Fee Tax	4.68	
01-16-18	Pet Fee 2 dogs	100.00	
01-16-18	Room Tax	13.38	
01-17-18	DJT - Breakfast Food Room# 5706 : CHECK# 17160	28.73	
01-17-18	Room Charge	186.75	
01-17-18	Room Tax	24.99	
01-17-18	Resort Fee	35.00	
01-17-18	Resort Fee Tax	4.68	
01-18-18	DJT - Breakfast Food Room# 5706 : CHECK# 17321	37.39	
01-18-18	Gift Shop Room# 5706 : CHECK# 79137	5.41	
01-18-18	DJT - Dinner Food Room# 5706 : CHECK# 17432	100.00 148.41	
01-18-18	Room Charge	186.75	
01-18-18	Room Tax	24.99	
01-18-18	Resort Fee	35.00	
01-18-18	Resort Fee Tax	4.68	

JA006694

TRUMP
INTERNATIONAL HOTEL
LAS VEGAS

John Jefferies
12121 e Columbine Drive

Scottsdale, AZ 85259
US

Company Name:

Room No. : 5706
Arrival : 01-16-18
Departure : 01-20-18
Folio No. :

AR No. :
Conf. No. : 1205675

Date	Description	Charges	Credits
01-19-18	DJT - Breakfast Food	37.39	
01-19-18	Room# 5706 : CHECK# 17499		
01-19-18	Room Charge	216.75	
01-19-18	Room Tax	29.00	
01-19-18	Resort Fee	35.00	
01-19-18	Resort Fee Tax	4.68	
		Total Charges	1,527.83
		Total Credits	211.74
		Balance	1,316.09

Trump Hotel Collection is a proud supporter of St. Jude Children's Research Hospital, internationally recognized for its pioneering research and treatment of childhood cancer. Should you wish to make a donation to **St. Jude's Thanks and Giving** campaign please complete the below.

\$5.00 \$10.00 \$15.00 Other _____

Signature: _____ Date: _____

100% of your donation benefits St. Jude Children's Research Hospital. Thank you for your support.

\$1,356.58

19

Jefferies, Randy

From: Southwest Airlines <SouthwestAirlines@luv.southwest.com>
Sent: Wednesday, January 24, 2018 1:24 PM
To: Jefferies, Randy
Subject: Flight reservation (SDR8PO) | 23JAN18 | PHX-LAS | Jefferies/John

Thanks for choosing Southwest® for your trip

Southwest

[Log in](#) | [View my itinerary](#)

[Check In
Online](#)

[Check Flight
Status](#)

[Change
Flight](#)

[Special
Offers](#)

[Hotel
Offers](#)

[Car
Offers](#)

Ready for takeoff!



Thanks for choosing Southwest® for your trip. You'll find everything you need to know about your reservation below. Happy travels!

[✈ Air itinerary](#)

AIR Confirmation: SDR8PO

Confirmation Date: 01/22/2018

Passenger(s)	Rapid Rewards #	Ticket #	Expiration	Est. Points Earned
JEFFERIES/JOHN	80772204	5261405858706	Jan 20, 2019	5598

Rapid Rewards points earned are only estimates. Visit your (MySouthwest, Southwest.com or Rapid Rewards) account for the most accurate totals - including A-List & A-List Preferred bonus points.

Date	Flight	Business Select	Departure/Arrival
Tue Jan 23	1961		Depart PHOENIX, AZ (PHX) on Southwest Airlines at 02:50 PM Arrive in LAS VEGAS, NV (LAS) at 02:55 PM Travel Time 1 hrs 5 mins Business Select

Date	Flight	Business Select	Departure/Arrival
Wed Jan 24	184		Depart LAS VEGAS, NV (LAS) on Southwest Airlines at 04:55 PM Arrive in PHOENIX, AZ (PHX) at 07:05 PM Travel Time 1 hrs 10 mins Business Select



Bags fly free®: First and second checked bags. Weight and size limits apply. One small bag and one personal item are permitted as carryon items, free of charge.



30 minutes before departure: We encourage you to arrive in the gate



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up to 35%**

on base rates and earn up to 2,400 Rapid Rewards® points. Terms apply.

Hertz

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per night**

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- ✓ Free cancellation

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area no later than 30 minutes prior to your flight's scheduled departure as we may begin boarding as early as 30 minutes before your flight.

- L 10 minutes before departure:** You must obtain your boarding pass(es) and be in the gate area for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.

- i If you do not plan to travel on your flight:** In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on your flight. Customers who fail to cancel reservations for a Wanna Get Away fare segment at least ten (10) minutes prior to travel and who do not board the flight will be considered a no show, and all remaining unused Wanna Get Away funds will be forfeited. All remaining unused Business Select and Anytime funds will be converted to reusable travel funds. If you no show your reward travel reservation, the points will be redeposited to the purchaser's Rapid Rewards account. Any taxes and fees associated with your reward travel reservation will be held for future use in the form of reusable travel funds under the name of the traveler(s).

Need to make a change? Keep your confirmation number on record. It will be used to retrieve your reservation and apply funds to future travel.

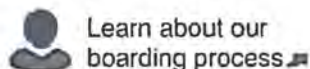
Air Cost: 529.96

Fare Rule(s): 5261405858706: NONTRANSFERABLE -BG WN

Valid only on Southwest Airlines. All travel involving funds from this Confirmation Number must be completed by the expiration date. Unused travel funds may only be applied toward the purchase of future travel for the individual named on the ticket. Any changes to this itinerary may result in a fare increase.

PHX WN LAS233.19WN PHX233.19USD466.38END ZP PHX4.20LAS4.20 XF PHX4.5LAS4.5

KZBP
KZBP



Learn about our
boarding process



Learn about inflight
WiFi & entertainment

Cost and Payment Summary

X AIR - SDR8PO

Base Fare	\$ 466.38
Excise Taxes	\$ 34.98
September 11th Security Fee	\$ 11.20
Segment Fee	\$ 8.40
Passenger Facility Charge	\$ 9.00
Total Air Cost	\$ 529.96

Payment Information

Tkls funds applied from Residual Travel Funds

\$529.96

20

Travel more for less.

Exclusive deals for your
favorite destinations

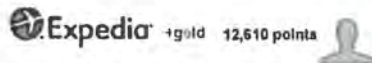
Sign up and save >

Southwest

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- ✓ No blackout dates
- ✓ Redeem for International flights and more

Enroll now >



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Golden Nugget Las Vegas Hotel & Casino, Las Vegas

Mon Jan 22 - Tue Jan 23 ✓Booked. No need to reconfirm Total \$109 IG

Hotel overview



Golden Nugget Las Vegas Hotel & Casino

★★★★

129 Fremont St Las Vegas NV 89101

[View hotel](#) [Map and directions](#) [Message hotel](#)

Reservation dates

Jan 22, 2018 - Jan 23, 2018 [Review Your Hotel](#)

Itinerary

7323850204356

How are you getting to your Las Vegas NV United States of America Hotel?
Choose from rental cars or airport rides

Looking for activities in Las Vegas NV United States of America?
Explore things to do

Check-in and Check-out

[Back to top](#)

Check-in time

3 PM

Check-out time

11 AM

Check-in policies

Check-in time starts at 3 PM

Check-in time ends at 5 AM

Minimum check-in age is 18

Your room/unit will be guaranteed for late arrival

Special instructions

24-hour airport shuttle service is available. Contact the property in advance to get details

The pool complex, including swimming areas at The Tank and The Hideout as well as the sundeck, poolside gaming, tank viewing area and food and beverage outlets will be closed for annual maintenance from Monday, November 27, 2017 through and including Thursday, February 1, 2018.

Room

[Back to top](#)

Guests

Reserved for John Jettles

1 adult

Room type

Rush Tower King

Room requests

1 King Bed

Non-smoking room

[Message hotel](#)

Price summary

[Back to top](#)

Price breakdown

Room price \$109.16

1 night \$96.60

Taxes & fees \$12.56

Total: \$109.16 Get receipt

Collected by Expedia

Special deal: save 40%

Prices shown after -\$64.40 savings

Unless specified otherwise, rates are quoted in US dollars

(21)

Expedia

[Back to top](#)

On this trip you will collect 283 Expedia+ points

- 218 base points for this trip
- 65 bonus points for +gold Bonus

For Expedia+ members

[See all your rewards](#)

Additional hotel fees

[Back to top](#)

The below fees and deposits only apply if they are not included in your selected room rate.

You'll be asked to pay the following charges at the property:

- Resort fee: USD 33.34 per accommodation, per night

The resort fee includes:

- Spa access
- Fitness center access
- Internet access
- Newspaper
- In-room bottled water
- Self parking
- Valet parking
- Parking
- Additional inclusions

We have included all charges provided to us by the property. However, charges can vary, for example, based on length of stay or the room you book.

The price shown above DOES NOT include any applicable hotel service fees, charges for optional incidentals (such as minibar snacks or telephone calls), or regulatory surcharges. The hotel will assess these fees, charges, and surcharges upon check-out.

Rules and restrictions

[Back to top](#)

Cancellations and Changes

We understand that sometimes plans fall through. We do not charge a cancel or change fee. When the property charges such fees in accordance with its own policies, the cost will be passed on to you. Golden Nugget Las Vegas Hotel & Casino charges the following cancellation and change fees:

The room/unit type and rate selected are non-refundable. Should you change or cancel this reservation for any reason, your payment will not be refunded.

No refunds will be issued for late check-in or early check-out.

Stay extensions require a new reservation.

Pricing and Payment

HOTEL FEES: The price above DOES NOT include any applicable hotel service fees, charges for optional incidentals (such as minibar snacks or telephone calls), or regulatory surcharges. The hotel will assess these fees, charges, and surcharges upon check-out.

Hartloff, Terri

From: Jefferies, Randy
Sent: Saturday, January 20, 2018 12:35 PM
To: Hartloff, Terri
Subject: APCO travel reimbursement

Follow Up Flag: Follow up
Flag Status: Flagged

I will give you my receipts on Monday. Please also submit a **mileage reimbursement for 633 miles** of driving to Vegas for the trial as well as \$35 for miscellaneous tips. Thanks.

John Randall Jefferies
Spencer Fane LLP
Direct: 602.333.5432
Mobile: 602.618.1200
Admitted in Arizona, Nevada

PASSENGER COPY
CREDIT SALE
MERCHANT ID: 00720000290562
TERMINAL ID: C288688116
DRIVER ID: 00031065
CABNUMBER: 748
DATE: 01/23/2018
START TIME: 15:15
END TIME: 15:45
PASSNUMBER: 1
TRIPNUMBER: 23569
DISTANCE: 6.30 mi
RATE 1
FARE: \$ 28.80
EXTRA: \$ 2.00
EXCISE TAX
RECOVERY: \$ 1.01
TIP: \$ 3.00
SUBTOTAL: \$ 34.81
CC Fee \$ 3.00
TOTAL: \$ 37.81

Sky Harbor Intl.
Terminal 4

from: 01/23/18 13:35:00
to: 01/24/18 18:07

Amount to pay: 46.00 \$

Visa
XXXX XXXX XXXX 2664



Visit us at skyharbor.com/parking
FOR INFORMATION REGARDING PARKING CALL (602) 273-4545
PHOENIX SKY HARBOR INTERNATIONAL AIRPORT PARKING RECEIPT

\$428.80

22

5	01/20/2018	20	Mileage	from	344.99 USD	344.99 USD
Business Purpose	Trial - APCO (mileage)					
Description	(Driving to Trial)					
	Firm Paid: No					
Allocations	5026372-0002	APCO Constructi	Gemstone Development	344.99 USD		
Trip Info						633.00
	calculatedDistance	0.00				

Hartloff, Terri

From: Miller, Adam
Sent: Thursday, January 18, 2018 12:45 PM
To: Hartloff, Terri
Subject: FW: Your Order from Rachel's Kitchen Is Being Prepared

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Terri,

Randy wanted me to forward the receipt below to you to be submitted for reimbursement for him. He said to put it in as a trial prep lunch for him, Mary Bacon and Mary Jo (not sure what her last name is). Let me know if you need anything else.

Adam

From: Grubhub [mailto:orders@eat.grubhub.com]
Sent: Thursday, January 18, 2018 11:09 AM
To: Miller, Adam
Subject: Your Order from Rachel's Kitchen Is Being Prepared

GRUBHUB™

Hello Adam,

We've confirmed your delivery order from **Rachel's Kitchen**. Your food should be ready by **11:45am - 11:55am**.

[Track your order](#)

**Invite your friends to enjoy
\$7 off delicious delivery!**



Ordered from
Rachel's Kitchen

Delivery (ASAP) to Adam Miller, 300 S 4th St , 700 Las Vegas, NV

(702) 460-8444

Payment Method
Credit Card

\$47.24

Have questions about your order?
Contact us

Order Details
Jan 18, 2018 11:07:31am
Order # 450603095586700

1 Smoked Turkey and Avocado Sandwich \$11.50
• Sourdough Bread
• Fruit

1 Smoked Turkey and Avocado Sandwich \$11.50
• Ciabatta Bread
• Kettle Chips "Avacado on the side"

1 Albacore Tuna Salad Sandwich \$12.00
• Whole Wheat bread
• Fruit "No Mayo"

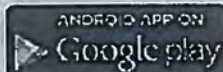
Items subtotal \$35.00
Fee \$2.99
Sales tax \$3.09
Tip \$6.16

Total

24

\$47.24

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Give the gift of food



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25

Golden Nugget Las Vegas Buffet
Las Vegas

Server: Janel 01/24/2018
Fast Close/1 7:03 AM
Guests: 1 20004
Area: Resla

XXXXXXXXXX9774
John Jeffe ing
Adult Breakfast Buffet 15.99
Subtotal 15.99
tax 1.32
Total 17.31

Visa #XXXXXXXXXXXX2664 \$17.31
Auth:96140D

+ Tip: _____
= Balance Due: _____

X _____

Balance Due \$0.00

Room # _____

Print Name _____

John Jefferies
11016****9774

Please visit www.landryselect.com for
points and new balance.

Suggested Gratuity
18% Gratuity=\$ 2.88
19% Gratuity=\$ 3.04
20% Gratuity=\$ 3.20

A Suggested Gratuity of 18%-20% is customa
The amount of gratuity is always discretio

26

Vic & Anthony's
129 E. Fremont Street
Las Vegas, NV 89101
(702) 386-8399

Server: Efrain 01/23/2018
Bar 2/1 7:50 PM
Guests: 1 30063
Area: Bar

Bt Bud L 5.50
Roasted Stuffed Salmon 36.00
GI PN Meiomi 13.00

Subtotal 54.50
Tax 4.49

Total 58.99

Balance Due \$58.99

+1200
\$70.99

Food: 36.00
Beer: 5.50
Wine: 13.00

Suggested Gratuity
18% Gratuity=\$ 9.81
19% Gratuity=\$10.36
20% Gratuity=\$10.90

A Suggested Gratuity of 18%-20% is customa
The amount of gratuity is always discretio

27

Capriotti's Sandwich Shop
200 Lewis Ave.
Las Vegas, NV 89101
(702) 631-1112

RANDY

Host: Jake
RANDY

01/19/2016
12:07 PM
20048

9" Chicken Cheese Steak	7.99
F. Onions	
9" Mushroom	0.50
F. Sweets	
Mayo	
Medium Drink (16 fl. oz.)	11.94
9" Capriotti's	8.69
NO Slaw	
9" Chz Steak	8.19
F. Onions	
9" Mushroom	0.50
F. Sweets	
9" Chicken Cheese Steak	7.99
F. Onions	
9" Mushroom	0.50
F. Hots	
12" Chz Steak	9.99
Large Balsamic Chix Salad	7.99

Your food and experience
should be Extraordinary!
Give feedback in next 3 days
ENJOY A FREE 9" SUB
WITH PURCHASE OF ANY SUB
VISIT: TELLCAPRIOTTIS.COM
USE CODE:

| 827 401 000 097 113 |

Free sub expires in 30 days
Valid at this Capriotti's

Subtotal	64.86
Tax	5.35

Here Total 70.23

28

Capriotti's Sandwich Shop
200 Lewis Ave.
Las Vegas, NV 89101
(702) 631-1112

RANDY

Host: Jake
RANDY

01/17/2018
12:00 PM
20116

1" Bobbie	7.79
NO Stuffing	
Cookie	1.29
Large BBQ Chicken Salad	7.99
NO Chipotle Ranch Dressing	
NO BBQ Sauce	
SD Chipotle Ranch Dressing	
SD BBQ Sauce	
Combo Chip Hd Drink	2.59
9" Chicken Cheese Steak	7.99
F. Onions	
9" Mushroom	0.50
F. Hots	
Medium Drink (2 @ 1.99)	3.98
Large BBQ Turkey Salad	7.99

Your food and experience
should be Extraordinary!
Give feedback in next 3 days
ENJOY A FREE 9" SUB
WITH PURCHASE OF ANY SUB
Visit: TELLCAPRIOTTIS.COM
USE CODE:

| 827 401 000 097 113 |

Free sub expires in 30 days
Valid at this Capriotti's

Subtotal	40.12
Tax	3.31

Here Total 43.43

29

California Pizza Kitchen
3200 Las Vegas Blvd.
Las Vegas, NV 89109
702-693-1370

Serv: Lindsay
08:41 PM
Table 404/1

DOB: 01/17/2018
01/17/2018
5/50039

SALE

AMEX 2097183
Card #XXXXXXXXXX1010

Approval: 7121

Amount: \$69.22

+ Tip: 15.00

= Total: 84.22

50.00

I agree to pay the above
total amount according to the
card issuer agreement.

Please keep this copy

For suggested gratuity
check; after tax,
fers or discounts.

10.38

16% tip = 12.46

20% Tip = 13.84

CUSTOM
(RFF)

30

Capriotti's Sandwich Shop
200 Lewis Ave.
Las Vegas, NV 89101
(702) 631-1112

RANDY

Host: Jake
non

01/24/2018
12:20 PM
20114

Large BBQ Ch	7.99
Cookie	1.29
Medium Drink	1.99
9" Chicken Lin	7.99
9" Hot	0.50
Fries	
Large Soda	5.99
NO Protein +	
NO Refill	
Swiss	
and Lin	2.59

Your food and experience
should be extraordinary!
Give feedback in next 3 days
ENJOY A FREE 9" SUB
WITH PURCHASE OF ANY SUB
Visit: TELCAPRIOTTIS.COM
USE CODE:

| 27 101 100 047 213 |

Free sub expires in 30 days
Valid at this Capriotti's

Total	28.34
Tax	2.33

Here Total 30.67

XXXXXXXXXX2664 30.67

Expense Details

Report ID: 0100-2304-4874

Expense Report

Apco misc expenses

Item	Date	Alert	Cost Code	Type	Disb Amt	Pay Me Amt
1	12/20/2017		20	Taxi/Car Service	12.85 USD	12.85 USD
Business Purpose Description	Lyft - to hotel					
	Receipt Attached: Yes Firm Paid: No					
Allocations	5026372-0002	APCO Constructi	Gemstone Development			12.85 USD
	FromTo	Las Vegas				
2	01/03/2018		20	Taxi/Car Service	16.10 USD	16.10 USD
Business Purpose Description	Lyft - to Court					
	Receipt Attached: Yes Firm Paid: No					
Allocations	5026372-0002	APCO Constructi	Gemstone Development			16.10 USD
	FromTo	Las Vegas				

12/20/17 LYFT RIDE TUE 11PM
(NONE) 94104
LEADER CO. RESTAURANT
01/03/18 LYFT RIDE TUE 2PM
(NONE) 94104
LEDGER
01/02/18

APCO
/

SAN FRANCISCO

CA

2/285

SAN FRANCISCO

CA

\$16.10

#28.95

(31)

EXHIBIT F

11/07/2017
CLIENT NO.: 5026372
APCO Construction



Page: 5
INVOICE NO: 613917



FOR DISBURSEMENTS ADVANCED

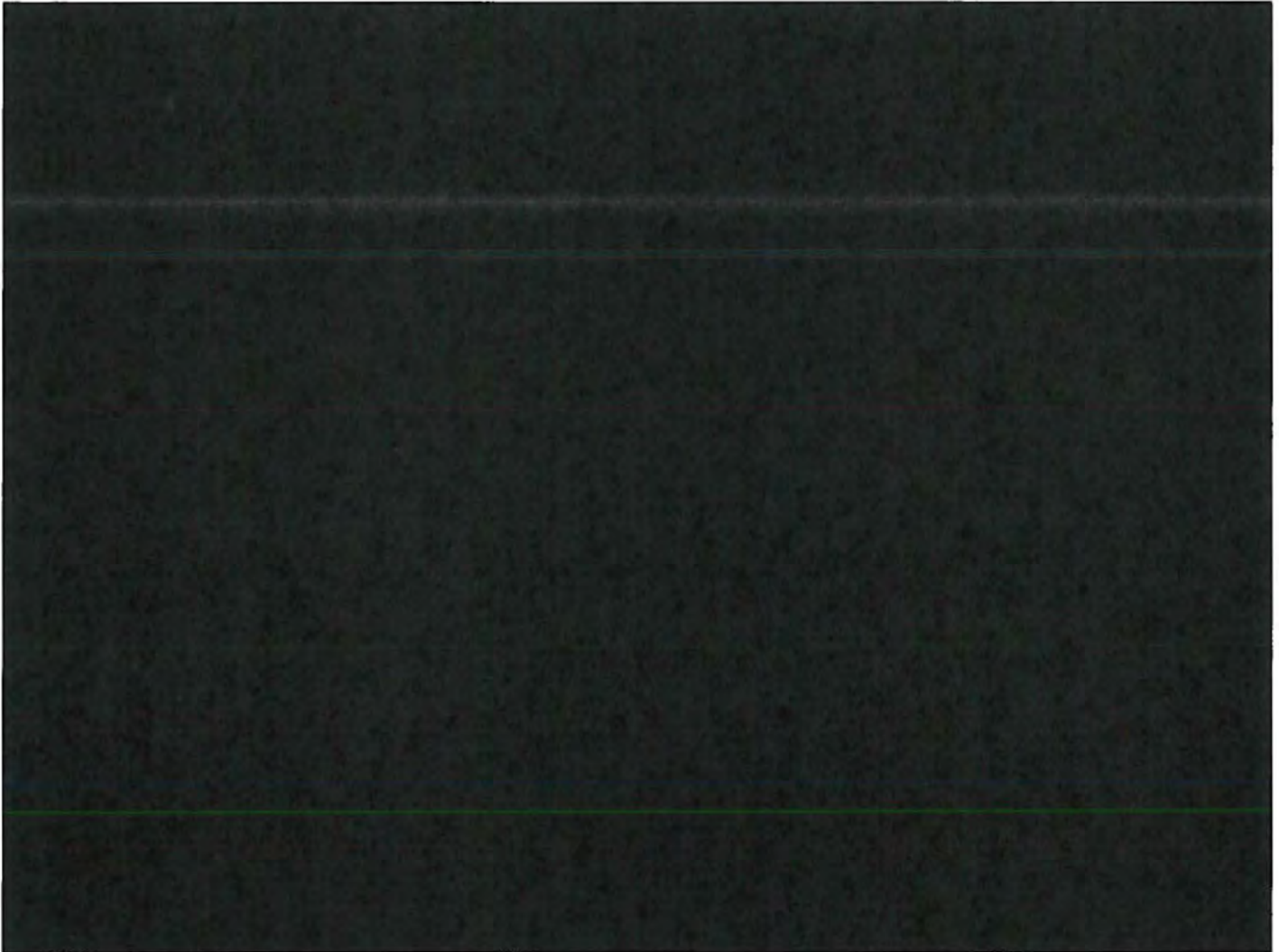
<u>Date</u>	<u>Description</u>	<u>Amount</u>
10/10/2017	Online Legal Research	75.00
10/11/2017	Online Legal Research	75.00
10/12/2017	Online Legal Research	75.00
10/13/2017	Online Legal Research	75.00
10/4/2017	Online Legal Research	75.00
10/7/2017	Online Legal Research	75.00
Total Disbursements		450.00



12/11/2017
CLIENT NO.: 5026372
APCO Construction

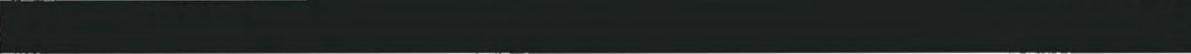


Page: 7
INVOICE NO: 619263

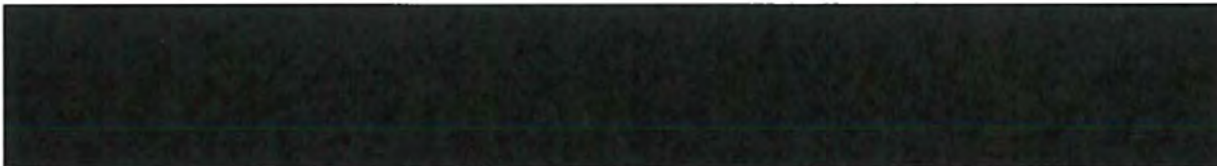


FOR DISBURSEMENTS ADVANCED

<u>Date</u>	<u>Description</u>	<u>Amount</u>
-------------	--------------------	---------------



11/10/2017	Online Legal Research	75.00
------------	-----------------------	-------



12/11/2017
CLIENT NO.: 5026372
APCO Construction



Page: 8
INVOICE NO: 619263

11/11/2017 Online Legal Research

75.00

11/13/2017 Online Legal Research

75.00

11/14/2017 Online Legal Research

75.00

11/8/2017 Online Legal Research

75.00

JA006711

12/11/2017
CLIENT NO.: 5026372
APCO Construction



Page: 9
INVOICE NO: 619263

11/9/2017 Online Legal Research

75.00



01/05/2018
CLIENT NO.: 5026372
APCO Construction



Page: 4
INVOICE NO: 621172



FOR DISBURSEMENTS ADVANCED

Date	Description	Amount
[REDACTED]		
12/13/2017	Online Legal Research	75.00
12/16/2017	Online Legal Research	75.00
[REDACTED]		

01/05/2018
CLIENT NO.: 5026372
APCO Construction



Page: 5
INVOICE NO: 621172

12/2/2017	Online Legal Research	75.00
12/3/2017	Online Legal Research	75.00
12/5/2017	Online Legal Research	75.00
12/6/2017	Online Legal Research	75.00

JA006714

03/12/2018
CLIENT NO.: 5026372
APCO Construction



Page: 3
INVOICE NO: 630383

FOR DISBURSEMENTS ADVANCED

<u>Date</u>	<u>Description</u>	<u>Amount</u>
-------------	--------------------	---------------

2/14/2018	Online Legal Research	110.00
2/15/2018	Online Legal Research	110.00

2/16/2018	Online Legal Research	110.00
-----------	-----------------------	--------

2/19/2018	Online Legal Research	110.00
-----------	-----------------------	--------

JA006715

EXHIBIT G

	<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	
	<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	
	<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	
	<i>Notice of Appearance</i>	
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	Stipulation and Order for Dismissal With Prejudice	
	<i>Stipulation and Order for Dismissal with Prejudice</i>	
05/25/2018	Notice of Entry of Stipulation and Order	
	<i>Notice of Entry of Stipulation and Order</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>	
06/11/2018	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 Retax Costs Re: Defendant APCO Construction's Memorandum of Costs and Disbursements Against Plaintiff In Intervention National Wood Products, Inc.</i>	
06/11/2018	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>	
06/11/2018	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>	
06/11/2018	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>	
06/11/2018	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>	

FINANCIAL INFORMATION

	Consolidated Case Party Newmark Grubb Knight Frank		
	Total Financial Assessment		7.00
	Total Payments and Credits		7.00
	Balance Due as of 05/25/2018		0.00
02/23/2017	Transaction Assessment		3.50
02/23/2017	Efile Payment	Receipt # 2017-18224-CCCLK	(3.50)
03/30/2017	Transaction Assessment		3.50
03/30/2017	Efile Payment	Receipt # 2017-30219-CCCLK	(3.50)
	Conversion Extended Connection Type No Convert Value @ 08A571228		
	Total Financial Assessment		2,192.00
	Total Payments and Credits		2,192.00
	Balance Due as of 05/25/2018		0.00
09/09/2008	Transaction Assessment		2,192.00
09/09/2008	Conversion Payment	Receipt # 01459792	(148.00)
12/10/2008	Conversion Payment	Receipt # 01477769	(3.00)
01/05/2009	Conversion Payment	Receipt # 01481783	(104.00)
01/12/2009	Conversion Payment	Receipt # 01483373	(104.00)
01/15/2009	Conversion Payment	Receipt # 01484070	(104.00)
01/16/2009	Conversion Payment	Receipt # 01484284	(104.00)
01/16/2009	Conversion Payment	Receipt # 01484354	(104.00)
02/09/2009	Conversion Payment	Receipt # 01488844	(151.00)
02/19/2009	Conversion Payment	Receipt # 01490591	(104.00)
02/19/2009	Conversion Payment	Receipt # 01490592	(3.00)
02/24/2009	Conversion Payment	Receipt # 01491429	(151.00)
02/24/2009	Conversion Payment	Receipt # 01491465	(3.00)
02/26/2009	Conversion Payment	Receipt # 01491996	(3.00)
02/26/2009	Conversion Payment	Receipt # 01491998	(151.00)
03/12/2009	Conversion Payment	Receipt # 01494924	(104.00)
03/16/2009	Conversion Payment	Receipt # 01495513	(104.00)
03/20/2009	Conversion Payment	Receipt # 01496542	(17.00)
03/24/2009	Conversion Payment	Receipt # 01497184	(151.00)
03/24/2009	Conversion Payment	Receipt # 01497249	(3.00)
03/27/2009	Conversion Payment	Receipt # 01498177	(107.00)
03/27/2009	Conversion Payment	Receipt # 01498180	(107.00)
03/27/2009	Conversion Payment	Receipt # 01498181	(107.00)
04/03/2009	Conversion Payment	Receipt # 01499512	(151.00)
04/06/2009	Conversion Payment	Receipt # 01499770	(104.00)

Counter Claimant Camco Pacific Construction Co Inc			
	Total Financial Assessment		423.00
	Total Payments and Credits		423.00
	Balance Due as of 05/25/2018		0.00
09/11/2009	Transaction Assessment		223.00
09/11/2009	Payment (Window)	Receipt # 2009-05045-CCCLK	(223.00)
06/28/2010	Transaction Assessment		200.00
06/28/2010	Efile Payment	Receipt # 2010-25575-CCCLK	(200.00)
Counter Claimant Insulpro Projects Inc			
	Total Financial Assessment		21.00
	Total Payments and Credits		21.00
	Balance Due as of 05/25/2018		0.00
06/10/2010	Transaction Assessment		10.00
06/10/2010	Efile Payment	Receipt # 2010-22259-CCCLK	(10.00)
10/14/2010	Transaction Assessment		5.50
10/14/2010	Efile Payment	Receipt # 2010-54124-CCCLK	(5.50)
01/19/2012	Transaction Assessment		5.50
01/19/2012	Efile Payment	Receipt # 2012-07332-CCCLK	(5.50)
Counter Defendant Atlas Construction Supply Inc			
	Total Financial Assessment		672.50
	Total Payments and Credits		672.50
	Balance Due as of 05/25/2018		0.00
03/02/2010	Transaction Assessment		200.00
03/22/2010	Efile Payment	Receipt # 2010-16984-FAM	(200.00)
05/06/2010	Transaction Assessment		6.00
05/06/2010	Efile Payment	Receipt # 2010-14897-CCCLK	(6.00)
06/10/2010	Transaction Assessment		206.00
06/10/2010	Efile Payment	Receipt # 2010-22003-CCCLK	(206.00)
06/10/2010	Transaction Assessment		6.00
06/10/2010	Efile Payment	Receipt # 2010-22034-CCCLK	(6.00)
06/21/2010	Transaction Assessment		6.00
06/21/2010	Efile Payment	Receipt # 2010-24210-CCCLK	(6.00)
06/22/2010	Transaction Assessment		206.00
06/22/2010	Efile Payment	Receipt # 2010-24665-CCCLK	(206.00)
07/19/2010	Transaction Assessment		6.00
07/19/2010	Efile Payment	Receipt # 2010-30911-CCCLK	(6.00)
11/08/2011	Transaction Assessment		5.50
11/08/2011	Efile Payment	Receipt # 2011-127393-CCCLK	(5.50)
01/04/2012	Transaction Assessment		5.50
01/04/2012	Efile Payment	Receipt # 2012-00781-CCCLK	(5.50)
03/28/2012	Transaction Assessment		5.50
03/28/2012	Efile Payment	Receipt # 2012-40645-CCCLK	(5.50)
03/29/2012	Transaction Assessment		5.50
03/29/2012	Efile Payment	Receipt # 2012-41289-CCCLK	(5.50)
04/12/2012	Transaction Assessment		3.50
04/12/2012	Efile Payment	Receipt # 2012-47816-CCCLK	(3.50)
04/16/2012	Transaction Assessment		5.50
04/16/2012	Efile Payment	Receipt # 2012-49022-CCCLK	(5.50)
04/17/2012	Transaction Assessment		5.50
04/17/2012	Efile Payment	Receipt # 2012-49058-CCCLK	(5.50)
Counter Defendant Bruin Painting Corporation			
	Total Financial Assessment		200.00
	Total Payments and Credits		200.00
	Balance Due as of 05/25/2018		0.00
05/05/2010	Transaction Assessment		200.00
05/05/2010	Efile Payment	Receipt # 2010-14676-CCCLK	(200.00)
Counter Defendant Buchele Inc			
	Total Financial Assessment		200.00
	Total Payments and Credits		200.00
	Balance Due as of 05/25/2018		0.00
05/05/2010	Transaction Assessment		200.00
05/05/2010	Efile Payment	Receipt # 2010-14664-CCCLK	(200.00)

	Counter Defendant Fast Glass Inc			
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
04/16/2010	Transaction Assessment			200.00
04/16/2010	Efile Payment	Receipt # 2010-10842-CCCLK		(200.00)
	Counter Defendant Fast Glass Inc			
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
05/28/2010	Transaction Assessment			200.00
05/28/2010	Efile Payment	Receipt # 2010-25545-CCCLK	Fast Glass Inc	(200.00)
	Counter Defendant Ferguson Fire and Fabrication Inc			
	Total Financial Assessment			657.00
	Total Payments and Credits			657.00
	Balance Due as of 05/25/2018			0.00
08/27/2009	Transaction Assessment			223.00
08/27/2009	Payment (Window)	Receipt # 2009-49806-FAM	Rucraft Law Office	(223.00)
06/10/2010	Transaction Assessment			206.00
06/10/2010	Efile Payment	Receipt # 2010-22459-CCCLK	Ferguson Fire and Fabrication	(206.00)
06/19/2010	Transaction Assessment			6.00
06/19/2010	Efile Payment	Receipt # 2010-23999-CCCLK	Ferguson Fire and Fabrication	(6.00)
07/09/2010	Transaction Assessment			206.00
07/09/2010	Efile Payment	Receipt # 2010-28328-CCCLK	Ferguson Fire and Fabrication	(206.00)
07/19/2010	Transaction Assessment			6.00
07/19/2010	Efile Payment	Receipt # 2010-30913-CCCLK	Ferguson Fire and Fabrication	(6.00)
07/21/2010	Transaction Assessment			10.00
07/21/2010	Efile Payment	Receipt # 2010-31698-CCCLK	Ferguson Fire and Fabrication	(10.00)
	Counter Defendant HD Supply Waterworks LP			
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
05/05/2010	Transaction Assessment			200.00
05/05/2010	Efile Payment	Receipt # 2010-14693-CCCLK	HD Supply Waterworks LP	(200.00)
	Counter Defendant Heinaman Contract Glazing			
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
05/05/2010	Transaction Assessment			200.00
05/05/2010	Efile Payment	Receipt # 2010-14688-CCCLK	Heinaman Contract Glazing	(200.00)
	Counter Defendant Insulpro Projects Inc			
	Total Financial Assessment			210.00
	Total Payments and Credits			210.00
	Balance Due as of 05/25/2018			0.00
06/10/2010	Transaction Assessment			210.00
06/10/2010	Efile Payment	Receipt # 2010-22463-CCCLK	Insulpro Projects Inc	(210.00)
	Counter Defendant Patent Construction Systems			
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
05/07/2010	Transaction Assessment			200.00
05/07/2010	Efile Payment	Receipt # 2010-15387-CCCLK	Patent Construction Systems	(200.00)
	Counter Defendant Renaissance Pools & Spas Inc			
	Total Financial Assessment			400.00
	Total Payments and Credits			400.00

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320
Consolidated with 80508

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

JOINT APPENDIX
VOLUME 93

Eric B. Zimbelman, Esq. (9407)
PEEL BRIMLEY LLP
3333 E. Serene Avenue, Suite 200
Henderson, NV 89074-6571
Telephone: (702) 990-7272
Facsimile: (702) 990-7273
ezimbelman@peelbrimley.com
Attorneys for Appellant
Helix Electric of Nevada, LLC

Mary E. Bacon, Esq. (12686)
SPENCER FANE LLP
400 S. Fourth Street, Suite 500
Las Vegas, NV 89101
Telephone: (702) 408-3411
Facsimile: (702) 408-3401
MBacon@spencerfane.com

John Randall Jefferies, Esq. (3512)
Christopher H. Byrd, Esq. (1633)
FENNERMORE CRAIG, P.C.
300 S. Third Street, 14th Floor
Las Vegas, NV 89101
Telephone: (702) 692-8000
Facsimile: (702) 692-8099
rjefferies@fclaw.com
cbyrd@fclaw.com
Attorneys for Respondent

CHRONOLOGICAL APPENDIX OF EXHIBITS

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-24-09	Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint	JA000001- JA000015	1
08-05-09	APCO's Answer to Helix's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA000016 – JA000030	1
04-26-10	CAMCO and Fidelity's Answer and CAMCO's Counterclaim	JA000031- JA000041	1
07-02-10	Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default	JA000042- JA000043	1
06-06-13	APCO's Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO's Motion for Summary Judgment Against Gemstone Only; and (3) Request for Order Shortening Time	JA000044- JA000054	1
	Exhibit 1 – Affidavit of Randy Nickerl in Support of (1) APCO's Limited Motion to Lift Sta for Purposes of this Motion Only; (2) APCO's Motion for Judgment Against Gemstone Only	JA000055- JA000316	1/2/4/5/6
	Exhibit 2 – Findings of Fact and Conclusions of Law and Judgment in Favor of APCO Construction Against Gemstone Development West, Inc. Only	JA000317- JA000326	6

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-13-13	Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone	JA000327	6
08-02-17	Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and <i>Ex Parte</i> Application for Order Shortening Time	JA000328- JA000342	6
	Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories	JA000343- JA000379	6
	Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories	JA000380- JA000392	6
08-21-17	APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000393- JA000409	6/7
	Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017	JA000410- JA000412	7
09-28-17	Peel Brimley Lien Claimants' Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000413- JA000418	7
11-06-17	Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6	JA000419- JA000428	7

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 1 – Notice of Entry of Order	JA000429 JA000435	7
	Exhibit 2 – Amended Notices of 30(b)(6) Deposition of Camco Pacific Construction Company, Inc. from Cactus Rose Construction, Inc., Fast Glass, Inc.’s, Heinaman Contract Glazing, Inc. and Helix Electric of Nevada, LLC’s	JA000436- JA000472	7/8
	Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017	JA000473 JA00489	8
	Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA00490 JA000500	8
	Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000501- JA000511	8
	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
11-06-17	Helix Electric of Nevada’s Motion <i>in Limine</i> Nos. 1-4	JA000534- JA000542	8
	Exhibit 1 – Notice of Entry of Order	JA000543- JA000549	8
	Exhibit 2 – Helix Electric of Nevada, LLC’s Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen’s Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
11-06-17	APCO Construction, Inc.’s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCB Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.’s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting’s Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
	Exhibit 6 – Subcontract Agreement dated April 17, 2007	JA000809- JA000826	11/12
	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
	Exhibit 10 – Special Master Report, Recommendation and District Court Order	JA00845- JA000848	12

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1	JA000849- JA000856	12
	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
11-14-17	Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6	JA000898- JA000905	12
	Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement	JA000906- JA000907	12
	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
	Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs	JA000916- JA000917	13
	Exhibit D – Camco Pacific’s letter dated December 22, 2008	JA000918- JA000920	13
	Exhibit E – Order Approving Sale of Property	JA000921- JA000928	13

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
11-14-17	APCO Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in Limine Nos. 1-4	JA000929- JA000940	13/14
	Exhibit 1 – Excerpts from the Deposition Transcript of Mary Jo Allen taken July 18, 2017	JA000941- JA000966	14/15/16
	Exhibit 2 – Helix Electric's Manhattan West Billing/Payment Status through August 2008	JA000967- JA000969	16/17
	Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Rivera taken July 20, 2017	JA000970- JA000993	17/18/19
11-14-17	Helix Electric of Nevada's Opposition to APCO Construction's Omnibus Motion in Limine	JA000994- JA001008	20
	Exhibit 1 – Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001009- JA001042	20
	Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001043- JA001055	20
	Exhibit 3 – Special Master Order Requiring Completion of Questionnaire	JA001056- JA001059	20
	Exhibit 4 – Excerpts from the Deposition Transcript of the 30(b)(6) Witness for Helix Electric of Nevada taken July 20, 2017	JA001060- JA001064	20
	Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017	JA001065 JA001132	20/21
11-15-17	APCO Construction, Inc.'s Reply in Support of its Omnibus Motion in Limine	JA001133 JA001148	21

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 1 – Special Master Report Regarding Discovery Status	JA001149- JA001151	21
	Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA001152- JA001160	21
12-29-17	Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion in <i>Limine</i> 1-6	JA001161- JA001169	22
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in <i>Limine</i> 1-4	JA001170- JA001177	22
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion in <i>Limine</i>	JA001178- JA001186	22
01-03-18	Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001187- JA001198	22
01-04-18	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 provision on an Order Shortening Time	JA001199- JA001217	22
	Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)	JA001218- JA001245	22/23/24
	Exhibit 2 – Subcontract Agreement (Zitting Brothers)	JA001246- JA001263	24

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 3 – Subcontract Agreement (CabineTec)	JA001264- JA001281	24/25
	Exhibit 4 – Amended Notice of Lien	JA001282- JA001297	25
	Exhibit 5 - Amended NOL	JA001298- JA001309	25
	Exhibit 6 – Notice of Lien	JA001310- JA001313	25
	Exhibit 7 – Order Approving Sale of Property	JA001314- JA001376	25/26
	Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account	JA001377- JA001380	26
	Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration	JA001381- JA001385	26
	Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001386- JA001392	26
	Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment	JA001393- JA001430	26
	Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment	JA001431- JA001435	26
	Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)	JA001436- JA001469	26
	Exhibit 14 – Respondent’s Answering Brief	JA001470- JA001516	26/27
	Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)	JA001517- JA001551	27
01-09-18	Peel Brimley Lien Claimants’ Opposition to APCO Construction’s Motion for Reconsideration of Order	JA001552- JA001560	27

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements		
01-10-18	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	JA001561- JA001573	27
01-12-18	Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]	JA001574- JA001594	27/28
	Exhibit 1 – Exhibit List APCO	JA001595- JA001614	28
	Exhibit 2 – Helix Trial Exhibits	JA001615- JA001616	28
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA001617- JA001635	28
	Exhibit 4 – Cactus Rose Trial Exhibits	JA001636- JA001637	28
	Exhibit 5 – Heinaman Trial Exhibits	JA001638- JA001639	28
	Exhibit 6 – Fast Glass Trial Exhibits	JA001640- JA001641	28
	Exhibit 7 – SWPPP Trial Exhibits	JA001642- JA001643	28
	Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001644- JA001647	28

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 9 - Amended <i>nunc pro tunc</i> order regarding APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i> No. 7	JA001648- JA001650	28
	Exhibit 10 - Order Granting in Part and Denying in part Helix Electric of Nevada, LLC's Motions <i>in Limine</i> 1-4 (Against APCO Construction)	JA001651- JA001653	28
	Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)	JA001654- JA001657	28
	Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>	JA001658- JA001660	28
	Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001661- JA00167	28/9/29
01-17-18	Transcript Bench Trial (Day 1)¹	JA001668- JA001802	29/30
	Trial Exhibit 1 - Grading Agreement (<i>Admitted</i>)	JA001803- JA001825	30
	Trial Exhibit 2 – APCO/Gemstone General Construction Agreement (<i>Admitted</i>)	JA001826- JA001868	30
	Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement (<i>Admitted</i>)	JA001869- JA001884	30

¹ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone <i>(Admitted)</i>	JA001885- JA001974	30/31/32
	Trial Exhibit 5 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work <i>(Admitted)</i>	JA001975- JA001978	32
	Trial Exhibit 6 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work <i>(Admitted)</i>	JA001979- JA001980	32
	Trial Exhibit 10 - Letter from J. Barker to A. Edelstein Re: Notice of Intent to Stop Work (Second Notice) <i>(Admitted)</i>	JA001981- JA001987	32
	Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>	JA001988- JA002001	32
	Trial Exhibit 14 - Letter from W. Gochmour to Sean Thueson Re: [APCO's] Response to [Gemstone's] Termination for Cause <i>(Admitted)</i>	JA002002- JA002010	33
	Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>	JA002011- JA002013	33
	Trial Exhibit 16 - Email from J. Horning to A. Berman and J. Olivares re: Joint Checks <i>(Admitted)</i>	JA002014	33
	Trial Exhibit 23 - APCO Subcontractor Notice of Stopping Work and Letter from J. Barker to A. Edelstein Re: Notice of Stopping Work and Notice of Intent to Terminate Contract <i>(Admitted)</i>	JA002015- JA002016	33

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 24 - Letter from R. Nickerl to Clark County re: Notification of APCO's withdrawal as General Contractor of Record (<i>Admitted</i>)	JA002017- JA002023	33
	Trial Exhibit 26 - Email from J. Gisondo to Subcontractors re: June checks (<i>Admitted</i>)	JA002024	34
	Trial Exhibit 27 - Letter from A. Edelstein to R. Nickerl re: June Progress Payment (<i>Admitted</i>)	JA002025- JA002080	34
	Trial Exhibit 28 - Letter from J. Barker to A. Edelstein Re: Termination of Agreement for GMP (<i>Admitted</i>)	JA002081	34
	Trial Exhibit 31 - Transmission of APCO's Pay Application No. 11 as Submitted to Owner (<i>Admitted</i>)	JA002082- JA002120	34/35
	Trial Exhibit 45 - Subcontractor Agreement (<i>Admitted</i>)	JA002121- JA002146	35
	Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO (<i>Admitted</i>)	JA002147- JA002176	35/36
	Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice (<i>Admitted</i>)	JA002177- JA002181	36
	Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice (<i>Admitted</i>)	JA002182- JA002185	36
	Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors (<i>Admitted</i>)	JA002186- JA002188	36
	Trial Exhibit 506 – Email and Contract Revisions (<i>Admitted</i>)	JA002189 – JA002198	36

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
01-18-18	Stipulation and Order Regarding Trial Exhibit Admitted into Evidence	JA002199- JA002201	36
	Exhibit 1 – Exhibit List APCO	JA002208- JA002221	36
	Exhibit 2 – Helix Trial Exhibits	JA002222- JA002223	36
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA002224- JA002242	36/37
	APCO TRIAL EXHIBITS:		
	APCO Related Exhibits:		
	Trial Exhibit 7 - Letter from Scott Financial to APCO re: Loan Status	JA002243	37
	Trial Exhibit 8 - APCO Pay Application No. 10 as submitted to Owner	JA002244- JA002282	37/38
	Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns	JA002283- JA002284	38
	Trial Exhibit 17 – Video (Construction Project)	JA002285	N/A
	Trial Exhibit 18 – Video (Construction Project)	JA002286	N/A
	Trial Exhibit 19 – Video (Construction Project)	JA002287	N/A
	Trial Exhibit 20 – Video (Construction Project)	JA002288	N/A
	Trial Exhibit 21 – Video (Construction Project)	JA002289	N/A
	Trial Exhibit 22 – Video (Construction Project)	JA002290	N/A

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 29 - Email from J. Robbins to Subcontractors re: Billing Cut-Off for August Billing	JA002285	39
	Trial Exhibit 30 - Camco Pay Application No. 11 NCS-Owner Approved with NCS Draw Request	JA002286- JA002306	39
	Trial Exhibit 32 and 125 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixture installed)	JA002307- JA002308	39
	Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002309- JA002310	39
	Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002311- JA002312-	40
	Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002313- JA002314	40
	Exhibit 36 and 130 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002315- JA002316	40
	Trial Exhibits 37 and 131 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002317- JA002318	40
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	Trial Exhibit 39 -Email from K. Costen to Subcontractors informing that Manhattan West Project no longer open	JA002321- JA002322	41
	Trial Exhibit 40- Letter from D. Parry to Subcontractors Re: Funding Withdrawn	JA002323 JA002326	41
	HELIX Related Exhibits:		41
	Trial Exhibit 46 - Helix Pay Application No. 16713-008R1 with Proof of Payment	JA002327- JA002345	41
	Trial Exhibit 47 - Helix Pay Application No. 16713-009R1 with Proof of Payment	JA002346- JA002356	41
	Trial Exhibit 48 - Email from R. Nickerl to B. Johnson Re: Work Suspension Directive	JA002357- JA002358	41
	Trial Exhibit 49 -Helix Pay Application No. 16713-010R2 with Proof of Payment	JA002359- JA002364	41/42
	Trial Exhibit 50 - Unconditional Waiver and Release re: Pay Application No. 8 with Copy of Payment	JA002365- JA002366	42
	Trial Exhibit 51 - Photo re: Building 8 & 9, South (No Exterior fixtures installed. Helix billed out at 90%)	JA002367- JA002368	42
	Trial Exhibit 52 -Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002369- JA002370	42
	Trial Exhibit 53 -Photo re: Building - 2 & 3, West (No Exterior fixtures installed. Helix billed out at 90%)	JA002371- JA002372	42

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 54 - Photo re: Building - 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002373- JA002374	42
	Trial Exhibit 55 - Photo re: Building 2 & 3, East (No Exterior fixtures installed. Helix billed out at 90%)	JA002375- JA002376	42
	Trial Exhibit 56 - Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002377- JA002378	42
	Trial Exhibit 57 - Photo re: Building 2 & 3, and 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)	JA002379- JA002381	42
	Trial Exhibit 58 - Helix Pay Application No. 16713-011R1 submitted to Owner	JA002382- JA002391	42
	Trial Exhibit 59 - Helix Pay Application No. 16713-011R1 given to Camco with Proof of Payment	JA002392- JA002405	43
	Trial Exhibit 60 - Helix Retention Rolled to Camco	JA002406- JA002415	43
	Trial Exhibit 61 - Unconditional Waiver and Release re: all Invoices through June 30, 2008 with Proof of Payment	JA002413- JA002415	43
	Trial Exhibit 62 - Photo re: Building 8 & 9, South	JA002416- JA002417	43
	Trial Exhibit 63 - Photo re: Building 2 & 3, West	JA002418- JA002419	43
	Trial Exhibit 64 - Photo re: Building 2 & 3, West	JA002420- JA002421	43
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<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 66 - Letter of transmittal from Helix to APCO re: Helix Pay Application No. 16713-011R1	JA002424- JA002433	43
	Trial Exhibit 67 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002435- JA002436	43
	Trial Exhibit 68 -Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002437- JA002438	43
	Trial Exhibit 69 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002439- JA002440	43
	Trial Exhibit 70 - Photo re: Building 8 & 9, South (No exterior fixtures installed. Helix billed out 90%)	JA002441- JA002442	43
	Trial Exhibit 71 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002443- JA002444	43
	Trial Exhibit 72 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002445- JA002446	43
	Trial Exhibit 73 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002447- JA002448	43
	Trial Exhibit 74 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002448- JA002449	43

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	Exhibit 77 - Helix Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA002457- JA002494	43
	Zitting Brothers Related Exhibits:		
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	Trial Exhibit 101 - Email from R. Nickerl to R. Zitting re: Change Orders	JA002498- JA002500	44
	Trial Exhibit 102 -Email from L. Lynn to J. Griffith, et al. re: Change Order No. 00011 “pending”	JA002501- JA002503	44
	Trial Exhibit 103- Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour	JA002504- JA002505	44
	Trial Exhibit 104 - Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour with copies of change orders	JA002506- JA002526	44
	Trial Exhibit 105 - Ex. C to the Ratification – Zitting Quotes	JA002527- JA002528	44
	Trial Exhibit 106 - Unconditional Lien Release – Zitting (\$27,973.80)	JA002529	44
	Trial Exhibit 108 - Photo of Video (Construction Project)	JA002530- JA002531	44
	Trial Exhibit 109 - Photo of Video (Construction Project)	JA002532- JA002533	44

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	Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting	JA002544- JA002545	44
	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
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	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
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	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - 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	JA002719- JA002730	48

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	Trial Exhibit 173 - Helix Pay Application No. 16713-012 to Camco with proof of payment	JA002731- JA002745	48
	Trial Exhibit 174 - Helix Change Order Request No. 28	JA002746- JA002747	48
	Trial Exhibit 175 - Change Notice No. 41	JA002748- JA002751	48
	Trial Exhibit 176 - Helix Pay Application No. 16713-013 to Camco	JA002752- JA002771	48/49
	Trial Exhibit 177 - Helix Pay Application No. 16713-014 to Camco	JA002772- JA002782	49
	Trial Exhibit 178 - Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	JA002783 JA002797	49
	National Wood/Cabinetec Related Exhibits:		
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	General Related Exhibits:		
	Trial Exhibit 218 - Camco/Owner Pay Application No. 11 w/Backup	JA002826- JA003028	50/51/52
	Trial Exhibit 220 - Camco/Owner Pay Application No. 12 w/Backup	JA003029- JA003333	52/53/54/55
	Trial Exhibit 313 - Letter from A. Edelstein to R. Nickerl re: NRS 624 Notice	JA003334- JA003338	55
	Helix Trial Exhibits:		
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	Trial Exhibit 508 – Helix Pay Application	JA003733- JA003813	60/61

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	Trial Exhibit 510 - Unsigned Subcontract	JA003814- JA003927	61/62
	Trial Exhibit 512 - Helix's Lien Notice	JA003928- JA004034	62/63
	Trial Exhibit 522 - Camco Billing	JA004035- JA005281	63/64/65 /66/67/ 68/69/70/ 71/72 /73/74/75 /76/77
01-19-18	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA005282- JA005283	78
01-18-18	Transcript – Bench Trial (Day 2)²	JA005284- JA005370	78
	Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) (<i>Admitted</i>)	JA005371- JA005623	78/79/80
01-19-18	Transcript – Bench Trial (Day 3)³	JA005624- JA005785	80
	Trial Exhibit 231 – Helix Electric's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint (<i>Admitted</i>)	JA005786- JA005801	80
	Trial Exhibit 314 - Declaration of Victor Fuchs in support of Helix's Motion for Partial Summary Judgment against Gemstone (<i>Admitted</i>)	JA005802- JA005804	80

² Filed January 31, 201879

³ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 320 – June-August Billings—not paid to APCO (<i>Admitted</i>)	JA005805	80
	Trial Exhibit 321 – Overpayments to Cabinetec (<i>Admitted</i>)	JA005806-	80
	Trial Exhibit 536 – Lien math calculations (handwritten) (<i>Admitted</i>)	JA005807- JA005808	80
	Trial Exhibit 804 – Camco Correspondence (<i>Admitted</i>)	JA005809- JA005816	80
	Trial Exhibit 3176 – APCO Notice of Lien (<i>Admitted</i>)	JA005817- JA005819	81
01-24-18	Transcript – Bench Trial (Day 5)⁴	JA005820- JA005952	81
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC’s (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.’s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	APCO Construction Inc.’s Post-Trial Brief	JA006059- JA006124	82/83
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
03-23-18	Helix Electric of Nevada, LLC’s Responses to APCO Construction’s Post-Trial Brief	JA006173- JA006193	84
04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85

⁴ Filed January 31, 201883

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05-08-18	APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA006265- JA006284	85
	Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA006285- JA006356	85/86
	Exhibit 2 – National Wood Products, Inc.'s Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support Thereof	JA006357- JA006369	86
	Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)	JA006370- JA006385	86/87
	Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco	JA006386- JA006398	87
	Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC	JA006399- JA006402	87
	Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.	JA006403- JA006406	87
	Exhibit 7 – Declaration of John Randall Jefferies, Esq. in Support of APCO Construction, Inc.'s Motion for Attorney's Fees and Costs	JA006407- JA006411	87
	Exhibit 7A – Billing Entries	JA006412- JA006442	87/88

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 7B – Time Recap	JA006443- JA006474	88
	Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs	JA006475- JA006478	88
	Exhibit 9 – APCO Construction, Inc.’s Memorandum of Costs and Disbursements [Against Helix Electric of Nevada, LLC, and Plaintiff in Intervention National Wood Products, LLC]	JA006479- JA006487	88
	Exhibit 10 – Depository Index	JA006488- JA006508	88/89
05-08-18	Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements	JA006509- JA006521	89
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Against APCO Construction, Inc.]	JA006541 JA006550	90
06-01-18	Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006551- JA006563	90
	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
	Exhibit 3 – Prime Interest Rate	JA006581- JA006601	90
	Exhibit 4 – Declaration of Eric B. Zimbelman in Support of Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006583- JA006588	90
	Exhibit 5 – Summary of Fees	JA006589- JA006614	90
06-15-18	APCO Construction, Inc.’s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Motions to Retax Costs	JA006615- JA006637	90/91
	Exhibit 1-A Declaration of Mary Bacon in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006635 JA006638	91
	Exhibit 1-B – Declaration of Cody Munteer in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006639- JA006916	91/92/93 94/95/96
06-15-18	Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA006917 – JA006942	96
	Exhibit 1 – Notice of Entry of Staying the Case, Except for the Sale of the Property, Pending Resolution of the Petition before the Nevada Supreme Court	JA006943- JA006948	96

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Notice of Entry of Denying APCO Construction’s Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA006949- JA006954	96
	Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed	JA006955- JA006958	96
	Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration	JA006959- JA006963	96
	Exhibit 5 – Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA006964- JA006978	96
	Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire	JA006977- JA006980	96
	Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire	JA006981- JA006984	96
	Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire	JA006985- JA006993	96/97
	Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance	JA006994 JA007001	97
	Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire	JA007002- JA007005	97
	Exhibit 7A – Motion to Appoint Special Master	JA007006- JA007036	97
	Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016	JA007037- JA007060	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda	JA007042- JA007046	97
	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
	Exhibit 10 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA007057- JA007059	97
	Exhibit 11 – Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion <i>in Limine</i>	JA007060- JA007088	97
	Exhibit 12 – Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in Limine (against APCO Construction)	JA007070- JA007078	97
	Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA007079- JA007084	97
	Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary	JA007085- JA007087	97

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Judgment Precluding Defenses Based on Pay-if-Paid Agreements		
	Exhibit 15 – Notice of Association of Counsel	JA007088- JA007094	97
06-15-18	Plaintiff in Intervention National Wood Products, Inc.’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007095- JA007120	97/98
06-15-18	Declaration of S. Judy Hirahara in support of National Woods’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007121- JA007189	98
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007190- JA007192	99
06-21-18	Helix Electric of Nevada, LLC’s Notice of Non-Opposition to its Motion for Attorney’s Fees, Interest and Costs	JA007193- JA007197	99
06-29-18	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.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-29-18	Helix Electric of Nevada, LLC's Reply Re: Motion to Retax	JA007225- JA007237	100
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
07-19-18	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 Attorney's Fees and Costs	JA007246- JA007261	100
08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
09-28-18	Notice of Entry of (1) Granting APCO Construction, Inc.'s 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	JA007281- JA007299	100
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007313- JA007315	101

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
08-06-19	Helix Electric of Nevada LLC's Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA007316- JA007331	101
	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA007332- JA007335	101
	Exhibit 2 – 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 and all related matters (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	JA007336- JA007344	101
	Exhibit 3 - Notice of Appeal	JA007345- JA007394	101/102
	Exhibit 4 – Amended Notice of Appeal	JA007395- JA007400	102
	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of Nevada, LLC, SWPPP Compliance	JA007401- JA007517	102/103

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Solutions, Inc., E&E Fire Protection		
	Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)	JA007518- JA007519	103
	Exhibit 7 – Order to Show Cause	JA007520- JA007542	103
	Exhibit 8 -Order Dismissing Appeal (Case No. 76276)	JA007524- JA007527	103
	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
	Exhibit 10 (Part One)	JA007537- JA007542	103
	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105 /106/107 /108/109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
	Exhibit 10 (Part Two)	JA008142- JA008149	109

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
	Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status	JA008168- JA008170	109
	Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss	JA008171- JA008177	109
	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts	JA008323- JA008338	110

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.'s Counterclaim		
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC's Motion for Attorney's Fees, Interest and Costs	JA008339 JA008347	110
	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110
	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenetec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc.'s Counterclaim	JA008484- JA008504	111

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal	JA008505- JA008512	111
	Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim	JA008513 JA008517	111
	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111
	Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing's Motion for Attorneys's Fees, Interest and Costs	JA008552- JA008579	111/112
	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
	Exhibit 10CC – Heinaman Contract Glazing's Answer to Camco Pacific Construction Company's Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party	JA008602- JA008621	112

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Complaint and Camco Pacific Construction, Inc.'s Counterclaim		
	Exhibit 10FF – 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	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112
	Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008665- JA008681	112
	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
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<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 10NN-Notice of Appeal	JA008718 JA008723	113
	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
	Exhibit 13 – Stipulation and Order with Prejudice	JA008759- JA008780	113
	Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment	JA008762- JA008788	113
	Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal	JA008789- JA008798	113

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company, Inc.’s Counterclaim	JA008925- JA008947	116/117
	Exhibit 7 – Answer to Cactus Rose’s Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008966- JA008986	117/118

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.	JA008998- JA009010	118
	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
	Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond	JA009114- JA009116	119
08-29-19	Helix Electric of Nevada LLC's Reply to APCO's Opposition to Helix Electric of Nevada LLC's Motion to (I) Re-Open Statistically Closed Case, (II)	JA009117- JA009123	119

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01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA009137- JA009166	120
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
02-11-20	Case Appeal Statement	JA009157- JA009163	120
02-11-20	APCO's Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) 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 Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA009168- JA009182	120

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada’s Motion for Rule 54(b) Certification	JA009183- JA00991	120

ALPHABETICAL APPENDIX OF EXHIBITS

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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05-08-18	APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA006265- JA006284	85
	Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA006285- JA006356	85/86
	Exhibit 2 – National Wood Products, Inc.'s Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support Thereof	JA006357- JA006369	86
	Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)	JA006370- JA006385	86/87
	Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco	JA006386- JA006398	87
	Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC	JA006399- JA006402	87
	Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.	JA006403- JA006406	87
	Exhibit 7 – Declaration of John Randall Jefferies, Esq. in Support of APCO Construction, Inc.'s Motion for Attorney's Fees and Costs	JA006407- JA006411	87
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	Exhibit 7B – Time Recap	JA006443- JA006474	88
	Exhibit 8 – Declaration of Cody S. Mounter, Esq. in Support of Motion for Attorney’s Fees and Costs	JA006475- JA006478	88
	Exhibit 9 – APCO Construction, Inc.’s Memorandum of Costs and Disbursements [Against Helix Electric of Nevada, LLC, and Plaintiff in Intervention National Wood Products, LLC]	JA006479- JA006487	88
	Exhibit 10 – Depository Index	JA006488- JA006508	88/89
06-06-13	APCO’s Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO’s Motion for Summary Judgment Against Gemstone Only; and (3) Request for Order Shortening Time	JA000044- JA000054	1
	Exhibit 1 – Affidavit of Randy Nickerl in Support of (I) APCO’s Limited Motion to Lift Sta for Purposes of this Motion Only; (2) APCO’s Motion for Judgment Against Gemstone Only	JA000055- JA000316	1/2/4/5/6
	Exhibit 2 – Findings of Fact and Conclusions of Law and Judgment in Favor of APCO Construction Against Gemstone Development West, Inc. Only	JA000317- JA000326	6
02-11-20	APCO’s Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) 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	JA009168- JA009182	114

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply		
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada's Motion for Rule 54(b) Certification	JA009183- JA00991	120
11-06-17	APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting's Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
	Exhibit 6 – Subcontract Agreement dated April 17, 2007	JA000809- JA000826	11/12
	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
	Exhibit 10 – Special Master Report, Recommendation and District Court Order	JA00845- JA000848	12

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008925- JA008947	116/117

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Pacific Construction Company, Inc.'s Counterclaim		
	Exhibit 7 – Answer to Cactus Rose's Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.'s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction's Counterclaim	JA008966- JA008986	117/118
	Exhibit 9 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA008987- JA008998	118
	Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.	JA008998- JA009010	118
	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
	Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond	JA009114- JA009116	119

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 1-B – Declaration of Cody Mounteer in Support of APCO's Supplement to its Motion for Attorney's Fees	JA006639- JA006916	91/92/93 94/95/96
11-14-17	APCO Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions <i>in Limine</i> Nos. 1-4	JA000929- JA000940	13/14
	Exhibit 1 – Excerpts from the Deposition Transcript of Mary Jo Allen taken July 18, 2017	JA000941- JA000966	14/15/16
	Exhibit 2 – Helix Electric's Manhattan West Billing/Payment Status through August 2008	JA000967- JA000969	16/17
	Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Rivera taken July 20, 2017	JA000970- JA000993	17/18/19
08-21-17	APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000393- JA000409	6/7
	Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017	JA000410- JA000412	7
03-08-18	APCO Construction Inc.'s Post-Trial Brief	JA006059- JA006124	82/83
11-15-17	APCO Construction, Inc.'s Reply in Support of its Omnibus <i>Motion in Limine</i>	JA001133 JA001148	21

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	Exhibit 1 – Special Master Report Regarding Discovery Status	JA001149- JA001151	21
	Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA001152- JA001160	21
06-29-18	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.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99
04-26-10	CAMCO and Fidelity’s Answer and CAMCO’s Counterclaim	JA000031- JA000041	1
11-14-17	Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6	JA000898- JA000905	12
	Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement	JA000906- JA000907	12
	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
	Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs	JA000916- JA000917	13
	Exhibit D – Camco Pacific’s letter dated December 22, 2008	JA000918- JA000920	13
	Exhibit E – Order Approving Sale of Property	JA000921- JA000928	13
02-11-20	Case Appeal Statement	JA009157- JA009163	120

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08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
06-15-18	Declaration of S. Judy Hirahara in support of National Woods's Opposition to APCO Construction's Motion for Attorneys' Fees and Costs	JA007121- JA007189	98
06-13-13	Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone	JA000327	6
04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85
11-06-17	Helix Electric of Nevada's Motion <i>in Limine</i> Nos. 1-4	JA000534- JA000542	8
	Exhibit 1 – Notice of Entry of Order	JA000543- JA000549	8
	Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
06-01-18	Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA006551- JA006563	90
	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90
	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
	Exhibit 3 – Prime Interest Rate	JA006581- JA006601	90

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 4 – Declaration of Eric B. Zimbelman in Support of Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006583- JA006588	90
	Exhibit 5 – Summary of Fees	JA006589- JA006614	90
08-06-19	Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA007316- JA007331	101
	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Against APCO Construction, Inc.	JA007332- JA007335	101
	Exhibit 2 – 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 and all related matters (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	JA007336- JA007344	101
	Exhibit 3 - Notice of Appeal	JA007345- JA007394	101/102
	Exhibit 4 – Amended Notice of Appeal	JA007395- JA007400	102
	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of	JA007401- JA007517	102/103

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	Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)	JA007518- JA007519	103
	Exhibit 7 – Order to Show Cause	JA007520- JA007542	103
	Exhibit 8 -Order Dismissing Appeal (Case No. 76276)	JA007524- JA007527	103
	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
	Exhibit 10 (Part One)	JA007537- JA007542	103
	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105/ 106/107/108 109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
	Exhibit 10 (Part Two)	JA008142- JA008149	109
	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
	Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status	JA008168- JA008170	109

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss	JA008171- JA008177	109
	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008323- JA008338	110
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs	JA008339 JA008347	110
	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenotec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
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01-29-20	Notice of Appeal	JA009132- JA009136	119/120
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09-28-18	Notice of Entry of Order (1) Granting APCO Construction, Inc.'s 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	JA007281- JA007299	100
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	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
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01-09-18	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	JA001552- JA001560	27
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	Trial Exhibit 113 -Photo of Video (Construction Project)	JA002550- JA002541	44
	Trial Exhibit 114 -Photo of Video (Construction Project)	JA002542- JA002543	44
	Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting	JA002544- JA002545	44
	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
	Trial Exhibit 129 - Photo of Video (Construction Project)	JA002580- JA002581	46
	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
	CAMCO Related Exhibits:		
	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - 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	JA002719- JA002730	48
	Trial Exhibit 173 - Helix Pay Application No. 16713-012 to Camco with proof of payment	JA002731- JA002745	48
	Trial Exhibit 174 - Helix Change Order Request No. 28	JA002746- JA002747	48
	Trial Exhibit 175 - Change Notice No. 41	JA002748- JA002751	48
	Trial Exhibit 176 - Helix Pay Application No. 16713-013 to Camco	JA002752- JA002771	48/49
	Trial Exhibit 177 - Helix Pay Application No. 16713-014 to Camco	JA002772- JA002782	49
	Trial Exhibit 178 - Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	JA002783 JA002797	49
	National Wood/Cabinetec Related Exhibits:		
	Trial Exhibit 184 - Ratification and Amendment of Subcontract Agreement between CabineTec and Camco (fully executed copy)	JA002798- JA002825	49
	General Related Exhibits:		
	Trial Exhibit 218 - Camco/Owner Pay Application No. 11 w/Backup	JA002826- JA003028	50/51/52
	Trial Exhibit 220 - Camco/Owner Pay Application No. 12 w/Backup	JA003029- JA003333	52/53/54/55
	Trial Exhibit 313 - Letter from A. Edelstein to R. Nickerl re: NRS 624 Notice	JA003334- JA003338	55
	Helix Trial Exhibits:		

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 501 - Payment Summary	JA003339 – JA003732	55/56/57/ 58/59/60
	Trial Exhibit 508 – Helix Pay Application	JA003733- JA003813	60/61
	Trial Exhibit 510 - Unsigned Subcontract	JA003814- JA003927	61/62
	Trial Exhibit 512 - Helix's Lien Notice	JA003928- JA004034	62/63
	Trial Exhibit 522 - Camco Billing	JA004035- JA005281	63/64/65/66/6 7/ 68/69/70 /71/72 /73/74/75/ 76/77
01-17-18	Transcript Bench Trial (Day 1)⁵	JA001668- JA001802	29/30
	Trial Exhibit 1 - Grading Agreement (Admitted)	JA001803- JA001825	30
	Trial Exhibit 2 – APCO/Gemstone General Construction Agreement (Admitted)	JA001826- JA001868	30
	Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement (Admitted)	JA001869- JA001884	30
	Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone (Admitted)	JA001885- JA001974	30/31/32
	Trial Exhibit 5 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work (Admitted)	JA001975- JA001978	32
	Trial Exhibit 6 - Letter from J. Barker to A. Edelstein re: APCO's Notice of Intent to Stop Work (Admitted)	JA001979- JA001980	32
	Trial Exhibit 10 - Letter from J. Barker to A. Edelstein Re: Notice of Intent to Stop Work (Second Notice) (Admitted)	JA001981- JA001987	32

⁵ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>	JA001988- JA002001	32
	Trial Exhibit 14 - Letter from W. Gochmour to Sean Thueson Re: [APCO's] Response to [Gemstone's] Termination for Cause <i>(Admitted)</i>	JA002002- JA002010	33
	Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>	JA002011- JA002013	33
	Trial Exhibit 16 - Email from J. Horning to A. Berman and J. Olivares re: Joint Checks <i>(Admitted)</i>	JA002014	33
	Trial Exhibit 23 - APCO Subcontractor Notice of Stopping Work and Letter from J. Barker to A. Edelstein Re: Notice of Stopping Work and Notice of Intent to Terminate Contract <i>(Admitted)</i>	JA002015- JA002016	33
	Trial Exhibit 24 - Letter from R. Nickerl to Clark County re: Notification of APCO's withdrawal as General Contractor of Record <i>(Admitted)</i>	JA002017- JA002023	33
	Trial Exhibit 26 - Email from J. Gisondo to Subcontractors re: June checks <i>(Admitted)</i>	JA002024	34
	Trial Exhibit 27 - Letter from A. Edelstein to R. Nickerl re: June Progress Payment <i>(Admitted)</i>	JA002025- JA002080	34
	Trial Exhibit 28 - Letter from J. Barker to A. Edelstein Re: Termination of Agreement for GMP <i>(Admitted)</i>	JA002081	34
	Trial Exhibit 31 - Transmission of APCO's Pay Application No. 11 as Submitted to Owner <i>(Admitted)</i>	JA002082- JA002120	34/35
	Trial Exhibit 45 - Subcontractor Agreement <i>(Admitted)</i>	JA002121- JA002146	35

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO (<i>Admitted</i>)	JA002147- JA002176	35/36
	Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice (<i>Admitted</i>)	JA002177- JA002181	36
	Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice (<i>Admitted</i>)	JA002182- JA002185	36
	Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors (<i>Admitted</i>)	JA002186- JA002188	36
	Trial Exhibit 506 – Email and Contract Revisions (<i>Admitted</i>)	JA002189 – JA002198	36
01-18-18	Transcript – Bench Trial (Day 2)⁶	JA005284- JA005370	78
	Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) (<i>Admitted</i>)	JA005371- JA005623	78/79/80
01-19-18	Transcript – Bench Trial (Day 3)⁷	JA005624- JA005785	80
	Trial Exhibit 231 – Helix Electric’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint (<i>Admitted</i>)	JA005786- JA005801	80
	Trial Exhibit 314 - Declaration of Victor Fuchs in support of Helix’s Motion for Partial Summary Judgment against Gemstone (<i>Admitted</i>)	JA005802- JA005804	80
	Trial Exhibit 320 – June-August Billings—not paid to APCO (<i>Admitted</i>)	JA005805	80
	Trial Exhibit 321 – Overpayments to Cabinetec (<i>Admitted</i>)	JA005806-	80

⁶ Filed January 31, 201879

⁷ Filed January 31, 2018

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 536 – Lien math calculations (handwritten) (<i>Admitted</i>)	JA005807- JA005808	80
	Trial Exhibit 804 – Camco Correspondence (<i>Admitted</i>)	JA005809- JA005816	80
	Trial Exhibit 3176 – APCO Notice of Lien (<i>Admitted</i>)	JA005817- JA005819	81
01-24-18	Transcript – Bench Trial (Day 5)⁸	JA005820- JA005952	81
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101

⁸ Filed January 31, 2018

Balance Due as of 05/25/2018				0.00
05/12/2010	Transaction Assessment			200.00
05/12/2010	Efile Payment	Receipt # 2010-16126-CCCLK	Renaissance Pools & Spas Inc	(200.00)
07/19/2010	Transaction Assessment			200.00
07/19/2010	Efile Payment	Receipt # 2010-30910-CCCLK	Renaissance Pools & Spas Inc	(200.00)
Counter Defendant Selectbuild Nevada Inc				
	Total Financial Assessment			422.00
	Total Payments and Credits			422.00
Balance Due as of 05/25/2018				0.00
05/14/2010	Transaction Assessment			200.00
05/14/2010	Efile Payment	Receipt # 2010-16711-CCCLK	Selectbuild Nevada Inc	(200.00)
06/26/2010	Transaction Assessment			200.00
06/26/2010	Efile Payment	Receipt # 2010-25454-CCCLK	Selectbuild Nevada Inc	(200.00)
01/09/2012	Transaction Assessment			5.50
01/09/2012	Efile Payment	Receipt # 2012-02855-CCCLK	Selectbuild Nevada Inc	(5.50)
01/17/2012	Transaction Assessment			5.50
01/17/2012	Efile Payment	Receipt # 2012-06163-CCCLK	Selectbuild Nevada Inc	(5.50)
03/21/2012	Transaction Assessment			5.50
03/21/2012	Efile Payment	Receipt # 2012-37097-CCCLK	Selectbuild Nevada Inc	(5.50)
06/12/2012	Transaction Assessment			5.50
06/12/2012	Efile Payment	Receipt # 2012-74173-CCCLK	Selectbuild Nevada Inc	(5.50)
Counter Defendant Steel Structures Inc				
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
Balance Due as of 05/25/2018				0.00
08/04/2017	Transaction Assessment			200.00
08/04/2017	Efile Payment	Receipt # 2017-62463-CCCLK	Steel Structures Inc	(200.00)
Counter Defendant WRG Design Inc				
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
Balance Due as of 05/25/2018				0.00
05/06/2010	Transaction Assessment			200.00
05/06/2010	Efile Payment	Receipt # 2010-14941-CCCLK	WRG Design Inc	(200.00)
Counter Defendant Zitting Brothers Construction Inc				
	Total Financial Assessment			1,200.00
	Total Payments and Credits			1,200.00
Balance Due as of 05/25/2018				0.00
05/28/2010	Transaction Assessment			200.00
05/28/2010	Efile Payment	Receipt # 2010-19998-CCCLK	Zitting Brothers Construction	(200.00)
07/23/2010	Transaction Assessment			200.00
07/23/2010	Efile Payment	Receipt # 2010-32573-CCCLK	Zitting Brothers Construction	(200.00)
06/01/2016	Transaction Assessment			200.00
06/01/2016	Efile Payment	Receipt # 2016-52498-CCCLK	Zitting Brothers Construction Inc	(200.00)
08/02/2017	Transaction Assessment			200.00
08/02/2017	Efile Payment	Receipt # 2017-61635-CCCLK	Zitting Brothers Construction Inc	(200.00)
08/04/2017	Transaction Assessment			200.00
08/04/2017	Efile Payment	Receipt # 2017-62282-CCCLK	Zitting Brothers Construction Inc	(200.00)
08/09/2017	Transaction Assessment			200.00
08/09/2017	Efile Payment	Receipt # 2017-63393-CCCLK	Zitting Brothers Construction Inc	(200.00)
Defendant Gemstone Development West Inc				
	Total Financial Assessment			222.00
	Total Payments and Credits			222.00
Balance Due as of 05/25/2018				0.00
05/04/2009	Transaction Assessment			9.00
05/04/2009	Payment (Window)	Receipt # 2009-18685-FAM	Bowler dixon & Twitchell LLP	(9.00)
07/29/2009	Transaction Assessment			203.00
08/04/2009	Efile Payment	Receipt # 2009-03738-CCCLK	HOLLAND & HART, LLP	(203.00)
05/24/2013	Transaction Assessment			5.00
05/24/2013	Transaction Assessment			5.00
05/24/2013	Payment (Window)	Receipt # 2013-63938-CCCLK	American Legal Investigation	(10.00)

Defendant Scott Financial Corporation			
Total Financial Assessment			1,021.50
Total Payments and Credits			1,021.50
Balance Due as of 05/25/2018			0.00
08/25/2009	Transaction Assessment		223.00
08/25/2009	Efile Payment	Receipt # 2009-49342-FAM	(223.00)
05/07/2010	Transaction Assessment		10.00
05/07/2010	Efile Payment	Receipt # 2010-15307-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16819-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16820-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16821-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16823-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16825-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16827-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16828-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16830-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16832-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16833-CCCLK	(10.00)
05/14/2010	Transaction Assessment		10.00
05/14/2010	Efile Payment	Receipt # 2010-16835-CCCLK	(10.00)
05/18/2010	Transaction Assessment		10.00
05/18/2010	Efile Payment	Receipt # 2010-17318-CCCLK	(10.00)
05/18/2010	Transaction Assessment		10.00
05/18/2010	Efile Payment	Receipt # 2010-17321-CCCLK	(10.00)
06/10/2010	Transaction Assessment		210.00
06/10/2010	Efile Payment	Receipt # 2010-22473-CCCLK	(210.00)
06/12/2010	Transaction Assessment		10.00
06/12/2010	Efile Payment	Receipt # 2010-22859-CCCLK	(10.00)
06/12/2010	Transaction Assessment		10.00
06/12/2010	Efile Payment	Receipt # 2010-22893-CCCLK	(10.00)
06/12/2010	Transaction Assessment		10.00
06/12/2010	Efile Payment	Receipt # 2010-22895-CCCLK	(10.00)
06/12/2010	Transaction Assessment		10.00
06/12/2010	Efile Payment	Receipt # 2010-22911-CCCLK	(10.00)
06/16/2010	Transaction Assessment		10.00
06/16/2010	Efile Payment	Receipt # 2010-23410-CCCLK	(10.00)
06/17/2010	Transaction Assessment		10.00
06/17/2010	Efile Payment	Receipt # 2010-23804-CCCLK	(10.00)
06/23/2010	Transaction Assessment		6.00
06/23/2010	Efile Payment	Receipt # 2010-24810-CCCLK	(6.00)
06/25/2010	Transaction Assessment		6.00
06/25/2010	Efile Payment	Receipt # 2010-25260-CCCLK	(6.00)
06/30/2010	Transaction Assessment		10.00
06/30/2010	Efile Payment	Receipt # 2010-25906-CCCLK	(10.00)
06/30/2010	Transaction Assessment		10.00
06/30/2010	Efile Payment	Receipt # 2010-25907-CCCLK	(10.00)
06/30/2010	Transaction Assessment		10.00
06/30/2010	Efile Payment	Receipt # 2010-25908-CCCLK	(10.00)
07/09/2010	Transaction Assessment		10.00
07/09/2010	Efile Payment	Receipt # 2010-28546-CCCLK	(10.00)
07/19/2010	Transaction Assessment		10.00
07/19/2010	Efile Payment	Receipt # 2010-30810-CCCLK	(10.00)
07/22/2010	Transaction Assessment		10.00
07/22/2010	Efile Payment	Receipt # 2010-31997-CCCLK	(10.00)
09/04/2010	Transaction Assessment		10.00
09/04/2010	Efile Payment	Receipt # 2010-44313-CCCLK	(10.00)
10/02/2010	Transaction Assessment		5.50
10/02/2010	Efile Payment	Receipt # 2010-51382-CCCLK	(5.50)
10/05/2010	Transaction Assessment		5.50
10/05/2010	Efile Payment	Receipt # 2010-51919-CCCLK	(5.50)
12/15/2010	Transaction Assessment		5.50
12/15/2010	Efile Payment	Receipt # 2010-70226-CCCLK	(5.50)
12/17/2010	Transaction Assessment		5.50
12/17/2010	Efile Payment	Receipt # 2010-70634-CCCLK	(5.50)
11/07/2011	Transaction Assessment		5.50
11/07/2011	Efile Payment	Receipt # 2011-126523-CCCLK	(5.50)
11/08/2011	Transaction Assessment		5.50
11/08/2011	Efile Payment	Receipt # 2011-127208-CCCLK	(5.50)
11/09/2011	Transaction Assessment		5.50
11/09/2011	Efile Payment	Receipt # 2011-127436-CCCLK	(5.50)
12/13/2011	Transaction Assessment		5.50
12/13/2011	Efile Payment	Receipt # 2011-141761-CCCLK	(5.50)
12/13/2011	Transaction Assessment		5.50

12/13/2011	Efile Payment	Receipt # 2011-142197-CCCLK	Scott Financial Corporation	(5.50)
12/15/2011	Transaction Assessment			5.50
12/15/2011	Efile Payment	Receipt # 2011-142818-CCCLK	Scott Financial Corporation	(5.50)
01/13/2012	Transaction Assessment			5.50
01/13/2012	Efile Payment	Receipt # 2012-05434-CCCLK	Scott Financial Corporation	(5.50)
01/19/2012	Transaction Assessment			5.50
01/19/2012	Efile Payment	Receipt # 2012-07902-CCCLK	Scott Financial Corporation	(5.50)
02/15/2012	Transaction Assessment			5.50
02/15/2012	Efile Payment	Receipt # 2012-21516-CCCLK	Scott Financial Corporation	(5.50)
03/06/2012	Transaction Assessment			5.50
03/06/2012	Efile Payment	Receipt # 2012-29995-CCCLK	Scott Financial Corporation	(5.50)
03/16/2012	Transaction Assessment			5.50
03/16/2012	Efile Payment	Receipt # 2012-34488-CCCLK	Scott Financial Corporation	(5.50)
03/16/2012	Transaction Assessment			5.50
03/16/2012	Efile Payment	Receipt # 2012-34853-CCCLK	Scott Financial Corporation	(5.50)
03/20/2012	Transaction Assessment			5.50
03/20/2012	Efile Payment	Receipt # 2012-36471-CCCLK	Scott Financial Corporation	(5.50)
05/07/2012	Transaction Assessment			5.50
05/07/2012	Efile Payment	Receipt # 2012-59115-CCCLK	Scott Financial Corporation	(5.50)
05/08/2012	Transaction Assessment			5.50
05/08/2012	Efile Payment	Receipt # 2012-59775-CCCLK	Scott Financial Corporation	(5.50)
05/30/2012	Transaction Assessment			3.50
05/30/2012	Efile Payment	Receipt # 2012-68537-CCCLK	Scott Financial Corporation	(3.50)
05/31/2012	Transaction Assessment			3.50
05/31/2012	Efile Payment	Receipt # 2012-69160-CCCLK	Scott Financial Corporation	(3.50)
05/31/2012	Transaction Assessment			3.50
05/31/2012	Efile Payment	Receipt # 2012-69162-CCCLK	Scott Financial Corporation	(3.50)
05/31/2012	Transaction Assessment			3.50
05/31/2012	Efile Payment	Receipt # 2012-69166-CCCLK	Scott Financial Corporation	(3.50)
05/31/2012	Transaction Assessment			3.50
05/31/2012	Efile Payment	Receipt # 2012-69170-CCCLK	Scott Financial Corporation	(3.50)
06/01/2012	Transaction Assessment			3.50
06/01/2012	Efile Payment	Receipt # 2012-69593-CCCLK	Scott Financial Corporation	(3.50)
06/27/2012	Transaction Assessment			5.50
06/27/2012	Efile Payment	Receipt # 2012-81300-CCCLK	Scott Financial Corporation	(5.50)
06/28/2012	Transaction Assessment			5.50
06/28/2012	Efile Payment	Receipt # 2012-81993-CCCLK	Scott Financial Corporation	(5.50)
07/03/2012	Transaction Assessment			3.50
07/03/2012	Efile Payment	Receipt # 2012-84038-CCCLK	Scott Financial Corporation	(3.50)
08/10/2012	Transaction Assessment			5.50
08/10/2012	Efile Payment	Receipt # 2012-100979-CCCLK	Scott Financial Corporation	(5.50)
08/13/2012	Transaction Assessment			5.50
08/13/2012	Efile Payment	Receipt # 2012-101532-CCCLK	Scott Financial Corporation	(5.50)
10/30/2012	Transaction Assessment			3.50
10/30/2012	Efile Payment	Receipt # 2012-134288-CCCLK	Scott Financial Corporation	(3.50)
01/24/2013	Transaction Assessment			3.50
01/24/2013	Efile Payment	Receipt # 2013-09310-CCCLK	Scott Financial Corporation	(3.50)
01/28/2013	Transaction Assessment			3.50
01/28/2013	Efile Payment	Receipt # 2013-11007-CCCLK	Scott Financial Corporation	(3.50)
01/29/2013	Transaction Assessment			3.50
01/29/2013	Efile Payment	Receipt # 2013-12083-CCCLK	Scott Financial Corporation	(3.50)
01/30/2013	Transaction Assessment			3.50
01/30/2013	Efile Payment	Receipt # 2013-12129-CCCLK	Scott Financial Corporation	(3.50)
01/30/2013	Transaction Assessment			3.50
01/30/2013	Efile Payment	Receipt # 2013-12139-CCCLK	Scott Financial Corporation	(3.50)
01/31/2013	Transaction Assessment			3.50
01/31/2013	Efile Payment	Receipt # 2013-12849-CCCLK	Scott Financial Corporation	(3.50)
01/31/2013	Transaction Assessment			3.50
01/31/2013	Efile Payment	Receipt # 2013-12875-CCCLK	Scott Financial Corporation	(3.50)
01/31/2013	Transaction Assessment			5.50
01/31/2013	Efile Payment	Receipt # 2013-13012-CCCLK	Scott Financial Corporation	(5.50)
01/31/2013	Transaction Assessment			5.50
01/31/2013	Efile Payment	Receipt # 2013-13362-CCCLK	Scott Financial Corporation	(5.50)
02/06/2013	Transaction Assessment			3.50
02/06/2013	Efile Payment	Receipt # 2013-15285-CCCLK	Scott Financial Corporation	(3.50)
02/06/2013	Transaction Assessment			3.50
02/06/2013	Efile Payment	Receipt # 2013-15525-CCCLK	Scott Financial Corporation	(3.50)
02/06/2013	Transaction Assessment			5.50
02/06/2013	Efile Payment	Receipt # 2013-15806-CCCLK	Scott Financial Corporation	(5.50)
02/08/2013	Transaction Assessment			3.50
02/08/2013	Efile Payment	Receipt # 2013-16833-CCCLK	Scott Financial Corporation	(3.50)
02/11/2013	Transaction Assessment			5.50
02/11/2013	Efile Payment	Receipt # 2013-17163-CCCLK	Scott Financial Corporation	(5.50)
02/12/2013	Transaction Assessment			3.50
02/12/2013	Efile Payment	Receipt # 2013-18186-CCCLK	Scott Financial Corporation	(3.50)
02/12/2013	Transaction Assessment			3.50
02/12/2013	Efile Payment	Receipt # 2013-18189-CCCLK	Scott Financial Corporation	(3.50)
02/12/2013	Transaction Assessment			3.50
02/12/2013	Efile Payment	Receipt # 2013-18191-CCCLK	Scott Financial Corporation	(3.50)
02/12/2013	Transaction Assessment			3.50
02/12/2013	Efile Payment	Receipt # 2013-18198-CCCLK	Scott Financial Corporation	(3.50)
02/13/2013	Transaction Assessment			3.50
02/13/2013	Efile Payment	Receipt # 2013-18667-CCCLK	Scott Financial Corporation	(3.50)
02/13/2013	Transaction Assessment			3.50

02/13/2013	Efile Payment	Receipt # 2013-18866-CCCLK	Scott Financial Corporation	(3.50)
02/14/2013	Transaction Assessment			3.50
02/14/2013	Efile Payment	Receipt # 2013-19195-CCCLK	Scott Financial Corporation	(3.50)
02/14/2013	Transaction Assessment			3.50
02/14/2013	Efile Payment	Receipt # 2013-19197-CCCLK	Scott Financial Corporation	(3.50)
02/14/2013	Transaction Assessment			3.50
02/14/2013	Efile Payment	Receipt # 2013-19201-CCCLK	Scott Financial Corporation	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19776-CCCLK	Scott Financial Corporation	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19781-CCCLK	Scott Financial Corporation	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19784-CCCLK	Scott Financial Corporation	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19786-CCCLK	Scott Financial Corporation	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19796-CCCLK	Scott Financial Corporation	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19800-CCCLK	Scott Financial Corporation	(3.50)
02/25/2013	Transaction Assessment			5.50
02/25/2013	Efile Payment	Receipt # 2013-23282-CCCLK	Scott Financial Corporation	(5.50)
02/27/2013	Transaction Assessment			5.50
02/27/2013	Efile Payment	Receipt # 2013-24000-CCCLK	Scott Financial Corporation	(5.50)
04/26/2013	Transaction Assessment			3.50
04/26/2013	Efile Payment	Receipt # 2013-51562-CCCLK	Scott Financial Corporation	(3.50)
04/30/2013	Transaction Assessment			3.50
04/30/2013	Efile Payment	Receipt # 2013-53288-CCCLK	Scott Financial Corporation	(3.50)
05/02/2013	Transaction Assessment			3.50
05/02/2013	Efile Payment	Receipt # 2013-54107-CCCLK	Scott Financial Corporation	(3.50)
05/20/2013	Transaction Assessment			3.50
05/20/2013	Efile Payment	Receipt # 2013-61335-CCCLK	Scott Financial Corporation	(3.50)
05/24/2013	Transaction Assessment			3.50
05/24/2013	Efile Payment	Receipt # 2013-63900-CCCLK	Scott Financial Corporation	(3.50)
05/24/2013	Transaction Assessment			5.00
05/24/2013	Payment (Window)	Receipt # 2013-64034-CCCLK	American Legal Investigation	(5.00)
06/13/2013	Transaction Assessment			5.50
06/13/2013	Efile Payment	Receipt # 2013-72015-CCCLK	Scott Financial Corporation	(5.50)
06/23/2014	Transaction Assessment			3.50
06/23/2014	Efile Payment	Receipt # 2014-71775-CCCLK	Scott Financial Corporation	(3.50)
Defendant Scott, Bradley J				
	Total Financial Assessment			1,483.00
	Total Payments and Credits			1,483.00
	Balance Due as of 05/25/2018			0.00
10/09/2009	Transaction Assessment			1,483.00
10/16/2009	Efile Payment	Receipt # 2009-62487-FAM	KEMP JONES & COULTHARD	(1,483.00)
Doing Business As Helix Electric				
	Total Financial Assessment			400.00
	Total Payments and Credits			400.00
	Balance Due as of 05/25/2018			0.00
05/06/2010	Transaction Assessment			200.00
05/06/2010	Efile Payment	Receipt # 2010-14944-CCCLK	Helix Electric	(200.00)
08/02/2017	Transaction Assessment			200.00
08/02/2017	Efile Payment	Receipt # 2017-61853-CCCLK	Helix Electric	(200.00)
Interpleader Hydropressure Cleaning Inc				
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
05/19/2010	Transaction Assessment			200.00
05/19/2010	Efile Payment	Receipt # 2010-17677-CCCLK	Hydropressure Cleaning Inc	(200.00)
Intervenor Cell Crete Fireproofing Of NV Inc				
	Total Financial Assessment			400.00
	Total Payments and Credits			400.00
	Balance Due as of 05/25/2018			0.00
06/10/2010	Transaction Assessment			200.00
06/10/2010	Efile Payment	Receipt # 2010-22472-CCCLK	Cell Crete Fireproofing Of NV	(200.00)
06/28/2010	Transaction Assessment			200.00
06/28/2010	Efile Payment	Receipt # 2010-25577-CCCLK	Cell Crete Fireproofing Of NV	(200.00)

Intervenor Custom Select Billing Inc			
	Total Financial Assessment		1,683.00
	Total Payments and Credits		1,683.00
	Balance Due as of 05/25/2018		0.00
08/31/2009	Transaction Assessment		1,483.00
08/31/2009	Payment (Window)	Receipt # 2009-50877-FAM	(1,483.00)
05/19/2010	Transaction Assessment		200.00
05/19/2010	Efile Payment	Receipt # 2010-17668-CCCLK	(200.00)
		Howard & Howard Attorneys PLLC	
		Custom Select Billing Inc	
Intervenor E & E Fire Protectiong LLC			
	Total Financial Assessment		400.00
	Total Payments and Credits		400.00
	Balance Due as of 05/25/2018		0.00
07/06/2010	Transaction Assessment		200.00
07/06/2010	Efile Payment	Receipt # 2010-26937-CCCLK	(200.00)
08/09/2010	Transaction Assessment		200.00
08/09/2010	Efile Payment	Receipt # 2010-36894-CCCLK	(200.00)
		E & E Fire Protectiong LLC	
		E & E Fire Protectiong LLC	
Intervenor EZA P C			
	Total Financial Assessment		200.00
	Total Payments and Credits		200.00
	Balance Due as of 05/25/2018		0.00
05/07/2010	Transaction Assessment		200.00
05/07/2010	Efile Payment	Receipt # 2010-15390-CCCLK	(200.00)
		EZA P C	
Intervenor Granite Construction Company			
	Total Financial Assessment		203.00
	Total Payments and Credits		203.00
	Balance Due as of 05/25/2018		0.00
07/22/2009	Transaction Assessment		203.00
07/22/2009	Payment (Window)	Receipt # 2009-40516-FAM	(203.00)
		Watt, Tieder, Hoffar & Fitzgerald	
Intervenor Insulpro Projects Inc			
	Total Financial Assessment		276.50
	Total Payments and Credits		276.50
	Balance Due as of 05/25/2018		0.00
05/05/2010	Transaction Assessment		6.00
05/05/2010	Efile Payment	Receipt # 2010-14806-CCCLK	(6.00)
06/24/2010	Transaction Assessment		210.00
06/24/2010	Efile Payment	Receipt # 2010-24920-CCCLK	(210.00)
07/12/2010	Transaction Assessment		10.00
07/12/2010	Efile Payment	Receipt # 2010-28942-CCCLK	(10.00)
07/12/2010	Transaction Assessment		10.00
07/12/2010	Efile Payment	Receipt # 2010-28945-CCCLK	(10.00)
08/04/2010	Transaction Assessment		10.00
08/04/2010	Efile Payment	Receipt # 2010-35799-CCCLK	(10.00)
02/04/2011	Transaction Assessment		3.50
02/04/2011	Efile Payment	Receipt # 2011-10033-CCCLK	(3.50)
02/04/2011	Transaction Assessment		3.50
02/04/2011	Efile Payment	Receipt # 2011-10035-CCCLK	(3.50)
04/26/2011	Transaction Assessment		3.50
04/26/2011	Efile Payment	Receipt # 2011-41856-CCCLK	(3.50)
04/27/2011	Transaction Assessment		5.50
04/27/2011	Efile Payment	Receipt # 2011-42531-CCCLK	(5.50)
06/29/2011	Transaction Assessment		3.50
06/29/2011	Efile Payment	Receipt # 2011-68948-CCCLK	(3.50)
11/07/2011	Transaction Assessment		5.50
11/07/2011	Efile Payment	Receipt # 2011-126780-CCCLK	(5.50)
01/04/2012	Transaction Assessment		5.50
01/04/2012	Efile Payment	Receipt # 2012-00971-CCCLK	(5.50)
		Insulpro Projects Inc	
		Insulpro Projects Inc	
Intervenor National Wood Products, Inc.'s			
	Total Financial Assessment		1,683.00
	Total Payments and Credits		1,683.00
	Balance Due as of 05/25/2018		0.00
08/09/2017	Transaction Assessment		1,483.00

08/09/2017	Efile Payment	Receipt # 2017-63409-CCCLK	National Wood Products, Inc.'s	(1,483.00)
08/09/2017	Transaction Assessment			200.00
08/09/2017	Efile Payment	Receipt # 2017-63414-CCCLK	National Wood Products, Inc.'s	(200.00)
Intervenor Nevada Prefab Engineers Inc				
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
02/06/2012	Transaction Assessment			200.00
02/06/2012	Efile Payment	Receipt # 2012-17150-CCCLK	Nevada Prefab Engineers Inc	(200.00)
Intervenor Patent Construction Systems				
	Total Financial Assessment			104.00
	Total Payments and Credits			104.00
	Balance Due as of 05/25/2018			0.00
06/04/2009	Transaction Assessment			104.00
06/04/2009	Payment (Window)	Receipt # 2009-00657-CCCLK	Law Offices of Donald H Willia	(104.00)
Intervenor Pressure Grout Co				
	Total Financial Assessment			104.00
	Total Payments and Credits			104.00
	Balance Due as of 05/25/2018			0.00
04/25/2009	Transaction Assessment			104.00
04/25/2009	Payment (Mail)	Receipt # 2009-15664-FAM	Bowler Dixon & Twitchell LLP	(104.00)
Intervenor Professional Doors & Millworks LLC				
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
08/09/2010	Transaction Assessment			200.00
08/09/2010	Efile Payment	Receipt # 2010-36900-CCCLK	Professional Doors & Millworks	(200.00)
Intervenor Steel Structures Inc				
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
02/06/2012	Transaction Assessment			200.00
02/06/2012	Efile Payment	Receipt # 2012-17149-CCCLK	Steel Structures Inc	(200.00)
Intervenor Steel Structures Inc				
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
08/04/2017	Transaction Assessment			200.00
08/04/2017	Efile Payment	Receipt # 2017-62455-CCCLK	Steel Structures Inc	(200.00)
Intervenor Tri-City Drywall Inc				
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
06/10/2010	Transaction Assessment			200.00
06/10/2010	Efile Payment	Receipt # 2010-22476-CCCLK	Tri-City Drywall Inc	(200.00)
Intervenor Defendant Accuracy Glas & Mirror Company Inc				
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
05/05/2010	Transaction Assessment			200.00
05/05/2010	Efile Payment	Receipt # 2010-14667-CCCLK	Accuracy Glas & Mirror Company	(200.00)

Intervenor Defendant APCO Construction			
	Total Financial Assessment		0.00
	Total Payments and Credits		0.00
	Balance Due as of 05/25/2018		0.00
07/17/2009	Efile Payment	Receipt # 2009-39174-FAM	R. Scott Rasmussen, PC (203.00)
07/17/2009	Efile Payment	Receipt # 2009-39175-FAM	R. Scott Rasmussen (203.00)
07/17/2009	Efile Payment	Receipt # 2009-39176-FAM	Howard & Howard (203.00)
07/17/2009	Efile Payment	Receipt # 2009-39177-FAM	Howard & Howard (203.00)
Intervenor Defendant Camco Pacific Construction Co Inc			
	Total Financial Assessment		223.00
	Total Payments and Credits		223.00
	Balance Due as of 05/25/2018		0.00
09/17/2009	Transaction Assessment		223.00
09/17/2009	Efile Payment	Receipt # 2009-55230-FAM	WOODBURY MORRIS & BROWN (223.00)
Intervenor Defendant Club Vista Financial Services LLC			
	Total Financial Assessment		1,483.00
	Total Payments and Credits		1,483.00
	Balance Due as of 05/25/2018		0.00
08/18/2009	Transaction Assessment		1,483.00
08/18/2009	Payment (Window)	Receipt # 2009-47258-FAM	Albright Stoddard Warnick & Al (1,483.00)
Intervenor Defendant Edelstein, Alex			
	Total Financial Assessment		1,483.00
	Total Payments and Credits		1,483.00
	Balance Due as of 05/25/2018		0.00
12/19/2011	Transaction Assessment		1,483.00
12/19/2011	Efile Payment	Receipt # 2011-143789-CCCLK	Edelstein, Alex (1,483.00)
Intervenor Defendant Fidelity & Deposit Company Of Maryland			
	Total Financial Assessment		223.00
	Total Payments and Credits		223.00
	Balance Due as of 05/25/2018		0.00
09/11/2009	Transaction Assessment		223.00
09/11/2009	Payment (Window)	Receipt # 2009-05047-CCCLK	Woodbury Morris and Brown LTD (223.00)
Intervenor Defendant Fidelity & Deposit Company Of Maryland			
	Total Financial Assessment		223.00
	Total Payments and Credits		223.00
	Balance Due as of 05/25/2018		0.00
09/11/2009	Transaction Assessment		223.00
09/11/2009	Payment (Window)	Receipt # 2009-05060-CCCLK	Woodbury morris and Brown Ltd (223.00)
Intervenor Defendant Jeff Heit Plumbing Co LLC			
	Total Financial Assessment		223.00
	Total Payments and Credits		223.00
	Balance Due as of 05/25/2018		0.00
08/10/2009	Transaction Assessment		223.00
08/10/2009	Payment (Window)	Receipt # 2009-45218-FAM	Keith E Gregory & Associates (223.00)
Intervenor Defendant Old Republic Surety			
	Total Financial Assessment		30.00
	Total Payments and Credits		30.00
	Balance Due as of 05/25/2018		0.00
08/10/2009	Transaction Assessment		30.00
08/10/2009	Payment (Window)	Receipt # 2009-45221-FAM	Keith E Gregory & Associates (30.00)

Intervenor Defendant Scott Financial Corporation			
	Total Financial Assessment		10.00
	Total Payments and Credits		10.00
	Balance Due as of 05/25/2018		0.00
07/07/2010	Transaction Assessment		10.00
07/07/2010	Efile Payment	Receipt # 2010-27258-CCCLK	Scott Financial Corporation (10.00)
Intervenor Defendant Scott Financial Corporation			
	Total Financial Assessment		25.00
	Total Payments and Credits		25.00
	Balance Due as of 05/25/2018		0.00
06/04/2015	Transaction Assessment		25.00
06/04/2015	Payment (Window)	Receipt # 2015-58504-CCCLK	Brownstein Hyatt Farber Schrec (25.00)
Intervenor Defendant Tharaldson Motels II Inc			
	Total Financial Assessment		30.00
	Total Payments and Credits		30.00
	Balance Due as of 05/25/2018		0.00
08/18/2009	Transaction Assessment		30.00
08/18/2009	Payment (Window)	Receipt # 2009-47258-FAM	Albright Stoddard Warnick & Al (30.00)
Intervenor Plaintiff Ahern Rental Inc			
	Total Financial Assessment		400.00
	Total Payments and Credits		400.00
	Balance Due as of 05/25/2018		0.00
02/26/2010	Transaction Assessment		200.00
02/26/2010	Efile Payment	Receipt # 2010-03457-CCCLK	Ahern Rental Inc (200.00)
06/10/2010	Transaction Assessment		200.00
06/10/2010	Efile Payment	Receipt # 2010-22465-CCCLK	Ahern Rental Inc (200.00)
Intervenor Plaintiff Arch Aluminum And Glass Co			
	Total Financial Assessment		800.00
	Total Payments and Credits		800.00
	Balance Due as of 05/25/2018		0.00
05/14/2010	Transaction Assessment		200.00
05/14/2010	Efile Payment	Receipt # 2010-16658-CCCLK	Arch Aluminum And Glass Co (200.00)
05/14/2010	Transaction Assessment		200.00
05/14/2010	Efile Payment	Receipt # 2010-16673-CCCLK	Arch Aluminum And Glass Co (200.00)
06/21/2010	Transaction Assessment		200.00
06/21/2010	Efile Payment	Receipt # 2010-24359-CCCLK	Arch Aluminum And Glass Co (200.00)
06/24/2010	Transaction Assessment		200.00
06/24/2010	Efile Payment	Receipt # 2010-24918-CCCLK	Arch Aluminum And Glass Co (200.00)
Intervenor Plaintiff Cactus Rose Construction Inc			
	Total Financial Assessment		1,683.00
	Total Payments and Credits		1,683.00
	Balance Due as of 05/25/2018		0.00
04/13/2010	Transaction Assessment		1,483.00
04/13/2010	Efile Payment	Receipt # 2010-10164-CCCLK	(1,483.00)
05/05/2010	Transaction Assessment		200.00
05/05/2010	Efile Payment	Receipt # 2010-14684-CCCLK	Cactus Rose Construction Inc (200.00)
Intervenor Plaintiff Harsco Corporation			
	Total Financial Assessment		400.00
	Total Payments and Credits		400.00
	Balance Due as of 05/25/2018		0.00
05/06/2010	Transaction Assessment		200.00
05/06/2010	Efile Payment	Receipt # 2010-14992-CCCLK	Harsco Corporation (200.00)
06/21/2010	Transaction Assessment		200.00
06/21/2010	Efile Payment	Receipt # 2010-24397-CCCLK	Harsco Corporation (200.00)
Intervenor Plaintiff Inquipco			
	Total Financial Assessment		107.00

	Total Payments and Credits			107.00
	Balance Due as of 05/25/2018			0.00
06/24/2009	Transaction Assessment			104.00
06/24/2009	Payment (Window)	Receipt # 2009-32184-FAM	Pezzillo and Robinson	(104.00)
06/24/2009	Transaction Assessment			3.00
06/24/2009	Payment (Window)	Receipt # 2009-32185-FAM	Pezzillo and Robinson	(3.00)
	Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc			
	Total Financial Assessment			1,683.00
	Total Payments and Credits			1,683.00
	Balance Due as of 05/25/2018			0.00
04/13/2010	Transaction Assessment			1,483.00
04/13/2010	Efile Payment	Receipt # 2010-10163-CCCLK		(1,483.00)
05/05/2010	Transaction Assessment			200.00
05/05/2010	Efile Payment	Receipt # 2010-14657-CCCLK	Interstate Plumbing & Air Cond	(200.00)
	Intervenor Plaintiff Las Vegas Pipeline LLC			
	Total Financial Assessment			555.00
	Total Payments and Credits			555.00
	Balance Due as of 05/25/2018			0.00
06/15/2009	Transaction Assessment			104.00
06/15/2009	Transaction Assessment			47.00
06/15/2009	Payment (Window)	Receipt # 2009-29672-FAM	Gerrard and Cox a Professional	(151.00)
06/15/2009	Transaction Assessment			4.00
06/15/2009	Payment (Window)	Receipt # 2009-29675-FAM	Gerrard and Cox a Professional	(4.00)
06/10/2010	Transaction Assessment			200.00
06/10/2010	Efile Payment	Receipt # 2010-22479-CCCLK	Las Vegas Pipeline LLC	(200.00)
06/28/2010	Transaction Assessment			200.00
06/28/2010	Efile Payment	Receipt # 2010-25558-CCCLK	Las Vegas Pipeline LLC	(200.00)
	Intervenor Plaintiff Northstar Concrete, Inc.			
	Total Financial Assessment			453.00
	Total Payments and Credits			453.00
	Balance Due as of 05/25/2018			0.00
07/09/2009	Transaction Assessment			250.00
07/09/2009	Payment (Window)	Receipt # 2009-37088-FAM	Pezzillo Robinson	(250.00)
07/09/2009	Transaction Assessment			3.00
07/09/2009	Payment (Window)	Receipt # 2009-37089-FAM	Pezzillo Robinson	(3.00)
07/06/2010	Transaction Assessment			200.00
07/06/2010	Efile Payment	Receipt # 2010-26935-CCCLK	Northstar Concrete, Inc.	(200.00)
	Intervenor Plaintiff Pape Material Handling			
	Total Financial Assessment			104.00
	Total Payments and Credits			104.00
	Balance Due as of 05/25/2018			0.00
05/29/2009	Transaction Assessment			104.00
05/29/2009	Payment (Window)	Receipt # 2009-25556-FAM	Jolley Urga Wirth Woodbury & S	(104.00)
	Intervenor Plaintiff S R Bray Corp			
	Total Financial Assessment			1,683.00
	Total Payments and Credits			1,683.00
	Balance Due as of 05/25/2018			0.00
04/26/2010	Transaction Assessment			1,483.00
04/26/2010	Efile Payment	Receipt # 2010-12399-CCCLK	S R Bray Corp	(1,483.00)
05/05/2010	Transaction Assessment			200.00
05/05/2010	Efile Payment	Receipt # 2010-14687-CCCLK	S R Bray Corp	(200.00)
	Intervenor Plaintiff Sunstate Companies Inc			
	Total Financial Assessment			1,483.00
	Total Payments and Credits			1,483.00
	Balance Due as of 05/25/2018			0.00
04/14/2010	Transaction Assessment			1,483.00
04/14/2010	Efile Payment	Receipt # 2010-10343-CCCLK	Sunstate Companies Inc	(1,483.00)

Intervenor Plaintiff SWPPP Compliance Solutions LLC			
	Total Financial Assessment		1,683.00
	Total Payments and Credits		1,683.00
	Balance Due as of 05/25/2018		0.00
04/26/2010	Transaction Assessment		1,483.00
04/26/2010	Efile Payment	Receipt # 2010-12464-CCCLK	(1,483.00)
05/08/2010	Transaction Assessment		200.00
05/08/2010	Efile Payment	Receipt # 2010-15596-CCCLK	(200.00)
Other Chapter 7 Trustee			
	Total Financial Assessment		200.00
	Total Payments and Credits		200.00
	Balance Due as of 05/25/2018		0.00
08/07/2017	Transaction Assessment		200.00
08/07/2017	Efile Payment	Receipt # 2017-62766-CCCLK	(200.00)
Other Graybar Electric Company			
	Total Financial Assessment		400.00
	Total Payments and Credits		400.00
	Balance Due as of 05/25/2018		0.00
07/06/2010	Transaction Assessment		200.00
07/06/2010	Efile Payment	Receipt # 2010-26931-CCCLK	(200.00)
07/06/2010	Transaction Assessment		200.00
07/06/2010	Efile Payment	Receipt # 2010-27219-CCCLK	(200.00)
Other HD Supply Construction Supply LP			
	Total Financial Assessment		200.00
	Total Payments and Credits		200.00
	Balance Due as of 05/25/2018		0.00
06/26/2010	Transaction Assessment		200.00
06/26/2010	Efile Payment	Receipt # 2010-25455-CCCLK	(200.00)
Other United Subcontractors Inc			
	Total Financial Assessment		400.00
	Total Payments and Credits		400.00
	Balance Due as of 05/25/2018		0.00
08/12/2017	Transaction Assessment		200.00
08/12/2017	Efile Payment	Receipt # 2017-64144-CCCLK	(200.00)
08/12/2017	Transaction Assessment		200.00
08/12/2017	Efile Payment	Receipt # 2017-64237-CCCLK	(200.00)
Other Wiss, Janney, Elstner Associates, Inc.			
	Total Financial Assessment		200.00
	Total Payments and Credits		200.00
	Balance Due as of 05/25/2018		0.00
06/30/2010	Transaction Assessment		200.00
06/30/2010	Efile Payment	Receipt # 2010-25904-CCCLK	(200.00)
Plaintiff Apco Construction			
	Total Financial Assessment		1,551.50
	Total Payments and Credits		1,551.50
	Balance Due as of 05/25/2018		0.00
01/12/2010	Transaction Assessment		5.00
01/12/2010	Payment (Window)	Receipt # 2010-01898-FAM	(5.00)
04/01/2010	Transaction Assessment		6.00
04/01/2010	Efile Payment	Receipt # 2010-08098-CCCLK	(6.00)
04/09/2010	Transaction Assessment		6.00
04/09/2010	Efile Payment	Receipt # 2010-09403-CCCLK	(6.00)
04/13/2010	Transaction Assessment		6.00
04/13/2010	Efile Payment	Receipt # 2010-09861-CCCLK	(6.00)
04/13/2010	Transaction Assessment		6.00
04/13/2010	Efile Payment	Receipt # 2010-09870-CCCLK	(6.00)
04/13/2010	Transaction Assessment		6.00
04/13/2010	Efile Payment	Receipt # 2010-09889-CCCLK	(6.00)

04/13/2010	Transaction Assessment			6.00
04/13/2010	Efile Payment	Receipt # 2010-09890-CCCLK	Apco Construction	(6.00)
04/13/2010	Transaction Assessment			6.00
04/13/2010	Efile Payment	Receipt # 2010-09891-CCCLK	Apco Construction	(6.00)
04/13/2010	Transaction Assessment			6.00
04/13/2010	Efile Payment	Receipt # 2010-09934-CCCLK	Apco Construction	(6.00)
04/13/2010	Transaction Assessment			6.00
04/13/2010	Efile Payment	Receipt # 2010-09935-CCCLK	Apco Construction	(6.00)
04/13/2010	Transaction Assessment			6.00
04/13/2010	Efile Payment	Receipt # 2010-09936-CCCLK	Apco Construction	(6.00)
04/13/2010	Transaction Assessment			6.00
04/13/2010	Efile Payment	Receipt # 2010-09937-CCCLK	Apco Construction	(6.00)
04/13/2010	Transaction Assessment			6.00
04/13/2010	Efile Payment	Receipt # 2010-09938-CCCLK	Apco Construction	(6.00)
04/13/2010	Transaction Assessment			6.00
04/13/2010	Efile Payment	Receipt # 2010-09939-CCCLK	Apco Construction	(6.00)
04/13/2010	Transaction Assessment			6.00
04/13/2010	Efile Payment	Receipt # 2010-09940-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10903-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10904-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10905-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10906-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10907-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10908-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10909-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10910-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10911-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10912-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10913-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10914-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10915-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			6.00
04/16/2010	Efile Payment	Receipt # 2010-10916-CCCLK	Apco Construction	(6.00)
04/16/2010	Transaction Assessment			12.00
04/16/2010	Payment (Window)	Receipt # 2010-22821-FAM	T James Truman & Associates	(12.00)
04/16/2010	Transaction Assessment			3.00
04/16/2010	Payment (Window)	Receipt # 2010-22843-FAM	T James Truman & Associates	(3.00)
04/19/2010	Transaction Assessment			6.00
04/19/2010	Efile Payment	Receipt # 2010-11283-CCCLK	Apco Construction	(6.00)
04/19/2010	Transaction Assessment			6.00
04/19/2010	Efile Payment	Receipt # 2010-11284-CCCLK	Apco Construction	(6.00)
04/19/2010	Transaction Assessment			6.00
04/19/2010	Efile Payment	Receipt # 2010-11285-CCCLK	Apco Construction	(6.00)
04/19/2010	Transaction Assessment			6.00
04/19/2010	Efile Payment	Receipt # 2010-11286-CCCLK	Apco Construction	(6.00)
04/27/2010	Transaction Assessment			6.00
04/27/2010	Efile Payment	Receipt # 2010-12554-CCCLK	Apco Construction	(6.00)
04/27/2010	Transaction Assessment			6.00
04/27/2010	Efile Payment	Receipt # 2010-12555-CCCLK	Apco Construction	(6.00)
04/28/2010	Transaction Assessment			10.00
04/28/2010	Efile Payment	Receipt # 2010-12870-CCCLK	Apco Construction	(10.00)
04/28/2010	Transaction Assessment			10.00
04/28/2010	Efile Payment	Receipt # 2010-12871-CCCLK	Apco Construction	(10.00)
06/22/2010	Transaction Assessment			200.00
06/22/2010	Efile Payment	Receipt # 2010-24659-CCCLK	Apco Construction	(200.00)
07/09/2010	Transaction Assessment			200.00
07/09/2010	Efile Payment	Receipt # 2010-28651-CCCLK	Apco Construction	(200.00)
08/30/2010	Transaction Assessment			3.00
08/30/2010	Payment (Window)	Receipt # 2010-44107-FAM	Dixon Truman Fisher & Clifford	(3.00)
06/06/2012	Transaction Assessment			5.00
06/06/2012	Payment (Window)	Receipt # 2012-71258-CCCLK	Dixon Truman Fisher & Clifford	(5.00)
07/06/2012	Transaction Assessment			3.50
07/06/2012	Efile Payment	Receipt # 2012-85450-CCCLK	Apco Construction	(3.50)
07/18/2012	Transaction Assessment			22.00
07/18/2012	Payment (Window)	Receipt # 2012-90177-CCCLK	Peel & Brimley	(22.00)
07/18/2012	Transaction Assessment			33.00
07/18/2012	Payment (Window)	Receipt # 2012-90189-CCCLK	Peel & Brimley	(33.00)
12/12/2012	Transaction Assessment			9.00
12/12/2012	Payment (Window)	Receipt # 2012-152184-CCCLK	LEE MOHEN	(9.00)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19772-CCCLK	Apco Construction	(3.50)

02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19774-CCCLK	Apco Construction	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19778-CCCLK	Apco Construction	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19790-CCCLK	Apco Construction	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19792-CCCLK	Apco Construction	(3.50)
02/15/2013	Transaction Assessment			3.50
02/15/2013	Efile Payment	Receipt # 2013-19794-CCCLK	Apco Construction	(3.50)
02/28/2013	Transaction Assessment			20.00
02/28/2013	Payment (Window)	Receipt # 2013-24798-CCCLK	Dixon Truman Fisher & Clifford	(20.00)
03/11/2013	Transaction Assessment			10.00
03/11/2013	Payment (Window)	Receipt # 2013-29119-CCCLK	Dixon Truman Fisher & Clifford	(10.00)
03/27/2013	Transaction Assessment			10.00
03/27/2013	Payment (Window)	Receipt # 2013-37341-CCCLK	Dixon Truman Fisher & Clifford	(10.00)
05/20/2013	Transaction Assessment			20.00
05/20/2013	Payment (Window)	Receipt # 2013-61451-CCCLK	Meier & Fine, LLC	(20.00)
05/21/2013	Transaction Assessment			10.00
05/21/2013	Payment (Window)	Receipt # 2013-62135-CCCLK	American Legal Investigation	(10.00)
03/18/2014	Transaction Assessment			3.50
03/18/2014	Efile Payment	Receipt # 2014-31944-CCCLK	Apco Construction	(3.50)
04/05/2016	Transaction Assessment			3.50
04/05/2016	Efile Payment	Receipt # 2016-33556-CCCLK	Apco Construction	(3.50)
05/09/2016	Transaction Assessment			3.50
05/09/2016	Efile Payment	Receipt # 2016-44796-CCCLK	Apco Construction	(3.50)
06/01/2016	Transaction Assessment			3.50
06/01/2016	Efile Payment	Receipt # 2016-52392-CCCLK	Apco Construction	(3.50)
06/07/2016	Transaction Assessment			203.50
06/07/2016	Efile Payment	Receipt # 2016-54407-CCCLK	Apco Construction	(200.00)
06/07/2016	Efile Payment	Receipt # 2016-54408-CCCLK	Apco Construction	(3.50)
06/07/2016	Transaction Assessment			3.50
06/07/2016	Efile Payment	Receipt # 2016-54410-CCCLK	Apco Construction	(3.50)
06/09/2016	Transaction Assessment			3.50
06/09/2016	Efile Payment	Receipt # 2016-55595-CCCLK	Apco Construction	(3.50)
06/13/2016	Transaction Assessment			3.50
06/13/2016	Efile Payment	Receipt # 2016-56398-CCCLK	Apco Construction	(3.50)
07/01/2016	Transaction Assessment			3.50
07/01/2016	Efile Payment	Receipt # 2016-63555-CCCLK	Apco Construction	(3.50)
07/01/2016	Transaction Assessment			3.50
07/01/2016	Efile Payment	Receipt # 2016-63702-CCCLK	Apco Construction	(3.50)
03/17/2017	Transaction Assessment			203.50
03/17/2017	Efile Payment	Receipt # 2017-25896-CCCLK	Apco Construction	(200.00)
03/17/2017	Efile Payment	Receipt # 2017-25897-CCCLK	Apco Construction	(3.50)
04/10/2017	Transaction Assessment			3.50
04/10/2017	Efile Payment	Receipt # 2017-33488-CCCLK	Apco Construction	(3.50)
05/25/2017	Transaction Assessment			3.50
05/25/2017	Efile Payment	Receipt # 2017-46023-CCCLK	Apco Construction	(3.50)
05/26/2017	Transaction Assessment			3.50
05/26/2017	Efile Payment	Receipt # 2017-46146-CCCLK	Apco Construction	(3.50)
06/09/2017	Transaction Assessment			0.50
06/09/2017	Payment (Window)	Receipt # 2017-49503-CCCLK	Stephen Kopolow Attorney	(0.50)
06/20/2017	Transaction Assessment			3.50
06/20/2017	Efile Payment	Receipt # 2017-51596-CCCLK	Apco Construction	(3.50)
06/21/2017	Transaction Assessment			3.50
06/21/2017	Efile Payment	Receipt # 2017-51974-CCCLK	Apco Construction	(3.50)
06/27/2017	Transaction Assessment			203.50
06/27/2017	Efile Payment	Receipt # 2017-53265-CCCLK	Apco Construction	(203.50)
08/02/2017	Transaction Assessment			3.50
08/02/2017	Efile Payment	Receipt # 2017-61590-CCCLK	Apco Construction	(3.50)
08/22/2017	Transaction Assessment			3.50
08/22/2017	Efile Payment	Receipt # 2017-66175-CCCLK	Apco Construction	(3.50)
08/22/2017	Transaction Assessment			3.50
08/22/2017	Efile Payment	Receipt # 2017-66179-CCCLK	Apco Construction	(3.50)
09/21/2017	Transaction Assessment			3.50
09/21/2017	Efile Payment	Receipt # 2017-73371-CCCLK	Apco Construction	(3.50)
09/21/2017	Transaction Assessment			3.50
09/21/2017	Efile Payment	Receipt # 2017-73429-CCCLK	Apco Construction	(3.50)
10/30/2017	Transaction Assessment			3.50
10/30/2017	Efile Payment	Receipt # 2017-82295-CCCLK	Apco Construction	(3.50)
10/30/2017	Transaction Assessment			3.50
10/30/2017	Efile Payment	Receipt # 2017-82543-CCCLK	Apco Construction	(3.50)
11/07/2017	Transaction Assessment			3.50
11/07/2017	Efile Payment	Receipt # 2017-84287-CCCLK	Apco Construction	(3.50)
11/07/2017	Transaction Assessment			3.50
11/07/2017	Efile Payment	Receipt # 2017-84449-CCCLK	Apco Construction	(3.50)
01/11/2018	Transaction Assessment			3.50
01/11/2018	Efile Payment	Receipt # 2018-02741-CCCLK	Apco Construction	(3.50)
01/16/2018	Transaction Assessment			3.50
01/16/2018	Efile Payment	Receipt # 2018-03127-CCCLK	Apco Construction	(3.50)
02/20/2018	Transaction Assessment			27.50
02/20/2018	Efile Payment	Receipt # 2018-12275-CCCLK	Apco Construction	(27.50)
05/18/2018	Transaction Assessment			3.00
05/18/2018	Payment (Window)	Receipt # 2018-33955-CCCLK	T. James Truman & Associates	(3.00)

05/24/2018	Transaction Assessment			5.00
05/24/2018	Payment (Window)	Receipt # 2018-35495-CCCLK	American Legal Investigation Services Nevada Inc.	(5.00)
05/25/2018	Transaction Assessment			3.50
05/25/2018	Efile Payment	Receipt # 2018-35664-CCCLK	Apco Construction	(3.50)
05/25/2018	Transaction Assessment			3.50
05/25/2018	Efile Payment	Receipt # 2018-35755-CCCLK	Apco Construction	(3.50)
	Third Party Plaintiff E & E Fire Protection LLC			
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
08/11/2017	Transaction Assessment			200.00
08/11/2017	Efile Payment	Receipt # 2017-63784-CCCLK	E & E Fire Protection LLC	(200.00)
	Third Party Plaintiff Insulpro Projects Inc			
	Total Financial Assessment			200.00
	Total Payments and Credits			200.00
	Balance Due as of 05/25/2018			0.00
05/18/2016	Efile Payment	Receipt # 2016-48150-CCCLK	Insulpro Projects Inc	(200.00)
06/28/2016	Transaction Assessment			200.00

EXHIBIT H



STATEMENT OF ACCOUNT

Statement Date

05/09/18

TO: Jack Chen Min Juan, Esq.
Marquis Aurbach Coffing
10001 Park Run Drive
Las Vegas, NV 89145

Reference #: 1260003908 DKH
Billing Specialist: Glenn Mason
Email: gmason@jamsadr.com
Telephone: 949-224-4654
Employer ID: 68-0542699

RE: APCO Construction vs. Gemstone Development West, Inc.

Representing: APCO Construction

Neutrals(s): Floyd Hale Esq.

Hearing Type: Court Reference

REP# 1

Date	Description	Charges	Credits	Balance
10/28/16	INVOICE #0003874092-260	1,144.63		1,144.63
11/21/16	CK #119643 9-4 Paid By: Marquis Aurbach Coffing		1,144.63	0.00
12/29/16	INVOICE #0003923892-260	111.36		111.36
01/17/17	CK #120138 10-12 Paid By: Marquis Aurbach Coffing		111.36	0.00
01/30/17	INVOICE #0003946170-260	160.86		160.86
02/17/17	CK #120414 5-14 Paid By: Marquis Aurbach Coffing		160.86	0.00
02/27/17	INVOICE #0003969622-260	260.74		260.74
03/20/17	CK #120653 16-18 Paid By: Marquis Aurbach Coffing		260.74	0.00
03/30/17	INVOICE #0003996550-260	149.34		149.34
04/20/17	CK #120953 1-23 Paid By: Marquis Aurbach Coffing		149.34	0.00
04/27/17	INVOICE #0004021816-260	99.02		99.02
05/18/17	CK #121189 1-3 Paid By: Marquis Aurbach Coffing		99.02	0.00
05/30/17	INVOICE #0004046386-260	533.92		533.92
06/19/17	CK #121470 16-19 Paid By: Marquis Aurbach Coffing		533.92	0.00
06/29/17	INVOICE #0004072976-260	309.42		309.42

YOUR ACCOUNT BALANCE IS DUE UPON RECEIPT
Please make checks payable to JAMS, Inc.

Standard mail:
P.O. Box 845402
Los Angeles, CA 90084

Overnight mail:
18881 Von Karman Ave. Suite 350
Irvine, CA 92612

Page 1 of 2

JA006734



RE: **APCO Construction vs. Gemstone Development West, Inc.**

Representing: **APCO Construction**

Neutrals(s): **Floyd Hale Esq.**

Hearing Type: **Court Reference**

Reference #: **1260003908**

REP# **1**

Date	Description	Charges	Credits	Balance
07/20/17	CK #121738 4-23 Paid By: Marquis Aurbach Coffing		309.42	0.00
07/28/17	INVOICE #0004095582-260	99.02		99.02
08/21/17	CK #121973 5-18 Paid By: Marquis Aurbach Coffing		99.02	0.00
08/30/17	INVOICE #0004121362-260	49.52		49.52
09/22/17	CK #122236 3-16 Paid By: Marquis Aurbach Coffing		49.52	0.00
09/28/17	INVOICE #0004146236-260	24.75		24.75
10/18/17	CK #1224771 2-1 Paid By: Marquis & Aurbach		24.75	0.00
10/30/17	INVOICE #0004176158-260	86.63		86.63
11/22/17	CK #122643 1-16 Paid By: Marquis Aurbach Coffing		86.63	0.00
11/29/17	INVOICE #0004208390-260	37.08		37.08
12/27/17	CK #122881 14-2 Paid By: Marquis Aurbach Coffing		37.08	0.00
03/30/18	INVOICE #0004345960-260	12.38		12.38
04/25/18	CK #123918 2-20 Paid By: Marquis Aurbach Coffing		12.38	0.00

Outstanding Balance: 0.00

EXHIBIT I



Holo Discovery
3016 West Charleston Blvd #170
Las Vegas, NV 89102
(702) 333-4321
holo-discovery.com



BILL TO
Marquis Aurbach Coffing
10001 Park Run Dr
Las Vegas, NV 89145

INVOICE 2529

DATE 04/27/2017 **TERMS** Net 30

DUE DATE 05/27/2017

ORDERED BY
Taylor Fong

CLIENT MATTER
Las Vegas Paving

REP
Jon

ACTIVITY	QTY	AMOUNT
Description Print PDFs and organize into binders.	1	0.00
B/W Printing	3,410	341.00T
4 Inch Binder	2	32.00T
1 Inch Binder	1	8.00T

Project Number: 17515
Date Delivered: 04/27/2017

SUBTOTAL 381.00
TAX (8.15%) 31.06
TOTAL 412.06

TOTAL DUE **\$412.06**

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

JA006737



Holo Discovery
3016 West Charleston Blvd #170
Las Vegas, NV 89102
(702) 333-4321
holo-discovery.com



BILL TO
Marquis Aurbach Coffing
10001 Park Run Dr
Las Vegas, NV 89145

INVOICE 2612

DATE 05/09/2017 TERMS Net 30

DUE DATE 06/08/2017

ORDERED BY
Taylor Fong

CLIENT MATTER
APCO v. Gemstone

REP
Jon

ACTIVITY	QTY	AMOUNT
Description Print additional set of documents.	1	0.00
B/W Printing	3,410	341.00T
1 Inch Binder	1	8.00T
2 Inch Binder	2	20.00T
3 Inch Binder	1	13.00T

Project Number: 17571
Date Delivered: 05/05/2017

SUBTOTAL 382.00
TAX (8.25%) 31.51
TOTAL 413.51

TOTAL DUE \$413.51

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

JA006738



Holo Discovery
3016 West Charleston Blvd #170
Las Vegas, NV 89102
(702) 333-4321
holo-discovery.com



BILL TO
Marquis Aurbach Coffing
10001 Park Run Dr
Las Vegas, NV 89145

INVOICE 2625

DATE 05/10/2017 **TERMS** Net 30

DUE DATE 06/09/2017

ORDERED BY
Taylor Fong

CLIENT MATTER
APCO v. Gemstone

REP
Jon

ACTIVITY	QTY	AMOUNT
Description Print document and organize into binders.	1	0.00
B/W Printing	2,508	250.80T
1 Inch Binder	6	48.00T
2 Inch Binder	2	20.00T
Project Number: 17582	SUBTOTAL	318.80
Date Delivered: 05/09/2017	TAX (8.25%)	26.30
	TOTAL	345.10
	TOTAL DUE	\$345.10

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

JA006739



Holo Discovery
3016 West Charleston Blvd #170
Las Vegas, NV 89102
(702) 333-4321
holo-discovery.com

BILL TO

Marquis Aurbach Coffing
10001 Park Run Dr
Las Vegas, NV 89145

INVOICE 2699

DATE 05/24/2017 TERMS Net 30

DUE DATE 06/23/2017

ORDERED BY

Taylor Fong

CLIENT MATTER

APCO v. Gemstone

REP

Jon

ACTIVITY	QTY	AMOUNT
Description Print documents x 2 and organize into binders.	1	0.00
B/W Printing	11,828	1,182.80T
Index Tabs	30	10.50T
1 Inch Binder	6	48.00T
1.5 Inch Binder	4	36.00T
2 Inch Binder	6	60.00T
3 Inch Binder	4	52.00T

Project Number: 17664
Date Delivered: 05/24/2017

SUBTOTAL	1,389.30
TAX (8.25%)	114.62
TOTAL	1,503.92

TOTAL DUE	\$1,503.92
-----------	-------------------

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

JA006740



Holo Discovery
3016 West Charleston Blvd #170
Las Vegas, NV 89102
(702) 333-4321
holo-discovery.com



BILL TO
Marquis Aurbach Coffing
10001 Park Run Dr
Las Vegas, NV 89145

INVOICE 3292

DATE 08/24/2017 TERMS Net 30

DUE DATE 09/23/2017

ORDERED BY
Taylor Fong

CLIENT MATTER
5161-19

REP
Jon

ACTIVITY	QTY	AMOUNT
Description Print 2 exhibit boards.	1	0.00
Exhibit Boards:Large B/W Exhibit Board - 36"x48"	1	60.00T
Exhibit Boards:Large Color Exhibit Board - 36"x48"	1	150.00T

Project Number: 18209
Date Delivered: 08/23/2017

SUBTOTAL 210.00
TAX (8.25%) 17.33
TOTAL 227.33

TOTAL DUE \$227.33

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

JA006741

EXHIBIT J

TRANSCRIBER'S BILLING INFORMATION

CASE #	A571228			
CASE NAME:	APCO Construction vs. Gemstone Development			
HEARING DATE:	10/30/12			
DEPARTMENT #	29			
COURT RECORDER/ EXTENSION	ANGIE CALVILLO 702-671-0889			
ORDERED BY:	Jack C. Juan, Esq.			
FIRM:	Marquis A C			
EMAIL:	tfong@maclaw.com			
PAYABLE TO:	<p>Make check payable to: Clark County Treasurer County Tax ID#: 88-6000028 Include case number on check</p> <p>Mailing Address: Regional Justice Center Fiscal Services Attn: Kim Ockey 200 Lewis Ave. Las Vegas, NV 89155</p>			
BILL AMOUNT:		CDs @ \$25 each =		\$
	1	hour @ \$30 an hour recording fee =		\$30.00
	23	pages @ \$3.80	per page of trans.	\$87.40
	Total			\$117.40
PAYABLE TO OUTSIDE TRANSCRIBER:	Make check payable to: Karr Reporting			
BILL AMOUNT:		pages @	\$	per page of trans
				\$
DATE PAID:				
TRANSCRIPTS WILL NOT BE FILED OR RELEASED UNTIL PAYMENT IS RECEIVED				

Capture Court Reporting, LLC
8565 South Eastern Avenue, Suite 150
Las Vegas, NV 89123 US
833.222.7887
production@capturereporting.com



INVOICE

BILL TO

Cody S. Mounteer Esq.
Marquis Aurbach Coffing
10001 Park Run Drive
Las Vegas, Nevada 89145

INVOICE # 1013

DATE 01/08/2018

DUE DATE 01/08/2018

TERMS Due on receipt

SERVICE	QTY	RATE	AMOUNT
Apco V. Gemstone, et al., A571228			
Service:Certified Transcript Deposition of Nicholas Cox, 11/15/2017	13	3.75	48.75
Service:Certified Transcript Deposition of Robert Thompson, 11/15/2017	9	3.75	33.75
Service:E-Transcript Complimentary	1	0.00	0.00
Service:Condensed Transcript - MINI Condensed + Word Index	1	0.00	0.00
Service:Delivery	1	20.00	20.00

Thank you for your business.

BALANCE DUE

\$102.50

JA006744



LIT Litigation
SERVICES

Discovery | Depositions | Trial

3770 Howard Hughes Pkwy,
Suite 300
Las Vegas, NV 89169
Phone: 800.330.1112
LitigationServices.com

Jack Chen Min Juan, Esq.
Marquis, Aurbach & Coffing
10001 Park Run Drive
Las Vegas, NV 89145

INVOICE

Invoice No.	Invoice Date	Job No.
1162732	7/6/2017	395562
Job Date	Case No.	
6/20/2017	A571228	
Case Name		
APCO Construction vs. Gemstone Development West, Inc.		
Payment Terms		
Net 30		

½ the Cost of the Original & 1 Copy of the Transcript of:
David E. Parry

656.00

TOTAL DUE >>> **\$656.00**
AFTER 8/5/2017 PAY \$721.60

Please note, disputes or refunds will not be honored or issued after 30 days

Tax ID: 27-5114755

Phone: 702-382-0711 Fax: 702-382-5816

Please detach bottom portion and return with payment.

Jack Chen Min Juan, Esq.
Marquis, Aurbach & Coffing
10001 Park Run Drive
Las Vegas, NV 89145

Invoice No. : 1162732
Invoice Date : 7/6/2017
Total Due : \$ 656.00
AFTER 8/5/2017 PAY \$721.60

Remit To: **Litigation Services and Technologies of
Nevada, LLC**
P.O. Box 98813
Las Vegas, NV 89193-8813

Job No. : 395562
BU ID : LV-CR
Case No. : A571228
Case Name : APCO Construction vs. Gemstone
Development West, Inc.

5161-19



JA006745



2700 Centennial Tower
101 Marietta Street
Atlanta GA 30303
888-486-4044
www.esquiresolutions.com
Tax ID # 45-3463120

Invoice INV1042425

Date 8/2/2017
Terms Net 30
Due Date 9/1/2017

Client Number C08074
Esquire Office Las Vegas
Proceeding Type Construction Defect - PMK
Name of Insured
Adjuster
Firm Matter/File #
Client Claim/Matter #
Date of Loss

Bill To

Marquis Aurbach Coffing
10001 Park Run Drive
Las Vegas NV 89145

Services Provided For

Marquis Aurbach Coffing - Las Vegas
Munteer, Cody S
10001 Park Run Drive
Las Vegas NV 89145

Job Date	Job ID	Job Location	Case	
7/18/2017	J0585157	Las Vegas, NEVADA	APCO CONSTRUCTION VS. GEMSTONE DEVELOPMENT W...	
Description	Deponent	Qty	Unit Rate	Amount
TRANSCRIPT - O&1-WI	Mary Jo Allen	120	4.80	552.00
APP FEE: HALF DAY	Mary Jo Allen	1	114.00	114.00
EXHIBITS W/ TABS	Mary Jo Allen	111	0.50	55.50
CONDENSED TRANSCRIPT	Mary Jo Allen	1	25.00	25.00
WITNESS READ & SIGN PACKET	Mary Jo Allen	1	0.00	0.00
HANDLING FEE	Mary Jo Allen	1	20.00	20.00
ORIGINAL COMPLIANCE FEE	Mary Jo Allen	1	15.00	15.00

8/11/17
TO CSM
OK TO PAY?

Representing Client: Marquis Aurbach Coffing - Las Vegas

Subtotal 781.50
Shipping Cost (n/a) 0.00
Total 781.50
Amount Due \$781.50

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Remit to:

Esquire Deposition Solutions, LLC
P. O. Box 848099
Dallas, TX 75284-6099

Client Name Marquis Aurbach Coffing - Las V...
Client # C08074
Invoice # INV1042425
Invoice Date 8/2/2017
Due Date 9/1/2017
Amount Due \$ 781.50

JA006746



ESQUIRE

DEPOSITION SOLUTIONS

2700 Centennial Tower
101 Marietta Street
Atlanta GA 30303
888-486-4044
www.esquiredepositionsolutions.com
Tax ID # 45-3463120

Invoice INV1042379

Date	8/2/2017	Client Number	C06074
Terms	Net 30	Esquire Office	Las Vegas
Due Date	9/1/2017	Proceeding Type	Construction Defect - PMK
		Name of Insured	
		Adjuster	
		Firm Matter/File #	
		Client Claim/Matter #	
		Date of Loss	

Bill To

Marquis Aurbach Coffing
10001 Park Run Drive
Las Vegas NV 89145

Services Provided For

Marquis Aurbach Coffing - Las Vegas
Munteer, Cody S
10001 Park Run Drive
Las Vegas NV 89145

Job Date	Job ID	Job Location	Case	
7/19/2017	J0585160	Las Vegas, NEVADA	APCO CONSTRUCTION VS. GEMSTONE DEVELOPMENT W...	
Description	Deponent	Qty	Unit Rate	Amount
TRANSCRIPT - COPY-TELE-WI	Mary Jo Allen	146	3.95	576.70
EXHIBITS W/ TABS	Mary Jo Allen	231	0.60	115.60
CONDENSED TRANSCRIPT	Mary Jo Allen	1	25.00	25.00
HANDLING FEE	Mary Jo Allen	1	20.00	20.00
WITNESS READ & SIGN PACKET	Mary Jo Allen	1	0.00	0.00
EXHIBITS COLOR	Mary Jo Allen	13	1.95	25.35
8/11/17 TO CSM OK for pay?				

8/11/17
TO CSM
OK to pay?

Subtotal	762.55
Shipping Cost (n/a)	0.00
Total	762.55
Amount Due	\$762.55

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Remit to:

Esquire Deposition Solutions, LLC
P. O. Box 846099
Dallas, TX 75284-6099

Client Name	Marquis Aurbach Coffing - Las V.
Client #	C06074
Invoice #	INV1042379
Invoice Date	8/2/2017
Due Date	9/1/2017
Amount Due	\$ 762.55

JA006747



ESQUIRE

DEPOSITION SOLUTIONS

2700 Centennial Tower
101 Marietta Street
Atlanta GA 30303
888-486-4044
www.esquiresolutions.com
Tax ID # 45-3463120

Invoice INV1016126

Date 6/21/2017
Terms Net 30
Due Date 7/21/2017

Client Number C06074
Esquire Office Las Vegas
Proceeding Type Deposition
Name of Insured

Adjuster
Firm Matter/File #

Client VAL ID
Date of Loss

Bill To

Marquis Aurbach Coffing
10001 Park Run Drive
Las Vegas NV 89145

Services Provided For

Marquis Aurbach Coffing - Las Vegas
Juan, Chen "Jack" M
10001 Park Run Drive
Las Vegas NV 89145

Job Date	Job ID	Job Location	Case		
6/5/2017	J0576165	Las Vegas, NEVADA	APCO CONSTRUCTION VS. GEMSTONE DEVELOPMENT W...		
Description	Deponent	Qty	Unit Rate	Amount	
TRANSCRIPT - O&1-WI	Brian Benson	125	4.60	575.00	
APP FEE: HALF DAY	Brian Benson	1	114.00	114.00	
EXHIBITS W/TABS	Brian Benson	296	0.50	148.00	
DIGITAL TRANSCRIPT-PDF-PTX	Brian Benson	1	50.00	50.00	
CONDENSED TRANSCRIPT	Brian Benson	1	25.00	25.00	
HANDLING FEE	Brian Benson	1	20.00	20.00	
WITNESS READ & SIGN LETTER	Brian Benson	1	0.00	0.00	
EXHIBITS COLOR	Brian Benson	6	1.95	11.70	

Representing Client: Marquis Aurbach Coffing - Las Vegas

Subtotal 943.70
Shipping Cost (FedEx) 22.95
Total \$966.65
Amount Paid 966.65

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Remit to:

Esquire Deposition Solutions, LLC
P. O. Box 846099
Dallas, TX 75284-6099

Client Name Marquis Aurbach Coffing - Las V...
Client # C06074
Invoice # INV1016126
Invoice Date 6/21/2017
Due Date 7/21/2017
Amount Due \$ 0.00

JA006748



2700 Centennial Tower
101 Marietta Street
Atlanta GA 30303
888-486-4044
www.esquiredepositionsolutions.com
Tax ID # 45-3463120

Invoice INV1043094

Date	8/2/2017	Client Number	C08074
Terms	Net 30	Esquire Office	Las Vegas
Due Date	9/1/2017	Proceeding Type	Construction Defect - PMK
		Name of Insured	
		Adjuster	
		Firm Matter/File #	
		Client Claim/Matter #	
		Date of Loss	

Bill To

Marquis Aurbach Coffing
10001 Park Run Drive
Las Vegas NV 89145

Services Provided For

Marquis Aurbach Coffing - Las Vegas
Munteer, Cody S
10001 Park Run Drive
Las Vegas NV 89145

Job Date	Job ID	Job Location	Case	
7/20/2017	J0581357	Las Vegas, NEVADA	APCO CONSTRUCTION VS. GEMSTONE DEVELOPMENT W...	
Description	Deponent	Qty	Unit Rate	Amount
TRANSCRIPT - O&1-WI	Helix Electric of Nevada	114	4.80	524.40
APP FEE: HALF DAY	Helix Electric of Nevada	1	114.00	114.00
EXHIBITS W/TABS	Helix Electric of Nevada	148	0.50	74.00
CONDENSED TRANSCRIPT	Helix Electric of Nevada	1	25.00	25.00
DIGITAL TRANSCRIPT-PDF-PTX	Helix Electric of Nevada	1	50.00	50.00
WITNESS READ & SIGN PACKET	Helix Electric of Nevada	1	0.00	0.00
HANDLING FEE	Helix Electric of Nevada	1	20.00	20.00
ORIGINAL COMPLIANCE FEE	Helix Electric of Nevada	1	15.00	15.00

8/11/17
TO CSM
OK to pay?
u

Representing Client: Marquis Aurbach Coffing - Las Vegas

Subtotal	822.40
Shipping Cost (FedEx)	22.95
Total	845.35
Amount Due	\$845.35

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Remit to:

Esquire Deposition Solutions, LLC
P. O. Box 848099
Dallas, TX 75284-8099

Client Name	Marquis Aurbach Coffing - Las V...
Client #	C08074
Invoice #	INV1043094
Invoice Date	8/2/2017
Due Date	9/1/2017
Amount Due	\$ 845.35

JA006749

EXHIBIT K