

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 78092

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Elizabeth A. Brown
Clerk of Supreme Court

TONOPAH SOLAR ENERGY, LLC,

Appellant,

v.

BRAHMA GROUP, INC.,

Respondent.

Appeal from Judgment
Fifth Judicial District Court
The Honorable Steven Elliott, District Court Judge
District Court Case No. **CV 39348**

RESPONDENT'S AMENDED APPENDIX

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CHRONOLOGICAL APPENDIX OF EXHIBITS

<u>Date</u>	<u>Description</u>	<u>Bates Range</u>	<u>Volume</u>
10/18/2018	Tonopah Solar Energy, LLC's Motion to Strike Brahma Group, Inc.'s First Amended Counter-Complaint, or, in the Alternative, Motion to Stay this Action Until the Conclusion of the Proceedings in Federal Court	RA000001 – RA000025	1
	Exhibit 1 – Brahma Group, Inc.'s Mechanic's Lien Foreclosure Complaint	RA000026 – RA000032	1
	Exhibit 2 - Brahma Group, Inc.'s (i) First Amended Counter Complaint; and (ii) Third-Party Complaint	RA000033– RA000047	1
	Exhibit 3 – Complaint	RA000048– RA000053	1
	Exhibit 4 – Services Agreement between Tonopah Solar Energy, LLC and Brahma Group, Inc.	RA000054 - RA000075	1
	Exhibit 5 – Notice of Removal to Federal Court	RA000076– RA000085	1
	Exhibit 6 – Defendant Tonopah Solar Energy, LLC's Answer to Brahma Group, Inc.'s Complaint and Counterclaim against Brahma	RA000086– RA000105	1
	Exhibit 7 – First Amended Complaint	RA000106– RA000110	1
	Exhibit 8 – Brahma Group, Inc.'s Motion for Stay, or in the Alternative, Motion to Amend Complaint	RA000111– RA000130	1
	Exhibit 9 – Fourth Amended and/or Restated Notice of Lien recorded 9/14/18	RA000131– RA000141	1
	Exhibit 10 – Certificate of Service of Surety Rider Bond 854481 and Surety Bond 85441	RA000142– RA000153	1
11/05/18	Brahma Group, Inc.'s Opposition to Tonopah Solar Energy, LLC's Motion to Strike, Motion to Dismiss or Motion to Stay	RA000154– RA000186	1
	Exhibit 1 - Services Agreement between Tonopah Solar Energy, LLC and Brahma Group, Inc.	RA000187– RA000208	2

Exhibit 2 – Notice of Lien recorded 4/9/18	RA000209– RA000216	2
Exhibit 3 – Complaint	RA000217– RA000223	2
Exhibit 4 – Notice of Foreclosure of Mechanic’s Lien	RA000224– RA000231	2
Exhibit 5 – Notice of Lis Pendens	RA000232– RA000239	2
Exhibit 6 – Correspondence from Lee Roberts to Justin Jones re Crescent Dunes Solar Energy Project	RA000240– RA000243	2
Exhibit 7 – Tonopah Solar Energy, LLC’s Motion to Expunge Brahma Group, Inc.’s Mechanic’s Liens and Lis Pendens	RA000244– RA000256	2
Exhibit 8 – Notice of Voluntary Dismissal without Prejudice	RA000257– RA000259	2
Exhibit 9 – Notice of First Amended and Restated Lien	RA000260– RA000272	2
Exhibit 10 – Notice of Second Amended and Restated Lien	RA000273– RA000282	2
Exhibit 11 – Third Amended and/or Restated Lien	RA000283– RA000291	2
Exhibit 12 – Fourth Amended and/or Restated Notice of Lien	RA0002292– RA000300	2
Exhibit 13 – NRS 108.2415 Surety Bond 854481 Posted to Release Lien with Power of Attorney	RA000301– RA000305	2
Exhibit 14 - Certificate of Service of Surety Rider Bond 854481 and Surety Bond 85441	RA000306– RA000316	2
Exhibit 15 – Notice of Lien recorded 5/15/2018	RA000317– RA000319	2
Exhibit 16 - NRS 108.2415 Surety Bond 854482 Posted to Release Lien with Power of Attorney	RA000320– RA000324	2
Exhibit 17 – Order of Reassignment	RA000325– RA000327	2
Exhibit 18 – Complaint	RA000328– RA000333	2
Exhibit 19 – Brahma Group, Inc.’s Motion for Stay, or in the Alternative, Motion to Amend Complaint	RA000334– RA000353	2

	Exhibit 20 – Mechanic’s Lien Foreclosure Complaint	RA000354– RA000364	2
11/30/18	Tonopah Solar Energy, LLC’s Reply to Brahma Group, Inc.’s Opposition to Tonopah Solar Energy, LLC’s Motion to Strike Brahma Group, Inc.’s First Amended Counter-Complaint, or, in the Alternative, Motion to Stay this Action Until the Conclusion of the Proceedings in Federal Court	RA000365– RA000379	2
	Exhibit 1 – Tonopah Solar Energy, LLC’s First Set of Interrogatories to Brahma Group, Inc. and Tonopah Solar Energy, LLC’s First Set of Requests for Production to Brahma Group, Inc.	RA000380– RA000394	2
	Exhibit 2 – Brahma Group, Inc.’s Motion to Stay Discovery Pending Determination of Dispositive Motion	RA000395 - RA000410	3
	Exhibit 3 – Plaintiff’s Responses to Defendant Tonopah Energy, LLC’s First Request for Production of Documents and Responses to First Set of Interrogatories	RA000411– RA000426	3
	Exhibit 4 – Pages 283 – 286 from Nevada Construction Law (2016 Edition)	RA000427 – RA000437	3
	Exhibit 5 – Order re Discovery Plan [ECF No. 26]	RA000438– RA000440	3
	Exhibit 6 – Tonopah Solar Energy, LLC’s Response to Brahma’s Motion for Stay, or in the Alternative, Motion to Amend Complaint	RA000441 – RA000464	3
	Exhibit 7 – Brahma Group, Inc.’s Reply in Support of Motion for Stay, or in the Alternative, Motion to Amend Complaint	RA000465– RA000478	3
	Exhibit 8 – Tonopah Solar Energy, LLC’s Motion for an Injunction and to Strike	RA000479– RA000494	3
	Exhibit 9 – Brahma Group, Inc.’s Response to Tonopah Solar Energy, LLC’s Motion for Preliminary Injunction and Motion to Strike [ECF No.16]	RA000495– RA000520	4
	Exhibit 10 – Reply in Support of Tonopah Energy, LLC’s Motion for an Injunction and to Strike	RA000521 - RA000536	4
12/17/18	Brahma Group, Inc.’s Motion to Consolidate Case No. CV 39799 with Case No., CV 39348	RA000537 – RA000541	4

01/04/19	TSE's Opposition to Brahma's Motion to Consolidate Case No. 39799 with Case No. CV 39348	RA000542– RA000550	4
01/14/19	Brahma Group, Inc.'s Reply to Tonopah Solar Energy, LLC's Motion to Consolidate Case No. CV 39799 with Case No., CV 39348	RA000551– RA000561	4
	Exhibit A - Tonopah Solar Energy, LLC's Reply to Brahma Group, Inc.'s Opposition to Tonopah Solar Energy, LLC's Motion to Strike Brahma Group, Inc.'s First Amended Counter-Complaint, or, in the Alternative, Motion to Stay this Action Until the Conclusion of the Proceedings in Federal Court	RA000562– RA000577	4
	Exhibit B – Page 286 from Nevada Construction Law (2016 Edition)	RA000578– RA000579	4
	Exhibit C – Brahma Group, Inc.'s Mechanic's Lien Foreclosure Complaint Against Surety Bond	RA000580– RA000586	4
	Exhibit D – Notice of Entry of Order – Order Granting Brahma's Motion for Attorney's Fees and Costs Pursuant to NRS (108.2275(6)(C))	RA000587– RA000600	4
	Exhibit E - Brahma Group, Inc.'s First Amended Complaint for (Among Other Things): (i) Foreclosure of Notice of Lien Against Surety Bond; and (ii) Breach of Settlement Agreement	RA000601– RA000610	4
01/28/19	Notice of Entry of Order (i) Denying Tonopah Solar Energy, LLC's Motion to Strike and Dismiss; and (ii) Granting in Part Tonopah Solar Energy, LLC's Motion for Stay (iii) Granting Brahma Group, Inc.'s Motion to Amend	RA000611– RA000618	4
02/21/19	Defendants Cobra Thermosolar Plants, Inc.'s and American Home Assurance Company's Motion to Dismiss Plaintiff Brahma Group, Inc.'s First Amended Complaint in Case No. CV 39799	RA000619– RA000628	4
	Exhibit 1 – Brahma Group, Inc.'s (i) First Amended Counter Complaint; and (ii) Third-Party Complaint	RA000629– RA000643	4
	Exhibit 2 – Brahma Group, Inc.'s First Amended Complaint for (Among Other Things): (i) Foreclosure of Notice of Lien	RA000644– RA000654	4

	Against Surety Bond; and (ii) Breach of Settlement Agreement		
	Exhibit 3 – Email Correspondence from Richard Peel to Geoffrey Crisp	RA000655 - RA000657	4
03/15/19	Notice of Entry of Order – Order Granting Brahma’s Motion to Consolidate Case No.CV 39799 with Case No. 39348	RA000658–RA000665	4
03/25/19	Brahma Group, Inc.’s Opposition to Cobra Thermosolar Plants, Inc.’s Motion to Dismiss and Countermotion for Leave to File a Single Consolidated Amended Complaint	RA000666 – RA000680	4
	Exhibit 1 – Order Granting Brahma’s Motion to Consolidate Case No. CV39799 with Case No. CV39348	RA000681–RA000684	4
	Exhibit 2 – Order (i) Denying Tonopah Solar Energy, LLC’s Motion to Strike and Dismiss, and (ii) Granting in Part Tonopah Solar Energy, LLC’s Motion for Stay (iii) Granting Brahma Group, Inc.’s Motion to Amend	RA000685 – RA000689	4
	Exhibit 3 – Petition for Writ of Prohibition, or, Alternatively, Mandamus	RA000690–RA000749	5
	Exhibit 4 – Tonopah Solar Energy, LLC’s Reply to Brahma Group, Inc.’s Opposition to Tonopah Solar Energy, LLC’s Motion to Strike Brahma Group, Inc.’s First Amended Counter-Complaint, or, in the Alternative, Motion to Stay this Action Until the Conclusion of the Proceedings in Federal Court	RA000750 – RA000765	5
	Exhibit 5 - Page 286 from Nevada Construction Law (2016 Edition)	RA000766–RA000767	5
	Exhibit 6 – Email Correspondence from Eric Zimbelman to Lee Roberts	RA000768–RA000770	5
	Exhibit 7 - Email Correspondence from Colby Balkenbush to Richard Peel	RA000771–RA000774	5
	Exhibit 8 – Defendant Tonopah Solar Energy, LLCs Answer to Brahma Group, Inc.’s Complaint and Counterclaim Against Brahma	RA000775–RA000794	5

	Exhibit 9 – TSE’s Opposition to Brahma’s Motion to Consolidate Case No. CV 39799 with Case No. 39348	RA000795– RA000804	5
	Exhibit 10 – Brahma Group, Inc.’s Reply to Tonopah Solar Energy, LLC’s Opposition to Motion to Consolidate Case No. CV 39799 with Case No. 39348	RA000805– RA000832	5
	Exhibit 10 – (Continued) Brahma Group, Inc.’s Reply to Tonopah Solar Energy, LLC’s Opposition to Motion to Consolidate Case No. CV 39799 with Case No. 39348	RA000833– RA000865	6 ¹
	Exhibit 11 - Brahma Group, Inc.’s First Amended Complaint for (Among Other Things): (i) Foreclosure of Notice of Lien Against Surety Bond; and (ii) Breach of Settlement Agreement	RA000866– RA000875	6
	Exhibit 12 – Brahma Group, Inc.’s (i) Second Amended Complaint; and (ii) First Amended Third-Party Complaint	RA000876– RA000891	6
04/10/19	TSE’s Opposition to Brahma’s Countermotion for Leave to File a Single Consolidated Complaint	RA000892– RA000900	6
04/22/19	Order Granting Brahma’s Countermotion for Leave to File a Single Consolidated Amended Complaint	RA000901– RA000918	6
04/22/19	Brahma Group, Inc.’s (i) Second Amended Complaint; and (ii) First Amended Third-Party Complaint	RA000919– RA000931	6

¹ Respondent’s Appendix Volumes 4-5 were split due to their size exceeding the MB limit and an Appendix Volume 6 was created. No other changes were made.