

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

2 APCO CONSTRUCTION, INC., A
3 NEVADA CORPORATION; AND
4 SAFECO INSURANCE COMPANY
 OF AMERICA,

5 Appellants,

6 vs.

7 HELIX ELECTRIC OF NEVADA,
8 LLC, A NEVADA LIMITED
 LIABILITY COMPANY,

9 Respondent.

Case No. 80177

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Elizabeth A. Brown
Clerk of Supreme Court

10 **APPEAL**

11 from the Eighth Judicial District Court, Clark County
12 The Honorable ELIZABETH GOFF GONZALEZ, District Judge
 District Court Case No. A-16-730091-B

13 Joint Appendix
14 Volume XIX

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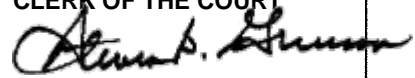
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DISTRICT COURT

CLARK COUNTY, NEVADA

HELIX ELECTRIC OF NEVADA, LLC, a
Nevada limited liability company,

Plaintiff,

vs.

APCO CONSTRUCTION, a Nevada corporation;
SAFECO INSURANCE COMPANY OF
AMERICA; DOES I through X; and BOE
BONDING COMPANIES I through X,

Defendants.

CASE NO. : A-16-730091-C
DEPT. NO.: XI

HEARING REQUESTED

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

Plaintiff, HELIX ELECTRIC OF NEVADA, LLC ("Helix") by and through its attorneys
of record, the law firm of Peel Brimley, LLP, hereby files its Motion for Attorney's Fees, Costs and
Interest ("Motion") against Defendants APCO CONSTRUCTION ("APCO") and Safeco Insurance
Company of America ("Safeco") (collectively, "Defendants").

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JA3766

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1 This Motion is based on and supported by the following Memorandum of Points and
2 Authorities, all exhibits and Declarations attached herein, the pleadings on file herein, and any oral
3 argument his Court may wish to entertain on this matter.
4

5 Dated this 31 day of July, 2019.

6 **PEEL BRIMLEY LLP**

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

After three and a half years of heavily contested litigation culminating in a 3-day bench trial, this Court awarded Helix \$45,953.24 and found Helix to be the prevailing party for purposes of the attorneys' fee provision in the Agreement between APCO and Helix. From the very beginning, APCO did everything it could to avoid paying Helix the monies owed for Helix's extended overhead costs incurred when the Project went nine (9) months over schedule. Throughout the litigation, APCO filed no less than eight¹ dispositive motions which Helix was required to oppose and which it successfully defeated.²

Therefore, because Helix was the prevailing party at trial, Helix is entitled to an award of \$185,592.54 in attorney's fees and \$8,949.40 in costs. Moreover, Helix is entitled to pre-judgment interest in the amount of \$19,029.20.

II. STATEMENT OF FACTS

In the spring of 2012, APCO entered into a construction agreement with the City of North Las Vegas ("CNLV") wherein APCO agreed to serve as the general contractor on the Craig Ranch Regional Park Phase II project owned by CNLV (the "Project"). On or about April 4, 2012, Helix entered into an agreement with APCO ("Subcontract") wherein Helix agreed to provide certain electrical related labor, materials and equipment (the "Work") to the Project.

Helix initiated the present action in January 2016. Throughout the life of this case, Defendants have filed a total of 9 motions that required a response from Helix, 8 of them were dispositive motions that could have resulted in Helix's claims being defeated or dismissed had Defendants been successful. Helix was forced to dedicate significant amounts of time and resources to oppose and defeat each of Defendants' motions.

¹ The seven dispositive Motions APCO filed are: (1) Motion to Dismiss (Arbitration—attempts to dismiss bond claims); (2) Motion for Summary Judgment (Arbitration—attempts to bar claims); (3) Motion to Dismiss; (4) Motion for Summary Judgment; (5) Motion in Limine 1-2 (attempting to exclude key evidence); (6) Motion in Limine 3-4 (attempting to bind Helix to certain testimony); (7) Motion to Exclude Testimony (attempting to exclude testimony of key witness); and (8) Motion for Clarification or Amendment to Findings of Fact and Conclusions of Law (attempting to eliminate or reduce judgment at trial in Helix's favor).

² APCO's eighth motion is currently pending before this Court.

Defendants filed both a Motion to Dismiss / Countermotion for Fees and Motion for Partial Summary Judgment while this case was in Arbitration and filed a second Motion to Dismiss / Countermotion for Fees and Motion for Partial Summary Judgment after the Arbitration process failed³ and the case made its way back to the Court. Helix opposed these motions and they were ultimately denied. APCO next filed its first Motion in Limine, which was essentially a request for summary judgment, which Helix opposed, and the Court denied. APCO then filed a second Motion in Limine, again seeking a ruling that would prevent Helix from presenting any evidence to support its claims at trial, which Helix was also forced to oppose. The Court again denied motion. Lastly, on the eve of trial, APCO filed a motion seeking to exclude one of Helix's key witnesses who was absolutely necessary to establish Helix's claim. Once again, Helix was forced to oppose this motion, and was successful in doing so just prior to the trial in this case beginning. After a two-and-a-half-day bench trial on this matter, Helix was awarded \$45,953.24 against APCO.

After this Court entered its judgment in favor of Helix, APCO has brought another motion seeking to preclude Helix's recovery in its entirety, or in the alternative to reduce Helix's award by approximately \$16,500. As of the time of this Motion being submitted, APCO's Motion for Clarification is still pending before this Court.

Helix now brings this Motion seeking an award of fees, costs and interest incurred based on the mandatory attorneys' fee provision found in Section 20.5 of the Subcontract. That section reads:

In the event either party employs an attorney to institute a lawsuit or to demand arbitration for any cause arising out of the Subcontract Work or the Subcontract, or any of the Contract Documents, the prevailing party **shall be entitled** to all costs, attorney's fees and any other reasonable expenses incurred therein.

In this Court's Findings of Fact and Conclusions of Law ("FFCL"), this Court referenced Section 20.5 of the Subcontract and explicitly stated that "Helix is the prevailing party and is entitled to an award of its attorneys' fees and costs." FFCL, at 22, ¶ 36. Helix has incurred a total of \$185,592.54 in attorneys' fees and \$8,949.40 in costs from the beginning of this case through July 9, 2019 and this amount must be added to Helix's principal award against APCO.

³ After proceeding nearly six months in the arbitration, APCO moved to disqualify the Arbitrator, William Turner, and the parties were unable to agree upon another mutually acceptable Arbitrator.

1 **III. LEGAL ARGUMENT**

2 **A. Helix is Entitled to an Award of its Attorneys' Fees and Costs Pursuant to the**
3 **Language of Section 20.5 of the Subcontract**

4 It is well settled in Nevada that attorney's fees are only recoverable "when authorized by a
5 'rule, statute, or contract'" *Flamingo Realty, Inc. v. Midwest Dev., Inc.*, 110 Nev. 984, 991, 879
6 P.2d 69, 73 (1994) (*citing Ace Truck v. Kahn*, 103 Nev. 503, 512 n. 4, 746 P.2d 132, 138 (1987)).
7 In this case, Section 20.5 of the Subcontract clearly allows for the recovery of attorneys' fees for
8 the prevailing party. As this Court recognized in its FFCL, Helix is the prevailing party, which
9 triggers Section 20.5 of the Subcontract and entitles Helix to recover "all costs, attorney's fees and
10 any other reasonable expenses incurred therein" from APCO. As such, Helix is entitled to recover
11 \$185,592.54 in attorneys' fees.

12 **B. Helix's Attorneys' Fees are Reasonable**

13 Helix is entitled to recover its attorney's fees pursuant to Section 20.5 of the Subcontract,
14 but the attorneys' fees must also be reasonable. In *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev.
15 345, 455 P.2d 31 (1969), and *Shuette v. Beazer Homes Holding Corp.*, 121 Nev. 837, 124 P.3d 530
16 (2005), the Nevada Supreme Court enumerated the factors that the district court should consider in
17 awarding attorney fees. *See Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829,
18 192 P.3d 730, 736 (2008). Specifically, this Court must consider the following factors, with no one
19 factor controlling:

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

28 *Id.*

1 More recently, in *Shuette*, the Nevada Supreme Court “recognized the continued
2 applicability of these factors and required the district court to ‘provide[] sufficient reasoning and
3 findings in support of its ultimate determination.’” *Id.* (quoting *Shuette*, 121 Nev. at 865, 124 P.3d
4 at 549).

5 In support of its claim that Helix’s attorneys’ fees are reasonable, Helix has submitted
6 among other things the statement of facts set forth above, the invoices of Helix’s attorneys,⁴ and
7 the affidavits and exhibits attached hereto. These documents show that (i) the amount of time and
8 labor Helix’s attorneys expended was reasonable; (ii) Helix’s attorneys demonstrated the skill
9 requisite to perform the legal service properly; (iii) Helix’s attorneys’ hourly rates were customary
10 (or less than customary); (iv) Helix’s overall attorneys’ fees were consistent with a case of this
11 nature and amount of motion practice; and (v) Helix’s attorneys held a high level of experience,
12 reputation, and abilities with respect to cases of this nature. In addition, Helix’s attorneys
13 successfully defeated APCO’s defenses and obtained an award for Helix after APCO fought “tooth
14 and nail” for years to try and prevent Helix from recovering its claim for extended overhead. Under
15 the circumstances and given the drawn-out nature of this Case and the numerous dispositive
16 motions filed by APCO and defeated by Helix, Helix’s attorneys’ fees are reasonable.

17 *I. Experience and Qualification of Helix’s Attorneys*

18 Peel Brimley is a Henderson, Nevada based law firm currently consisting of eight attorneys
19 and two paralegals.⁵ Peel Brimley’s primary practice is construction law, and although the majority
20 of Peel Brimley’s clients are subcontractors, Peel Brimley also represents owners, engineers,
21 architects, general contractors and suppliers in a variety of construction related matters.⁶ Peel
22 Brimley’s clientele has consisted of some of the largest and most respected construction related
23 companies operating in Nevada.⁷

24 Prior to and throughout its representation of Helix, Peel Brimley and its partners have taken
25 a lead role in instructing and teaching the construction community in a wide range of construction

26 ⁴ See **Exhibit 1** attached hereto, a true and correct copies of Peel Brimley’s billings entries from December 2015
27 through June 2019.

28 ⁵ Declaration of Cary Domina at ¶ 9.

⁶ *Id.* at ¶ 10.

⁷ *Id.* at ¶ 11.

1 related classes and seminars sponsored by various trade, professional, and educational
2 organizations (e.g., Lorman Education Services, Associated General Contractors, National
3 Business Institute, The Seminar Group, and various local construction trade organizations).⁸ Peel
4 Brimley partners have lectured and presented materials at many construction related seminars and
5 classes in Las Vegas and Seattle addressing the following topics: advanced construction law,
6 construction payment remedies, mechanic's lien law and strategies, construction law and practice,
7 Nevada construction law, Nevada construction issues, construction defects, and other related
8 topics.⁹

9 In addition, Peel Brimley is and has been extensively involved in drafting and passing
10 construction related legislation sponsored by construction organizations such as: Sheet Metal & Air
11 Conditioning Contractors Nat'l Assoc. (SMACNA) of Southern Nevada, Associated General
12 Contractors (AGC), Plumbing & Mechanical Contractors of Nevada, Associated Building
13 Contractors (ABC), National Electrical Contractors Association (NECA), Mechanical Contractors
14 Association (MCA), Nevada Association of Mechanical Contractors, and others.¹⁰

15 The firm's partners have been extensively involved and have taken lead roles in almost
16 every major construction litigation in Las Vegas, Nevada over the past 25 years, including: The
17 City Center Litigation, The Resort at Summerlin construction litigation, The Venetian Lien
18 litigation, The Aladdin Hotel and Casino construction litigation, Lied Library construction
19 litigation, Flamingo Hilton Phase VI construction litigation, Hilton sign litigation, Red Rock, Las
20 Vegas Hilton Sky Villa Suites, Stratosphere Tower Construction Litigation, the Allstar Café
21 Litigation, VA Ambulatory Care Facility Litigation, Federal Courthouse Litigation, Southern
22 Nevada Veteran's Administration, the Regional Justice Center, the Fontainebleau Litigation, and a
23 number of others.¹¹

24 In addition to the partners, Peel Brimley has hired qualified and experienced associates,
25 most with established backgrounds in construction law.¹² Peel Brimley's associates have access to

26 ⁸ *Id.* at ¶ 12.

27 ⁹ *Id.* at ¶ 13.

¹⁰ *Id.* at ¶ 14.

28 ¹¹ *Id.* at ¶ 15.

¹² *Id.* at ¶ 16.

1 a variety of construction materials and resources gathered by the firm, access to partners and senior
2 associates experienced in the construction industry, and ample opportunities to participate in
3 construction related training classes and seminars inside and outside of the firm.¹³

4 2. *Peel Brimley's Rates*

5 Peel Brimley billing rates are reasonable. Peel Brimley performed its work under an
6 hourly rate contract with Helix, charging the following rates:

7 Partners: \$300-\$375
8 Associates: \$225-\$275
9 Paralegals: \$125¹⁴

10 3. *The Difficulty of the Work*

11 While some aspects of this case should have been relatively simple, as it was clear APCO
12 acted in bad faith in preventing Helix from recovering its extended overhead costs from CNLV,
13 APCO consistently filed motion after motion seeking to prevent Helix from maintaining its
14 claims.¹⁵ In total, APCO filed 9 motions throughout this case, 8 of which were dispositive, or
15 effectively dispositive, motions would have prevented Helix from recovering what it was owed.¹⁶
16 APCO continued filing these motions and forcing Helix to incur additional costs up through the
17 date of trial, with the Court denying APCO's motion to bar one of Helix's witnesses minutes before
18 trial began.¹⁷ APCO filed yet another motion after this Court entered its judgment in this matter,
19 seeking to preclude Helix from recovering any amounts, or in the alternative, seeking to
20 substantially reduce Helix's recovery which Helix was forced to vigorously oppose.¹⁸

21 Helix's attorneys also had to familiarize themselves with thousands of pages of documents
22 in preparation for trial and to use them effectively throughout the two-and-a-half-day trial that
23 ensued.¹⁹ Helix's attorneys had to prepare numerous witnesses to establish Helix's claims, as well
24 as prepare to question APCO's witness and the witness for CNLV, whose testimony was crucial in
25 defeating APCO's defenses against Helix.²⁰ Notably, Helix's attorneys had to do this while

25 ¹³ *Id.* at ¶ 17.

26 ¹⁴ *Id.* at ¶ 18.

27 ¹⁵ *Id.* at ¶ 19.

28 ¹⁶ *Id.* at ¶ 20.

¹⁷ *Id.* at ¶ 21.

¹⁸ *Id.* at ¶ 22.

¹⁹ *Id.* at ¶ 23.

²⁰ *Id.* at ¶ 24.

1 simultaneously preparing to defend Helix against APCO's last minute motion seeking to prevent
2 one of Helix's key witnesses from testifying.²¹ Helix also had to prepare to defeat APCO's various
3 defenses, such as its claim that (i) Helix waived its right to recover for extended overhead costs;
4 and (ii) various discussions between Helix and APCO confirming Helix's intent to prosecute its
5 claim were inadmissible as evidence.²² Due to the research and efforts of Helix's attorneys on these
6 issues, Helix was able to overcome these hurdles at trial.²³

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

8 Despite APCO claiming that Helix was not entitled to receive anything for its claim and the
9 argument that Helix had waived its claims in full, Helix was successful on its claim. While the
10 Court did not award amounts relating to the Superintendent costs, Helix recovered one hundred
11 percent of the remaining costs it claimed it was entitled to for these periods. It must also be
12 emphasized once more that the only reason this case made it to trial was due to Peel Brimley's
13 efforts in defeating the numerous motions brought by APCO that would have ended this case if
14 they had been granted.

15 The result obtained should at least in part reflect the legal skill employed in obtaining the
16 result. Peel Brimley's skill and hard work in digging through the documents produced by APCO,
17 which revealed APCO's bad faith and secret dealings with CNLV, cutting off Helix's rights and
18 lying to Helix about why its requests for extended overhead were denied. Peel Brimley then used
19 this knowledge appropriately and demonstrated to the Court that APCO acted in bad faith and was
20 the sole cause of Helix not recovering the amounts it incurred as the Project went further and further
21 beyond schedule. Helix should not be penalized by having to pay its own attorneys' fees or any
22 portion thereof when all such fees were reasonable and would have been avoided had APCO not
23 acted in bad faith when dealing with Helix and CNLV. Similarly, Helix's fees would have been
24 significantly lower had APCO not filed numerous motions seeking to prevent Helix from bringing
25 these claims to trial, all of which were defeated in their entirety.

26 ///

27 _____
28 ²¹ *Id.* at ¶ 25.

²² *Id.* at ¶ 26.

²³ *Id.* at ¶ 27.

1 **C. Helix is Entitled to Recover its Costs Pursuant to NRS 18.020(3)**

2 Pursuant to NRS 18.020(3) and Section 20.5 of the Subcontract Helix is entitled to recover
3 its costs from APCO. Helix's principle award of \$45,953.24 against APCO is far in excess of the
4 \$2,500 figure allowed under the NRS 18.020(3). In total, Helix incurred \$8,949.40 in taxable costs
5 which the Court must award Helix. Helix submitted its Memorandum of Costs and Disbursements
6 on July 12, 2019 to this Court with the necessary documentation supporting its request for costs.²⁴
7 Therefore, the Court should grant Helix the costs incurred as a result of Helix prevailing at trial on
8 its claims in the amount of \$8,949.40.

9 **D. Helix is Entitled to Recover Interest on the Judgment**

10 As stated in the FFCL issued by the Court, Helix is entitled to recover its award "**together**
11 **with interest as provided by law.**"²⁵ NRS 99.040(1) requires:

12 "When there is no express contract in writing fixing a different rate
13 of interest, interest must be allowed at a rate equal to the prime rate
14 at the largest bank in Nevada, as ascertained by the Commissioner of
15 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. . . ."

16 The current prime interest rate as ascertained by the Commissioner of Financial Institutions
17 is 5.50%, causing the applicable interest rate for the purposes of this Motion to be 7.50%. Applying
18 this rate to the amount of \$43,992.39, interest has been accruing at the rate of approximately \$9.04
19 per day. In this case, Helix's injury and cause of action for Breach of the Implied Covenant of Good
20 Faith and Fair Dealing arose on October 3, 2013, when APCO settled its claims with the City of
21 North Las Vegas and barred Helix from ever being able to be paid for its extended general
22 conditions. Accordingly, interest must be calculated at the rate of \$9.04 per day for the period of
23 2105 days, from October 3, 2013 to July 8, 2019. Thus, Helix is owed a total of \$19,029.20 in
24 interest.

25 ///

26 ///

27 ///

28 ²⁴ See **Exhibit 2**, attached hereto, a true and correct copy of Helix's Memorandum of Costs and Disbursements filed with the Court on July 12, 2019; *see also* Declaration at ¶ 19.

²⁵ FFCL, at 22, ¶ 2.

1 **IV. CONCLUSION**

2 Pursuant to Section 20.5 of the Subcontract, in addition to the principal award of
3 \$45,953.24, Helix is entitled to recover all of its attorney's fees and costs, as well as interest as
4 allowed by this Court. Helix is entitled to \$185,592.54 in attorneys' fees, \$8,949.40 in costs, and
5 \$19,029.20 in interest, for a total of **\$259,524.38.**

6 Dated this 31 day of July, 2019.

PEEL BRIMLEY LLP


CARY B. DOMINA, ESQ.
Nevada Bar No. 10567
RONALD J. COX, ESQ.
Nevada Bar No. 12723
JEREMY HOLMES, ESQ.
Nevada Bar No. 14379
3333 E. Serene Avenue, Suite 200
Henderson, Nevada 89074-6571
Telephone: (702) 990-7272
cdomina@peelbrimley.com
rcox@peelbrimley.com
jholmes@peelbrimley.com
Attorneys for Plaintiff
Helix Electric of Nevada, LLC

CERTIFICATE OF SERVICE

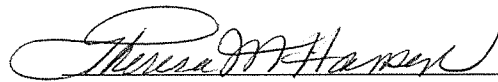
Pursuant to Nev. R. Civ. P. 5(b), I certify that I am an employee of **PEEL BRIMLEY, LLP**, and that on this 31st day of July, 2019, I caused the above and foregoing document, **HELIX ELECTRIC OF NEVADA, LLC'S MOTION FOR ATTORNEYS' FEES, COSTS AND INTEREST**, to be served as follows:

- ☐ 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:

Attorneys for APCO Construction and Safeco Insurance Co.

John Randall Jefferies, Esq. (rjefferies@fclaw.com)
Brandi M. Planet, Esq. (bplanet@fclaw.com)



An employee of **PEEL BRIMLEY, LLP**

1 CARY B. DOMINA, ESQ.
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2 RONALD J. COX, ESQ.
Nevada Bar No. 12723
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6 Facsimile: (702) 990-7273
cdomina@peelbrimley.com
7 rcox@peelbrimley.com
jholmes@peelbrimley.com
8 *Attorneys for Plaintiff*
Helix Electric of Nevada, LLC

9
10 **DISTRICT COURT**

11 **CLARK COUNTY, NEVADA**

12 HELIX ELECTRIC OF NEVADA, LLC, a
Nevada limited liability company,

13 Plaintiff,

14 vs.

15 APCO CONSTRUCTION, a Nevada corporation;
16 SAFECO INSURANCE COMPANY OF
AMERICA; DOES I through X; and BOE
17 BONDING COMPANIES I through X,

18 Defendants.

CASE NO. : A-16-730091-C
DEPT. NO. : XI

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

19
20 I, Cary B. Domina, declare as follows:

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

24 2. I make this Declaration in support of Helix Electric of Nevada, LLC's ("Helix")
25 Motion for Attorney's Fees, Costs and Interest.
26
27
28

1 3. Helix and APCO Construction (“APCO”) entered into a subcontract (the
2 “Subcontract”) in 2012 for Helix to provide certain work for the Craig Ranch Regional Park Phase
3 II project.

4 4. Within the Subcontract, Section 20.5 provided that in the event of a lawsuit or
5 arbitration arising from the Subcontract, the prevailing party “shall be entitled to all costs,
6 attorney’s fees and any other reasonable expenses incurred therein.”
7

8 5. Helix initiated the present action in January 2016 after attempting for years to
9 recover the amounts it was owed from APCO.

10 6. After a two-and-a-half-day bench trial in June 2019, judgment was entered in favor
11 of Helix in the amount of \$45,953.24.

12 7. In pursuing Helix’s claim and defending the numerous motions filed by APCO,
13 Helix incurred \$185,592.54 in attorney’s fees and \$8,949.40 in costs.
14

15 8. **Exhibit 1** to the Motion are true and correct copies of Peel Brimley’s invoices to
16 Helix for the duration of the dispute between Helix and APCO relating to the Project.

17 9. Peel Brimley is a Henderson, Nevada based law firm currently consisting of eight
18 attorneys and two paralegals.

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

22 11. Peel Brimley’s clientele has consisted of some of the largest and most respected
23 construction related companies operating in Nevada.

24 12. Prior to and throughout its representation of Helix, Peel Brimley and its partners
25 have taken a lead role in instructing and teaching the construction community in a wide range of
26 construction related classes and seminars sponsored by various trade, professional, and
27 educational organizations (e.g., Lorman Education Services, Associated General Contractors,
28

1 National Business Institute, The Seminar Group, and various local construction trade
2 organizations).

3 13. Peel Brimley partners have lectured and presented materials at many construction
4 related seminars and classes in Las Vegas and Seattle addressing the following topics: advanced
5 construction law, construction payment remedies, mechanic's lien law and strategies, construction
6 law and practice, Nevada construction law, Nevada construction issues, construction defects, and
7 other related topics.

8 14. In addition, Peel Brimley is and has been extensively involved in drafting and
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10 Metal & Air Conditioning Contractors Nat'l Assoc. (SMACNA) of Southern Nevada, Associated
11 General Contractors (AGC), Plumbing & Mechanical Contractors of Nevada, Associated Building
12 Contractors (ABC), National Electrical Contractors Association (NECA), Mechanical Contractors
13 Association (MCA), Nevada Association of Mechanical Contractors, and others.

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

23 16. In addition to the partners, Peel Brimley has hired qualified and experienced
24 associates, most with established backgrounds in construction law.

25 17. Peel Brimley's associates have access to a variety of construction materials and
26 resources gathered by the firm, access to partners and senior associates experienced in the
27 construction industry, and ample opportunities to participate in construction related training
28 classes and seminars inside and outside of the firm.

1 18. Peel Brimley billing rates are reasonable. Peel Brimley performed its work under
2 an hourly rate contract with Helix, charging the following rates:

3
4 Partners: \$300-\$375
5 Associates: \$225-\$275
6 Paralegals: \$125

7 19. While some aspects of this case should have been relatively simple, as it was clear
8 APCO acted in bad faith in preventing Helix from recovering its extended overhead costs from
9 the City of North Las Vegas, APCO consistently filed motion after motion seeking to prevent
10 Helix from maintaining its claims.

11 20. In total, APCO filed 9 motions throughout this case, 8 of which were dispositive,
12 or effectively dispositive, motions that would have prevented Helix from recovering what it was
13 owed.

14 21. APCO continued filing these motions and forcing Helix to incur additional costs
15 up through the date of trial, with the Court denying APCO's motion to bar one of Helix's witnesses
16 minutes before trial began

17 22. APCO filed yet another motion after this Court entered its judgment in this matter,
18 seeking to preclude Helix from recovering any amounts, or in the alternative seeking to
19 substantially reduce Helix's recovery which Helix was forced to vigorously oppose.

20 23. Helix's attorneys also had to familiarize themselves with thousands of pages of
21 documents in preparation for trial and to use them effectively throughout the two-and-a-half-day
22 trial that ensued.

23 24. Helix's attorneys had to prepare numerous witnesses to establish Helix's claims,
24 as well as prepare to question APCO's witness and the witness for the City of North Las Vegas,
25 whose testimony was crucial in defeating APCO's defenses against Helix.

26 25. Notably, Helix's attorneys had to do this while simultaneously preparing to defend
27 Helix against APCO's last minute motion seeking to prevent one of Helix's key witnesses from
28 testifying.

 26. Helix also had to prepare to defeat APCO's various defenses, such as its claim that

1 (i) Helix waived its right to recover for extended overhead costs; and (ii) various discussions
2 between Helix and APCO confirming Helix's intent to prosecute its claim were inadmissible as
3 evidence.

4 27. Due to the research and efforts put in by Helix's attorneys on these issues, Helix
5 was able to overcome these hurdles at trial.

6 28. **Exhibit 2** attached to the Motion is a true and correct copy of the Memorandum of
7 Costs and Disbursements Helix filed on July 12, 2019.

8 I declare under penalty of perjury as provided under the laws of the State of Nevada that the
9 foregoing is true and correct and if called upon to testify, would do so.

10 Dated this 31 day of July, 2019.

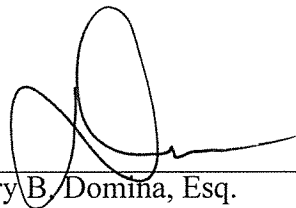
11 
12 _____
13 Cary B. Domina, Esq.

EXHIBIT 1

PEEL BRIMLEY, LLP
3333 E Serene Avenue, Suite 200
Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

December 31, 2015

Invoice #: 3562-098142950

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-09-15	Telephone call with Victor regarding pursuing claim against APCO; conference with Cary regarding things to do;	0.20	70.00	RLP
	Receive and start reviewing documents in order to send Demand Letter;	0.30	75.00	CBD
Dec-10-15	Receipt and summarily review several emails from Eddie Bennet regarding documents requested; forward same to Cary; telephone call with Victor regarding status of demand letter; review and revise draft of demand letter; give further direction to Cary regarding things to do;	0.70	245.00	RLP
	Start drafting demand letter;	1.70	425.00	CBD
Dec-14-15	Receipt, review and respond to a number of emails from Eddie and Victor regarding payment bond, time period for filing complaint and need for Mechanic's Lien Information Form to be completed; give Cary direction as to things to do;	0.70	245.00	RLP
	Review Bond Language to determine whether Complaint can still be filed against Bond;	0.40	100.00	CBD
	Receive and review North Las Vegas' Acceptance of Project; email Victor regarding receiving copy of Preclaim Notice under NRS 339;	0.40	100.00	CBD

JA3784

Invoice #: 3562-098142950

Page 2

December 31, 2015

Dec-15-15	Receipt, review correspondence from Kathy and Victor concerning promissory note;	0.30	105.00	RLP
Dec-18-15	Receive and review letter from APCO rejecting Helix's Demand for Payment; Discussions with Victor regarding same;	0.50	125.00	CBD
Dec-21-15	Receipt, review correspondence exchanged between Cary and Eddie; conference with Cary regarding same;	0.20	70.00	RLP
	Draft letter in response to APCO's letter rejecting Helix's Demand for Payment; Discussions with Victor regarding same;	2.60	650.00	CBD
	Totals	8.00	\$2,210.00	

Other**Costs****Receipts**

Faxes

1.00

Totals

\$1.00

\$0.00

Total Fees & Costs**\$2,211.00**

Previous Balance

\$0.00

Previous Payments

\$0.00

Balance Due Now
Retainer Balance

\$0.00**\$2,211.00**

JA3785

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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3333 E Serene Avenue, Suite 200
Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

January 31, 2016

Invoice #: 3562-098143204

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jan-08-16	Receive, review and revise draft Complaint;	0.90	225.00	RON
	Communications with CBD and draft complaint.	1.50	187.50	KAG
Jan-11-16	Receive, review and revise Complaint; Instruct secretary to file same;	1.30	325.00	CBD
Jan-12-16	Prepare civil cover & IAFD; finalize complaint, cover and IAFD e-file.	0.40	50.00	KAG
Jan-27-16	Discussions with counsel regarding extension to file Answer to Complaint; Discussions with Victor regarding talks with Joe;	0.40	100.00	CBD
	Totals	4.50	\$887.50	

Other	Costs	Receipts
E Filing Fees	3.50	
Federal express	90.00	
Courier/Delivery	51.55	
Jan-12-16 Summons & Complaint	30.00	
Jan-31-16 Filing Fees	278.10	
Totals	\$453.15	\$0.00

JA3786

Total Fees & Costs		\$1,340.65
Previous Balance		\$2,211.00
Previous Payments		\$0.00
Balance Due Now		\$3,551.65
Retainer Balance	\$0.00	

JA3787

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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3333 E Serene Avenue, Suite 200
Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

February 29, 2016

Invoice #: 3562-098143561

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-01-16	Discussions with Victor regarding outcome of hearing; Call attorney from Marquis and Aurbach regarding Bob's response to APCO's claim that supervision was not present;	0.30	75.00	CBD
Feb-04-16	Discussions with Cody Monteer, counsel to APCO regarding Bob's correspondence; Discussions with Victor regarding same;	0.30	75.00	CBD
	Participate in 26(f) Conference to discuss possible settlement and discovery deadlines; Receive and review correspondence between Jenson's insurance agent and Plaintiff's attorney regarding dismissing Jenson from case;	0.90	225.00	CBD
Feb-08-16	Telephone call with Victor regarding need for review of file and opinion regarding same; telephone call with Cary regarding documents needed; exchange correspondence with Victor and Cary regarding documents needed to complete review;	0.70	245.00	RLP
	Send email to Victor regarding documents needed; Review documents to see what other documents are missing;	0.50	125.00	CBD
Feb-12-16	Receipt, review and respond to correspondence from Cary and Victor concerning mediation and documents needed to complete review;	0.30	105.00	RLP
	Discussions with Cody Monteer	0.60	150.00	CBD

JA3788

	regarding possibility of mediation; Discuss same with Victor;			
Feb-16-16	Discussions with Victor regarding APCO's request that Helix participate in mediation;	0.30	75.00	CBD
Feb-17-16	Discussions with Cody Monteer regarding possible mediation and request for more information; Discuss same with Victor;	0.70	175.00	CBD
Feb-24-16	Discussions with Cody Monteer, APCO's counsel, regarding providing narrative of APCO's position prior to agreeing to mediation;	0.40	100.00	CBD
Feb-25-16	Discussions with Cody regarding arbitration language in contract; review voluminous documents in order to provide Victor with assessment of Claim; Discussions with Victor regarding possible settlement; start drafting email to Richard and Victor regarding strength of Case;	1.70	425.00	CBD
Feb-26-16	Review documents to prepare for, then participate in telephone call with Victor to discuss strengths and weaknesses of case and obtain direction as to things to do;	1.50	525.00	RLP
Feb-29-16	Conference with Cary regarding outcome of conversation with attorney for Apco; advise Cary of thoughts concerning same; exchange emails with Victor;	0.30	105.00	RLP
	Discussions with Cody Monteer regarding stipulating to stay district court case and submit to arbitration/mediation; Discussions with Victor regarding same;	0.80	200.00	CBD
Jul-21-16	Courtesy Reducion per RLP	0.00	-152.36	RLP
	Courtesy Reducion per RLP	0.00	-252.64	CBD
	Totals	9.30	\$2,200.00	

JA3789

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

Total Fees & Costs		\$2,200.00
Previous Balance		\$3,551.65
Previous Payments		\$0.00
Balance Due Now		\$5,751.65
Retainer Balance	\$0.00	

JA3790

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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3333 E Serene Avenue, Suite 200
Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

March 31, 2016

Invoice #: 3562-098143941

Attention: Victor Fuchs
RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-03-16	Receive, review and revise Stip. and order; Discussions with Cody regarding same; Discussions with Victor regarding same;	0.60	150.00	CBD
Mar-04-16	Continued discussions with APCO's attorney regarding mediator selection;	0.50	125.00	CBD
Mar-08-16	Follow up with Victor regarding mediator; Follow up with Cody regarding Stipulation and Order;	0.30	75.00	CBD
Mar-09-16	Discussions with Richard regarding selecting mediator; Discussions with David Wall's office and Phil Dabney regarding using them as mediators;	0.30	75.00	CBD
Mar-10-16	Discussions with Phil Dabney regarding potential that he serves as mediator; Discussions with APCO's counsel regarding same;	0.30	75.00	CBD
Mar-11-16	Call with Cody regarding his client's position as to whether Phil Dabney would be an acceptable mediator;	0.20	50.00	CBD
Mar-14-16	Call with Cody Monteer regarding Phil Dabney as mediator; Discussions with Phil Dabney regarding available dates; discuss same with Victor;	1.00	250.00	CBD
Mar-15-16	Discussions with APCO's attorney and mediator to lockdown mediation dates; Discussions with Victor regarding same;	1.30	325.00	CBD

JA3791

Mar-17-16	Prepare for Mediation Conference Call with Phil Dabney; Participate in conference call with Phil Dabney; Send email to Victor regarding issues raised during conference call; Draft Notice of Entry to include with Stipulation and Order; instruct secretary to file and serve same;	1.60	400.00	CBD
Mar-22-16	Call with Victor and Bob regarding mediation protocol; Send email to Phil confirming Helix's position on protocol;	0.60	150.00	CBD
Mar-28-16	Receive and review correspondence from mediator regarding briefing deadlines and other provisions; forward same to Victor;	0.30	75.00	CBD
	Totals	7.00	\$1,750.00	

Other	Costs	Receipts
E Filing Fees	7.00	
Postage	26.40	
Courier/Delivery	33.59	
Totals	\$66.99	\$0.00
Total Fees & Costs		\$1,816.99
Previous Balance		\$5,751.65
Previous Payments		\$5,751.65
Balance Due Now		\$1,816.99
Retainer Balance	\$0.00	

JA3792

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PEEL BRIMLEY, LLP
3333 E Serene Avenue, Suite 200
Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

April 30, 2016

Invoice #: 3562-098144533

Attention: Victor Fuchs
RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-20-16	Discussions with Phil Dabney regarding mediation location and new administrator;	0.20	55.00	CBD
Apr-25-16	Receive and review letter from Mediator regarding deadline for Briefs to be submitted; Notify mediator of the parties to be present at mediation;	0.30	82.50	CBD
	Totals	0.50	\$137.50	
	Total Fees & Costs			\$137.50
	Previous Balance			\$1,816.99
	Previous Payments			\$0.00
	Balance Due Now			\$1,954.49
	Retainer Balance	\$0.00		

JA3793

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Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

May 31, 2016

Invoice #: 3562-098145093

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
May-10-16	Discussions with Mediator regarding extension to submit Mediation Brief;	0.30	82.50	CBD
May-11-16	[NO CHARGE] Start drafting mediation brief; Discussions with Mediator regarding extension; review documents in preparation of drafting brief;	2.30	0.00	CBD
May-12-16	Continue drafting Mediation Brief; Discussions with Victor regarding claim amount;	4.70	1,292.50	CBD
May-13-16	Conference with Cary regarding arguments to be made in mediation brief;	0.20	70.00	RLP
	[NO CHARGE] Conference with C. Domina regarding arguments to potentially include in Mediation Briefs; email pay-if-paid arguments brief to Cary for his use; research regarding legislative history of NRS 624 and application to public works projects; discuss with R. Peel and C. Domina;	0.80	0.00	JEF
	Finalize Mediation Brief; Gather Exhibits; Discussions with Bob regarding APCO's delays to the Project; Discussions with Mediator regarding providing Binder of Brief and Exhibits;	4.90	1,347.50	CBD
May-18-16	Prepare for and attend mediation; Send email to Opposing Counsel regarding documents to exchange;	4.90	1,347.50	CBD

JA3794

		18.10	\$4,140.00
Totals			
Other		Costs	Receipts
		90.50	
Totals		\$90.50	\$0.00
Total Fees & Costs			\$4,230.50
Previous Balance			\$1,954.49
Previous Payments			\$1,954.49
Balance Due Now			\$4,230.50
Retainer Balance	\$0.00		

JA3795

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3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

June 30, 2016

Invoice #: 3562-098145653

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-14-16	Receive and review documents for exchange with APCO; Discussions with APCO's attorney regarding Helix's request for documents;	0.70	192.50	CBD
	Organize Craig Ranch Park documents for production for mediation	1.40	140.00	LC
Jun-15-16	Investigate the billing documents to produce as part of mediation disclosure	2.00	200.00	LC
Jun-16-16	Coordination in preparation for document exchange on Monday 6/20.	1.00	100.00	LC
Jun-17-16	Preparation for Document Exchange on Monday 6/20	1.50	150.00	LC
Jun-21-16	APCO Document Review	1.50	150.00	LC
Jun-22-16	APCO Document Review	2.10	210.00	LC
Jun-23-16	Document review; Write a supplemental brief for the mediator regarding providing the requested evidence	5.20	520.00	LC
Jun-24-16	Mediation supplemental brief revision	3.00	300.00	LC
Jun-27-16	Receive and review draft of Supplemental Mediation Statement; make revisions to same;	1.20	330.00	CBD
	[NO CHARGE] Assembling binder for mediator	1.00	0.00	LC

JA3796

Jun-28-16	Continue drafting supplemental mediation brief; Gather exhibits to include in Mediation Statement;	1.40	385.00	CBD
	[NO CHARGE] Run to deliver mediaiton statement binder to Philip Dabney	1.00	0.00	CJT
Jun-29-16	Receive and review Mediator's Recommendation; Discuss same with Victor;	0.30	82.50	CBD
Jun-30-16	Discussions with Victor regarding Mediator's proposal; Discussions with APCO's counsel regarding same;	0.40	110.00	CBD
	Totals	23.70	\$2,870.00	

Other**Costs****Receipts**

Courier/Delivery

26.34

Totals

\$26.34

\$0.00

Total Fees & Costs**\$2,896.34**

Previous Balance

\$4,230.50

Previous Payments

\$4,230.50

Balance Due Now**\$2,896.34****Retainer Balance****\$0.00**

JA3797

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Suite 9
Las Vegas, NV 89120

July 31, 2016

Invoice #: 3562-098145786

Attention: Victor Fuchs
RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-06-16	Conference with Cary regarding whether to accept mediator's proposal; conference with Victor regarding same;	0.30	105.00	RLP
	Discussions with Victor regarding Mediator's Proposal and service of Offer of Judgment; Discussions with Cody Munteer regarding same;	0.40	110.00	CBD
Jul-18-16	Discussions with Phil regarding APCO's apparent rejection of mediator's proposal;	0.50	137.50	CBD
Jul-25-16	Discussions with Phil regarding APCO's rejection of the Mediator's Proposal; Discuss same with Victor;	0.30	82.50	CBD
Jul-26-16	Exchange a number of emails with Victor regarding offer of judgment and moving forward with prosecution of the arbitration; give direction to Cary regarding same;	0.30	105.00	RLP
	Totals	1.80	\$540.00	

JA3798

Total Fees & Costs		\$540.00
Previous Balance		\$2,896.34
Previous Payments		\$2,896.34
Balance Due Now		\$540.00
Retainer Balance	\$0.00	

JA3799

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TRUST STATEMENT

		Disbursements	Receipts
Jul-31-16	Received From: Helix Electric		2,896.34
	Payment - Check No. 51321		
	Paid To: PEEL BRIMLEY, LLP	2,896.34	
	Transfer of funds to account		
	Total Trust	<hr/> \$2,896.34	<hr/> \$2,896.34
	Trust Balance		\$0.00

JA3800

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Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

August 31, 2016

Invoice #: 3562-098146140

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-03-16	Receipt, review correspondence exchanged between Victor and Cary regarding demand for arbitration;	0.20	70.00	RLP
	Receive, review and revise Demand for Arbitration;	1.40	385.00	CBD
	[NO CHARGE] Review Subcontract Agreement and prepare arbitration demand and send the same to C. Domina;	1.20	0.00	RON
Aug-06-16	Finalize Demand for Arbitration; Draft Offer of Judgment;	1.30	357.50	CBD
Aug-11-16	Review and revise draft of Offer of Judgment;	0.50	175.00	RLP
Aug-16-16	Discussions with APCO's counsel regarding arbitration demand and selection of arbitrator; discuss same with Victor; Finalize drafting Offer of Judgment	0.80	220.00	CBD
Aug-24-16	Exchange correspondence with Victor regarding arbitrator;	0.20	70.00	RLP
	Discussions with Cody regarding selecting Judge David Wall as Arbitrator; Discuss same with Victor and Richard;	0.40	110.00	CBD
	Totals	6.00	\$1,387.50	

JA3801

Other	Costs	Receipts
Postage	2.12	
Courier/Delivery	33.37	
Totals	\$35.49	\$0.00
Total Fees & Costs		\$1,422.99
Previous Balance		\$540.00
Previous Payments		\$540.00
Balance Due Now		\$1,422.99
Retainer Balance	\$0.00	

JA3802

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

September 30, 2016

Invoice #: 3562-098146737

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Sep-08-16	Exchange correspondence with Cary and Victor regarding arbitrator names;	0.30	105.00	RLP
	Numerous Discussions regarding arbitrator selection;	0.40	110.00	CBD
Sep-15-16	Conference with Cary regarding mediator names and who should be used;	0.20	70.00	RLP
	Discussions with Cody regarding arbitration selection process; Discuss same with Victor;	0.30	82.50	CBD
Sep-21-16	Discussions with Cody regarding submitting case to American Arbitration Association for Arbitrator;	0.50	137.50	CBD
Sep-23-16	Receive, review and revise American Arbitration Association Demand for Arbitration;	0.30	82.50	CBD
	Draft AAA demand.	0.60	75.00	KAG
Sep-27-16	Discussions with Cody Mounter regarding filing Arbitration Demand with American Arbitration Association;	0.20	55.00	CBD
Sep-28-16	Discussions with Victor regarding filing with American Arbitration Association;	0.30	82.50	CBD
Sep-30-16	Receipt, review correspondence exchanged between Victor and Cary regarding arbitrator names; send thoughts on same;	0.20	70.00	RLP

JA3803

Multiple discussions with Victor and Cody regarding possible arbitrator; discussions with Bill Turner regarding same;	1.10	302.50	CBD
Totals	4.40	\$1,172.50	
Total Fees & Costs		\$1,172.50	
Previous Balance		\$1,422.99	
Previous Payments		\$0.00	
Balance Due Now		\$2,595.49	
Retainer Balance	\$0.00		

JA3804

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Las Vegas, NV 89120

October 31, 2016

Invoice #: 3562-098146866

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-07-16	Discussions with APCO's attorney and Mediator, Bill Turner regarding Early Arbitration Conference; send email to Victor regarding same;	0.30	82.50	CBD
	Discussions with Bill Turner regarding Early Arbitration Conference scheduled for next Thursday;	0.20	55.00	CBD
Oct-12-16	Discussions with Victor regarding upcoming Early Arbitration hearing;	0.20	55.00	CBD
Oct-13-16	Prepare for and participate in Early Arbitration Call with Arbitrator;	0.60	165.00	CBD
	Totals	1.30	\$357.50	

Other

	Costs	Receipts
Courier/Delivery	14.35	
Totals	\$14.35	\$0.00

Total Fees & Costs		\$371.85
Previous Balance		\$2,595.49
Previous Payments		\$1,422.99
Balance Due Now		\$1,544.35
Retainer Balance	\$0.00	

JA3806

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

November 30, 2016

Invoice #: 3562-098147168

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

Total Fees & Costs

\$0.00

Previous Balance

\$1,544.35

Previous Payments

\$0.00

Balance Due Now

\$1,544.35

Retainer Balance

\$0.00

JA3807

PEEL BRIMLEY, LLP
3333 E Serene Avenue, Suite 200
Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

December 31, 2016

Invoice #: 3562-098147446

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-09-16	Conference with Cary regarding motion to dismiss and things to do;	0.20	70.00	RLP
	Receive and review Motion to Dismiss and Motion for Fees and Costs; Send memo to Richard and Victor regarding same;	0.70	192.50	CBD
Dec-29-16	Discussions with Cody regarding receiving an extension to file the Opposition to Motion to Dismiss and Motion for Partial Summary Judgment;	0.20	55.00	CBD
	Conference call with Arbitrator, Bill Turner, regarding briefing deadline and hearing date on APCO's Motions;	0.60	165.00	CBD
	Totals	1.70	\$482.50	
	Total Fees & Costs			\$482.50
	Previous Balance			\$1,544.35
	Previous Payments			\$1,544.35
	Balance Due Now			\$482.50
	Retainer Balance	\$0.00		

JA3808

PEEL BRIMLEY, LLP
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Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

January 31, 2017

Invoice #: 3562-098147877

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jan-09-17	Analyze case regarding (i) claims against bonds and time for bringing the same, and (ii) NRS 18 regarding awarding fees and costs; draft Opposition to Motion to Dismiss and Opposition to Countermotion for Fees and Costs;	5.70	1,282.50	RON
Jan-10-17	Receive, review and revise Opposition to Motion to Dismiss;	0.40	110.00	CBD
Jan-11-17	Start drafting Opposition to Motion for Partial Summary Judgment regarding Pay-If-Paid and claim of untimely change orders;	5.60	1,540.00	CBD
Jan-12-17	Conference with Cary regarding arguments to be made in support of Opposition to Motion for Summary Judgment;	0.40	140.00	RLP
	Continue drafting Opposition to Motion for Partial Summary Judgment; Prepare for and participate in conference call with Victor regarding Opposition to Motion for Partial Summary Judgment;	8.60	2,365.00	CBD
Jan-14-17	Continue drafting Opposition to MSJ; Draft Declaration in support of same;	6.60	1,815.00	CBD
Jan-17-17	Finalize Opposition to Motion for Partial Summary Judgment; Finalize Declaration; Make revisions to Motion; Gather Exhibits and File Same;	5.40	1,485.00	CBD

JA3809

Jan-19-17	Review Bill Turner's disclosure; conference with Cary regarding same;	0.20	70.00	RLP
	Receive, review and respond to email from Bill Turner regarding written stipulation acknowledging his ties to Peel Brimley and Marquis and Aurbach;	0.30	82.50	CBD
Jan-24-17	Conference with Cary regarding outcome of email exchange among Bill Turner and counsel for APCO; telephone call with Victor regarding same;	0.30	105.00	RLP
	Receive and review several emails regarding APCO's claim that the Arbitrator will be biased; Discussions with APCO's counsel regarding issues with Arbitrator; Review voluminous emails from APCO's attorney and the Arbitrator;	2.90	797.50	CBD
Jan-31-17	Discussions with Cody regarding selection of new arbitrator;	0.20	55.00	CBD
	Totals	36.60	\$9,847.50	

Other**Costs****Receipts**

Copies

6.50

Totals

\$6.50

\$0.00

Total Fees & Costs**\$9,854.00**

Previous Balance

\$482.50

Previous Payments

\$482.50

Balance Due Now**\$9,854.00****Retainer Balance****\$0.00**

JA3810

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

February 28, 2017

Invoice #: 3562-098148022

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-16-17	Send email to Ross Hart to see if he will serve as Arbitrator; Discussions with Cody regarding same;	0.30	82.50	CBD
Feb-21-17	Call with Ross Hart as possible Arbitrator;	0.50	137.50	CBD
	Totals	0.80	\$220.00	
	Total Fees & Costs			\$220.00
	Previous Balance			\$9,854.00
	Previous Payments			\$0.00
	Balance Due Now			\$10,074.00
	Retainer Balance	\$0.00		

JA3811

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Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

March 31, 2017

Invoice #: 3562-098148357

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-02-17	Receipt, review correspondence exchanged between Victor and Cary regarding motion to lift stay; conference with Cary regarding same;	0.20	70.00	RLP
Mar-03-17	Receipt, review correspondence exchanged between Victor and Cary; conference with Cary regarding same;	0.20	70.00	RLP
	Draft Motion to Lift Stay; Draft Declaration in Support of Motion to Lift Stay; Gather Exhibits for same; Review emails between APCO's counsel and Arbitrator; Instruct secretary to file same;	4.70	1,292.50	CBD
Mar-20-17	Receive, review and edit Stip. and Order	0.30	82.50	CBD
Mar-29-17	Receive Stipulation and Order to Lift Stay; Receive Notice of Entry of Stipulation and Order to Lift Stay; Calendar responsive pleading deadline in compliance of Stipulation and Order; Vacate April 5, 2017 hearing on Plaintiff's Motion to Lift Stay	0.40	50.00	TH
	Totals	5.80	\$1,565.00	

Other

Costs

Receipts

E Filing Fees

3.50

Postage

7.02

JA3812

Invoice #: 3562-098148357

Page 2

March 31, 2017

Courier/Delivery	29.20	
	<hr/>	<hr/>
Totals	\$39.72	\$0.00
		<hr/>
Total Fees & Costs		\$1,604.72
Previous Balance		\$10,074.00
Previous Payments		\$10,074.00
		<hr/>
Balance Due Now		\$1,604.72
Retainer Balance	\$0.00	

JA3813

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Las Vegas, NV 89120

April 30, 2017

Invoice #: 3562-098148745

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-11-17	Receive and review Safeco's Initial Appearance Fee Disclosure; Receive and review Safeco's Motion to Dismiss Plaintiff's Claims Against Bond and Countermotion for Fees and Costs of Motion; Calendar hearing date; Calculate and calendar Opposition and Reply deadlines; Receive and review APCO's Initial Appearance Fee Disclosure; Receive and Review APCO's Answer to Plaintiff's Complaint	0.00	0.00	TH
Apr-17-17	Left message for Jennier Case at Marquis Aurbach Coffing to coordinate a date for the Early Case Conference	0.10	12.50	TH
	Telephone call/left message at Marquis Aurbach to schedule Early Case Conference	0.10	12.50	TH
Apr-18-17	Receive and review Safeco's Motion to Dismiss and Motion for Fees; revise previously filed Opposition and send the same to Cary;	0.80	180.00	RON
Apr-19-17	Telephone conference with Jennifer regarding mutual date to schedule Early Case Conference	0.10	12.50	TH
Apr-21-17	Draft Notice of Early Case Conference	0.10	12.50	TH
	Serve Notice of Early Case Conference; Calendar Early Case Conference; Calculate and calendar deadline to serve Initial Disclosures	0.20	25.00	TH

JA3814

	Serve Notice of Early Case Conference; File review; Draft Initial Disclosures; Draft Joint Case Conference Report	2.00	250.00	TH
Apr-24-17	Telephone conference with Jennifer Case at Marquis Aurbach Coffing regarding rescheduling the ECC; Email transmission to Jennifer Case confirming same	0.20	25.00	TH
Apr-28-17	Send status update to Victor regarding discovery period;	0.60	165.00	CBD
	Totals	4.20	\$695.00	

Other**Costs****Receipts**

Copies

13.50

E Filing Fees

3.50

Totals

\$17.00

\$0.00

Total Fees & Costs**\$712.00**

Previous Balance

\$1,604.72

Previous Payments

\$0.00

Balance Due Now**\$2,316.72****Retainer Balance****\$0.00**

JA3815

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

PEEL BRIMLEY, LLP
3333 E Serene Avenue, Suite 200
Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

May 31, 2017

Invoice #: 3562-098149083

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
May-11-17	Receive and review Reply in Support of APCO's Motion to Dismiss Surety Company;	0.20	55.00	CBD
	[No Charge] Receive and review Reply in Support of Motion to Dismiss;	0.30	0.00	RON
	Receive and review Defendants' Reply in Support of Motion to Dismiss Plaintiff's Claims Against Bond and Countermotion for Fees and Costs of Motion	0.10	12.50	TH
May-15-17	Receive and review Arbitration Selection List;	0.10	12.50	TH
May-16-17	Prepare for hearing on APCO's Motion to Dismiss; Draft Outline; review relevant cases cited in all briefs; conduct additional research;	6.40	1,760.00	CBD
	Review file; Prepare Request for Exemption from Arbitration	0.70	87.50	TH
May-17-17	Continue preparing for and attend hearing on Motion to Dismiss; Travel to and from courthouse; Discussions with Richard regarding outcome;	4.90	1,347.50	CBD
May-22-17	Receive, review and revise Exemption from Arbitration;	0.80	220.00	CBD
May-24-17	Review documents for production; Bates stamp documents (HEL000001 - HEL000205); Revise and finalize Initial List of Witnesses	1.30	162.50	TH

JA3816

and Documents Pursuant to Nev. R. Civ. P.
16.1;

May-25-17	Receive and review Defendants Motion for Partial Summary Judgment; Calculate and calendar Opposition and Reply Deadlines and Hearing date;	0.30	37.50	TH
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Totals		15.10	\$3,695.00	
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Other**Costs****Receipts**

E Filing Fees	3.50	
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Parking	6.00	
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Courier/Delivery	95.98	
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Totals	\$105.48	\$0.00
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Total Fees & Costs**\$3,800.48**

Previous Balance

\$2,316.72

Previous Payments

\$1,604.72

Balance Due Now**\$4,512.48****Retainer Balance \$0.00**

JA3817

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Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

June 30, 2017

Invoice #: 3562-098149672

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-07-17	Receive Motion for Partial Summary Judgment and compare to previously filed Motion for Partial Summary Judgment and discussions with Cary regarding differences in the same;	1.30	292.50	RON
Jun-08-17	Receive and review Motion for Partial Summary Judgment; Identify new sections of Brief not previously addressed in prior briefing; Start researching case law regarding new sections of brie; Start drafting Opposition to same; Gather Exhibits and Affidavit for support of same;	3.60	990.00	CBD
Jun-09-17	Finalize Opposition to Motion for Partial Summary Judgment; Continue gathering Exhibits for same and instruct secretary to file same; Receive and review the Court's Decision denying Safeco's Motion to Dismiss; Send email to Victor and Bob regarding same;	4.10	1,127.50	CBD
Jun-22-17	Receive and review Reply in Support of Motion; Start preparing for hearing on Motion for Partial Summary Judgment;	1.00	275.00	CBD
Jun-23-17	[NO CHARGE] Receive and review Defendant's Reply in Support of Motion for Partial Summary Judgment;	0.10	0.00	TH
Jun-27-17	Prepare Stipulation and Order to Continue Hearing and Extend Reply Deadline;	0.30	37.50	TH

JA3818

Jun-28-17	Discussions with Opposing counsel regarding new hearing dates on Motion for Partial Summary Judgment;	0.50	137.50	CBD
Jun-30-17	Receive, review and revise Order denying Motion to Dismiss and Motion for Fees and Costs; Send email to Victor regarding department reassignment and change of hearing date;	1.40	385.00	CBD
	Totals	12.30	\$3,245.00	

Other	Costs	Receipts
Copies	26.75	
E Filing Fees	3.50	
Totals	\$30.25	\$0.00
Total Fees & Costs		\$3,275.25
Previous Balance		\$4,512.48
Previous Payments		\$4,512.48
Balance Due Now		\$3,275.25
Retainer Balance	\$0.00	

JA3819

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

July 31, 2017

Invoice #: 3562-098149780

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-14-17	Reviewed submitted Stipulation and Order; drafted & finalized Notice of Entry for Stip and Order and submitted to court, served on all interested parties;	0.70	52.50	AEA
Jul-25-17	Start preparing for Hearing on APCO's Motion for Partial Summary Judgment; Review briefs and legal arguments presented in Reply Brief; research case law cited by APCO; Draft outline for hearing;	4.70	1,292.50	CBD
Jul-26-17	Continue preparing for and attend hearing on Motion for Partial Summary Judgment; send email to Victor regarding outcome of hearing;	5.70	1,567.50	CBD
	Totals	11.10	\$2,912.50	

Other

Costs

Receipts

E Filing Fees

7.00

Parking

18.00

Courier/Delivery

59.89

Totals

\$84.89

\$0.00

JA3820

Total Fees & Costs		\$2,997.39
Previous Balance		\$3,275.25
Previous Payments		\$0.00
Balance Due Now		\$6,272.64
Retainer Balance	\$0.00	

JA3821

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

August 31, 2017

Invoice #: 3562-098150103

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-03-17	Discussions with APCO's attorney regarding deposition of his client;	0.40	110.00	CBD
Aug-21-17	Draft Notice of Deposition of Joe Pelan;	0.30	37.50	TH
Aug-22-17	Receive and revise Amended Notice of Deposition for Joe Pelan;	0.40	110.00	CBD
	Serve Notice of Taking Deposition Joe Pelan; Secure Court Reporter for deposition; Reserve conference room;	0.50	62.50	TH
Aug-25-17	Call with Cody Munteer regarding deposition and outstanding discovery;	0.70	192.50	CBD
Aug-28-17	Draft Orders denying Motion for Partial Summary Judgment and Motion to Dismiss (revise);	1.00	275.00	CBD
	Totals	3.30	\$787.50	

Other	Costs	Receipts
Courier/Delivery	42.42	
Totals	\$42.42	\$0.00

JA3822

Total Fees & Costs		<hr/>	\$829.92
Previous Balance			\$6,272.64
Previous Payments			\$0.00
Balance Due Now		<hr/>	\$7,102.56
Retainer Balance	\$0.00		

JA3823

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

September 30, 2017

Invoice #: 3562-098150411

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Sep-05-17	Discussions with APCO's attorney regarding deposition topics;	0.60	165.00	CBD
Sep-06-17	Start preparing for deposition of Joe Pelan; Gather voluminous documents for exhibits to deposition;	8.20	2,255.00	CBD
Sep-07-17	Continue preparing for deposition, start drafting outline of questions; Discussions with Cody regarding deposition tomorrow; receive and review affidavit of City of North Las Vegas construction manager;	11.50	3,162.50	CBD
	Receive e-mail from Litigation Service confirming deposition of September 8, 2017; Confirm deposition going forward with Attorney Domina; Reply e-mail to Litigation Services confirming deposition going forward;	0.30	37.50	TH
Sep-08-17	Continue preparing for and take deposition of Joe Pelan;	9.30	2,557.50	CBD
Sep-13-17	Research regarding Public Records Request;	0.10	27.50	CBD
Sep-15-17	Receive and process Josph Pelan's deposition transcript and exhibits;	0.50	62.50	TH
Sep-27-17	Finalize drafting 16.1 Disclosures and reviewing Joint Case Conference Report; Plan for upcoming depositions and subpoenas;	0.80	220.00	CBD
Sep-29-17	Review file; Draft Initial Disclosures; Review	1.50	187.50	TH

JA3824

documents for disclosure; Bates number
documents;

Totals	32.80	\$8,675.00
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Other	Costs	Receipts
E Filing Fees	14.00	
Courier/Delivery	57.59	
Sep-18-17 Deposition Transcript of Joseph Pelan: Litigation Services	1,497.43	
Totals	\$1,569.02	\$0.00
Total Fees & Costs		\$10,244.02
Previous Balance		\$7,102.56
Previous Payments		\$7,102.56
Balance Due Now		\$10,244.02
Retainer Balance	\$0.00	

JA3825

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Helix Electric of Nevada, LLC.
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Suite 9
Las Vegas, NV 89120

October 31, 2017

Invoice #: 3562-098150769

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-02-17	Receive and review draft of 16.1 Disclosures; Make final edits to same and instruct secretary to serve;	0.40	110.00	CBD
	Continue review of documents for production; Revise Initial Disclosure of Witnesses and Documents; Bates number documents for production (530 pages); Prepare initial draft of Joint Case Conference Report;	2.50	312.50	TH
Oct-03-17	Telephone call with Rosey at Marquis Aurbach regarding status of APCO's Initial Disclosures and Joint Case Conference Report; Revise Joint Case Conference Report; Prepare Notice of 30(b)(6) Deposition to the City of North Las Vegas; Prepare Subpoena to 30(b)(6) for the City of North Las Vegas; Prepare Subpoena duces tecum to the Custodian of Records for the City of North Las Vegas; Prepare Notice of Deposition to the Custodian of Records for the City of North Las Vegas;	1.70	212.50	TH
Oct-05-17	Receive Defendant's Initial Disclosures of Witnesses and Documents; Revise Joint Case Conference Report;	1.00	125.00	TH
Oct-12-17	Receive and review Defendants Initial Disclosure of Witnesses and Documents Pursuant to Nev. R. Civ. P. 16.1;	0.10	12.50	TH
Oct-16-17	Receive Defendants' Second Set of Requests	0.60	75.00	TH

JA3826

for Production of Documents to Helix; Prepare
Response to same;

Totals	6.30	\$847.50
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Other**Costs****Receipts**

Copies	4.00	
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E Filing Fees	9.58	
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Courier/Delivery	38.39	
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Totals	\$51.97	\$0.00
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Total Fees & Costs		\$899.47
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Previous Balance		\$10,244.02
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Previous Payments		\$0.00
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Balance Due Now		\$11,143.49
Retainer Balance	\$0.00	

JA3827

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

December 31, 2017

Invoice #: 3562-098151437

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-06-17	File review; Review Initial Disclosure documents in response to Second Set of Requests for Production of Documents;	1.00	125.00	TH
Dec-07-17	Revise Responses to Second Set of Requests for Production of Documents;	0.30	37.50	TH
	Finalize Plaintiff's Responses to Defendant's Second Set of Requests for Production of Documents; Serve Plaintiff's Responses to Defendant's Second Set of Requests for Production of Documents;	0.30	37.50	TH
Dec-14-17	Call with Cody Munteer regarding depositions;	0.40	110.00	CBD
	Totals	2.00	\$310.00	
	Total Fees & Costs			\$310.00
	Previous Balance			\$11,143.49
	Previous Payments			\$11,143.49
	Balance Due Now			\$310.00
	Retainer Balance	\$0.00		

JA3828

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

January 31, 2018

Invoice #: 3562-098151761

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jan-03-18	Receive and process Scheduling Order;	0.60	75.00	TH
Jan-22-18	Call with Cody regarding postponing deposition;	0.50	137.50	CBD
Jan-24-18	File review; Receive and process Order Setting Civil Non-Jury Trial and Calendar Call;	0.80	100.00	TH
	Totals	1.90	\$312.50	
	Total Fees & Costs			\$312.50
	Previous Balance			\$310.00
	Previous Payments			\$0.00
	Balance Due Now			\$622.50
	Retainer Balance	\$0.00		

JA3829

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

February 28, 2018

Invoice #: 3562-098152098

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-12-18	Discussions with Victor regarding status update of case;	0.20	55.00	CBD
Feb-20-18	Draft portion of Audit letter relating to APCO matter;	0.30	82.50	CBD
Feb-21-18	Receive, review and revise Subpoena for Deposition;	1.10	302.50	CBD
	[NO CHARGE] Review pleadings in case, locate individual C. Domina wishes to subpoena	2.00	0.00	JDH
	Review subpoenas from other cases to understand format and draft subpoena for NLV project manager, exchange emails with C. Domina regarding same	0.70	157.50	JDH
Feb-26-18	Receive and process conformed Notice of Deposition; Receive and process conformed Deposition Subpoena; Reserve conference room; Telephone call with Dalos Court Reporting to reserve Court Reporter; E-mail to same confirming request for Court Reporter; File review;	0.50	62.50	TH
	Totals	4.80	\$660.00	

Other

Costs

Receipts

JA3830

Invoice #: 3562-098152098 Page 2

February 28, 2018

	Service of Process	50.00	
Feb-22-18	Depo Subpoena	30.00	
	Totals	\$80.00	\$0.00
	Total Fees & Costs		\$740.00
	Previous Balance		\$622.50
	Previous Payments		\$622.50
	Balance Due Now		\$740.00
	Retainer Balance	\$0.00	

JA3831

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

March 31, 2018

Invoice #: 3562-098152420

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-01-18	Call with Counsel for North Las Vegas regarding moving deposition giving arbitration;	0.30	82.50	CBD
Mar-02-18	Receive e-mail transmission from Attorney Domina regarding the re-scheduling of Joemel Llamado's deposition; Prepare Amended Notice of Deposition;	0.20	25.00	TH
Mar-06-18	File review; Serve and process Amended Notice of Deposition of Joemel Llamado; E-mail transmission to Dalos Court Reporting advising them of the change of deposition date and requesting confirmation of Court Reporter; E-mail transmission to the City of North Las Vegas attaching a copy of the Amended Notice of Deposition of Joemel Llamado;	0.50	62.50	TH
Mar-14-18	Prepare Second Amended Notice of Deposition of Joemel Llamado; Serve Second Amended Notice of Deposition of Joemel Llamado; E-mail to Court Reporter advising date change and request to confirm new date; Receive and process Second Amended Notice of Deposition of Joemel Llamado;	0.60	75.00	TH
Mar-15-18	Call with Counsel for APCO regarding deposition of CNLV; Call CNLV's attorney regarding time change;	0.40	110.00	CBD
Mar-19-18	Telephone call to North Las Vegas City Attorney regarding Deponent's availability to	0.40	50.00	TH

JA3832

	change deposition start time; Received telephone call with North Las Vegas City Attorney's office confirming change of deposition start time; Telephone call to Court Reporter to advise of time change;			
Mar-20-18	Assist Cary in preparing for deposition of City of North Las Vegas witness	0.60	195.00	SDM
	Start preparing for deposition of Contract Manager for City of North Las Vegas; Review voluminous documents for exhibits to deposition;	3.40	935.00	CBD
Mar-21-18	Continue preparing for and take deposition of Jomel Llamado; Send email to Victor regarding outcome of same;	9.30	2,557.50	CBD
Mar-22-18	Conference with Cary as to whether a Motion for Summary Judgment should be filed and response to Victor; receipt, review correspondence exchanged between Victor and Cary regarding same;	0.50	175.00	RLP
	Discussions with Richard regarding merits of filing a Motion for Summary Judgment; Send message to Victor regarding same;	0.40	110.00	CBD
	Totals	16.60	\$4,377.50	
Other		Costs	Receipts	
	Copies	1.50		
	Totals	\$1.50	\$0.00	

JA3833

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Total Fees & Costs		\$4,379.00
Previous Balance		\$740.00
Previous Payments		\$740.00
Balance Due Now		\$4,379.00
Retainer Balance	\$0.00	

JA3834

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

April 30, 2018

Invoice #: 3562-098152717

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-06-18	Receive and process Joemel Llamado's deposition transcript;	0.30	37.50	TH
Apr-12-18	Telephone calls to Archer Hotel and Meritage Hotel regarding conference room accommodations and room reservations;	0.50	62.50	TH
	Totals	0.80	\$100.00	

Other	Costs	Receipts
Apr-06-18 Deposition Transcript of Joel Llamado: DALOS Legal Services	684.71	
Totals	\$684.71	\$0.00
Total Fees & Costs		\$784.71
Previous Balance		\$4,379.00
Previous Payments		\$0.00
Balance Due Now		\$5,163.71
Retainer Balance	\$0.00	

JA3835

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Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

May 31, 2018

Invoice #: 3562-098153039

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

Total Fees & Costs	<hr/>	\$0.00
Previous Balance		\$5,163.71
Previous Payments		\$0.00
Balance Due Now		<hr/> \$5,163.71
Retainer Balance	\$0.00	

JA3836

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Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

June 30, 2018

Invoice #: 3562-098153326

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-27-18	Conference with Cary regarding outcome of his conversation with opposing counsel; conference with Cary and Eric regarding same;	0.50	175.00	RLP
	Discussions with Cody Munteer regarding scheduling deposition of Helix's PMK; Generally discuss settlement in light of Manhattan West ruling and APCO's position that there will be a setoff; Generally discuss upcoming trial dates and trial readiness;	1.60	440.00	CBD
Jun-28-18	Continued discussions with Cody Munteer regarding trial dates and pretrial memorandum; Discussions regarding upcoming deposition;	0.50	137.50	CBD
	Totals	2.60	\$752.50	
Total Fees & Costs				\$752.50
Previous Balance				\$5,163.71
Previous Payments				\$5,163.71
Balance Due Now				\$752.50
Retainer Balance		\$0.00		

JA3837

PEEL BRIMLEY, LLP
3333 E Serene Avenue, Suite 200
Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

July 31, 2018

Invoice #: 3562-098153608

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-03-18	Receive and review Deposition Notice for Helix's Person Most Knowledgeable; Discuss same with Victor;	0.30	82.50	CBD
Jul-05-18	Discussions with new counsel for APCO; learn that APCO fired Marquis & Aurbach; Discuss possible dates for upcoming deposition; Discussions regarding discovery responses APCO claims were never served;	0.10	27.50	CBD
Jul-09-18	Receive and review Notice of Appearance for APCO's new counsel, Spencer Fane LLP	0.10	27.50	CBD
Jul-10-18	Conference call with Randy Jefferies, new counsel to APCO regarding request to move deposition and continue trial;	0.50	137.50	CBD
	Receive and process Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada; File review; Summarize same to Attorney Domina;	0.30	37.50	TH
Jul-11-18	Continued discussions with APCO's new counsel regarding moving deposition dates and continuing trial; Send email to Victor regarding same;	0.90	247.50	CBD
	APCO's Notice of Appearance and Request for Notice; Research Court Docket regarding status of filing of same;	0.50	62.50	TH

JA3838

Jul-12-18	Continued discussions with APCO's new counsel regarding moving trial; discussions with Victor regarding same;	0.30	82.50	CBD
Jul-13-18	Discussions with APCO's new counsel regarding next trial stack; learn that new stack will not be until February; Discuss same with Court;	0.40	110.00	CBD
	Receive and process Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada;	0.20	25.00	TH
Jul-16-18	Receive and review revised Amended Notice of Deposition for Helix's PMK; Discussions with Helix regarding same;	0.20	55.00	CBD
Jul-17-18	Discussions with APCO's new counsel regarding request to move trial date given Court's unavailability for October or November;	0.30	82.50	CBD
Jul-19-18	Call with APCO's new counsel regarding meet and confer on Motions in Limine; Schedule same for tomorrow at 2:00;	0.20	55.00	CBD
Jul-20-18	Meet and confer with APCO's new attorney regarding Motions in Limine; receive conditional waiver and release APCO claims releases claims; Receive and review Motion in Limine;	1.40	385.00	CBD
Jul-23-18	Receive and process APCO and Safeco's Omnibus Motion in Limine Nos. 1-2; Receive and process Receipt of Copy of same; File review; Summarize same to Attorneys Domina and Holmes;	0.40	50.00	TH
Jul-25-18	Continued discussions with APCO's counsel regarding Motion in Limine and new trial dates;	0.30	82.50	CBD
Jul-30-18	Receive, review and revise proposed Stip. and Order continuing trial;	0.40	110.00	CBD
	Totals	6.80	\$1,660.00	

JA3839

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Total Fees & Costs		\$1,660.00
Previous Balance		\$752.50
Previous Payments		\$0.00
Balance Due Now		\$2,412.50
Retainer Balance	\$0.00	

JA3840

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

August 31, 2018

Invoice #: 3562-098153894

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-01-18	Discussions with APCO's counsel regarding continuing deadlines on Motions in Limine give trial continuance; Draft Stipulation and Order regarding same;	0.20	55.00	CBD
Aug-03-18	Receive and review Court's Amended Order setting Trial for February 2019;	0.20	55.00	CBD
Aug-06-18	Receive and review Amended Order Setting Civil Non-Jury Trial and Calendar Call;	0.20	25.00	TH
Aug-07-18	Research Court Docket regarding rescheduling of Motions in Limine; File review;	0.20	25.00	TH
Aug-16-18	Discussions with APCO's attorney regarding rescheduling deposition for October 4; Receive Amended Notice of Taking Deposition;	0.10	27.50	CBD
	File review; Process Amended Order Setting Civil Non-Jury Trial and Calendar Call;	0.60	75.00	TH
Aug-17-18	Receive and process Third Amended Notice of Taking Rule 30(b)(6) Deposition for Helix Electric;	0.20	25.00	TH
Aug-20-18	Receive and review Order rescheduling Trial Date; Instruct secretary to calendar same;	0.30	82.50	CBD
	Receive and process APCO's Second Amended Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Helix;	0.20	25.00	TH

JA3841

Invoice #: 3562-098153894

Page 2

August 31, 2018

Aug-21-18	Receive and process Notice of Entry of Stipulation and Order to Move Trial Date Only;	0.20	25.00	TH
Aug-23-18	File review; Receive and process Stipulation and Order to Move Trial Date Only;	0.30	37.50	TH
Aug-30-18	File review regarding trial deadlines;	0.80	100.00	TH
	Totals	3.50	\$557.50	

Total Fees & Costs**\$557.50**

Previous Balance

\$2,412.50

Previous Payments

\$752.50

Balance Due Now
Retainer Balance**\$0.00****\$2,217.50**

JA3842

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

September 30, 2018

Invoice #: 3562-098154196

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Sep-25-18	Call with APCO's counsel regarding responses to Interrogatories; Gather emails showing that Helix was not required to respond to Interrogatories because APCO objected to the Arbitrator, staying all deadlines; Send email to APCO's counsel regarding same;	1.60	440.00	CBD
	Totals	1.60	\$440.00	
	Total Fees & Costs			\$440.00
	Previous Balance			\$2,217.50
	Previous Payments			\$0.00
	Balance Due Now			\$2,657.50
	Retainer Balance	\$0.00		

JA3843

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Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

October 31, 2018

Invoice #: 3562-098154624

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-04-18	Meet with Ray and Bob in preparation of Ray's deposition; Prepare for and attend deposition of Ray Preitzel	5.70	1,567.50	CBD
	[NO CHARGE] Prepare documents for opposition documents exhibits and conditional waiver for deposition.	0.70	0.00	BNG
Oct-19-18	Discussions with APCO's counsel regarding scheduling Bob's Depo; Discussions with Bob regarding same; Discuss Monthly Equipment List;	0.30	82.50	CBD
Oct-22-18	[NO CHARGE] Exchange emails with Opposing counsel and C. Domina	0.20	0.00	JDH
Oct-23-18	File review; Receive and process instructions from Attorney Domina; Receive and process Fourth Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Helix Electric;	0.50	62.50	TH
Oct-24-18	[NO CHARGE] Received email from Cary regarding a Motion in Limine to respond to in the Helix v. APCO;	0.10	0.00	BNG
	Totals	7.50	\$1,712.50	

JA3844

Total Fees & Costs		\$1,712.50
Previous Balance		\$2,657.50
Previous Payments		\$2,657.50
Balance Due Now		\$1,712.50
Retainer Balance	\$0.00	

JA3845

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Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

November 30, 2018

Invoice #: 3562-098154900

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Nov-06-18	Receive & process transcripts from Pritzel deposition; email same to CBD for review;	0.30	22.50	AEA
Nov-12-18	Email correspondence with APCO's counsel regarding equipment list and Helix's position that it cannot obtain same;	0.50	137.50	CBD
Nov-13-18	Telephone call with Dept. 17 Law Clerk Joelle regarding Opposition and Reply deadlines to APCO's Motions in Limine; Summarize same to Attorney Domina;	0.30	37.50	TH
Nov-16-18	Conference with Cary regarding arguments to be made in response to APCO's Motion in Limine;	0.50	175.00	RLP
	Receive and review APCO's Motion in Limine which seeks to bar Helix from presenting evidence of its claim for extended general conditions based on APCO's position that Helix waived the same when it provided its Conditional Waiver and Release; Start researching for Opposition to Motion in Limine;	1.20	330.00	CBD
Nov-17-18	[NO CHARGE] Find email with relevant case for C. Domina	0.20	0.00	JDH
Nov-18-18	Start researching case law which holds a Motion in Limine is not a substitute for a motion for partial summary judgment; research case law regarding need for contemporaneous	11.50	3,162.50	CBD

JA3846

	exchange of conditional waivers; research various arguments; review documents and determine that APCO did not pay Helix until October 30, 2014, which contradicts APCO's Declaration; Start drafting Opposition to Motion in Limine			
Nov-19-18	Continue drafting Opposition to Motion in Limine; Discussions with Victor regarding arguments we will make in Opposition; Draft Declaration for Victor Fuchs regarding same;	13.10	3,602.50	CBD
	[NO CHARGE] Gather Exhibits for Opposition; Instruct secretary to file same;	1.30	0.00	CBD
	[NO CHARGE] Research conditional waiver issue for C. Domina	0.40	0.00	JDH
Nov-20-18	Submit Opposition to MIL 1-2 to Court and serve on all interested parties; arrange for runner service to deliver courtesy copy to the Judge;	0.40	30.00	AEA
Nov-21-18	[NO CHARGE] Receive and review APCO's Reply in Support of Motion in Limine; forward same to Victor and Bob; Start preparing for hearing regarding same;	0.90	0.00	CBD
Nov-26-18	[Courtesy No Charge] Discussions with Bob regarding deposition preparation; start preparing for hearing on Wednesday;	1.40	0.00	CBD
Nov-27-18	Prepare for hearing on Motion in Limine; Discussions with Bob regarding his deposition tomorrow;	6.20	1,705.00	CBD
Nov-28-18	Continue preparing for and attend hearing on Motion in Limine; Prepare for and attend deposition of Bob Johnson;	8.00	2,200.00	CBD
Nov-29-18	[NO CHARGE] Call with Victor regarding releases and declaration revisions; Make revisions to Declaration and prepare same for Victor's review and signature; Discussions with APCO's counsel notifying them that Helix will not stipulate to continue trial;	0.70	0.00	CBD
Dec-21-18	Courtesy Reduction per RLP	0.00	-15.35	RLP
	Courtesy Reduction per RLP	0.00	-976.76	CBD

JA3847

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Courtesy Reduction per RLP	0.00	-3.29	TH
Courtesy Reduction per RLP	0.00	-4.60	AEA
Totals	46.90	\$10,402.50	

Other	Costs	Receipts
E Filing Fees	3.50	
Legal Research/Web Search	336.11	
Courier/Delivery	96.00	
Nov-05-18 Deposition Transcript of Eric Rainer Pritzel: Envision Legal Solutions	545.00	
Totals	\$980.61	\$0.00
Total Fees & Costs		\$11,383.11
Previous Balance		\$1,712.50
Previous Payments		\$0.00
Balance Due Now		\$13,095.61
Retainer Balance	\$0.00	

JA3848

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

December 31, 2018

Invoice #: 3562-098154996

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-04-18	Receive and review APCO's Motion to Continue Trial (Second Request); File review; Summarize same to Attorneys Domina and Holmes;	0.20	25.00	TH
Dec-05-18	Receive and process Court's Minutes rescheduling the hearing of January 2, 2019 to January 9, 2019;	0.10	12.50	TH
Dec-07-18	Call with Mary Bacon regarding trial preparation and discuss possibility of continuing trial; discuss same with Victor; Advise Mary we cannot move the Trial; Discussions regarding possible settlement offers;	1.90	522.50	CBD
Dec-12-18	Discuss opposition to motion to continue	0.10	0.00	JDH
Dec-13-18	Receive, review and revise Opposition to Motion to Continue Trial.	1.50	412.50	CBD
	Review pleadings, research local rule, draft opposition, speak with C. Domina regarding opposition	1.00	0.00	JDH
Dec-14-18	Finalize opposition and prepare for filing	0.20	0.00	JDH
Dec-19-18	Receive and process Offer of Judgment; Summarize same to Attorneys;	0.30	37.50	TH
Dec-20-18	Discussions with Mary Bacon regarding meet and confer based on APCO's claim to file	0.80	220.00	CBD

JA3849

motion in limine as they claim Helix's PMK
could not answer certain questions and
Deposition;

Dec-21-18	Call with Mary Bacon, counsel for APCO regarding meet and confer for new Motion in Limine;	0.70	192.50	CBD
Dec-28-18	Receive and process APCO's Motions in Limine Nos. 3 and 4; Summarize same to Attorneys Domina and Holmes;	0.30	37.50	TH
Totals		7.10	\$1,460.00	

Other	Costs	Receipts
E Filing Fees	7.00	
Parking	15.00	
Dec-19-18 Deposition of Robert D. Johnson: Envision Legal Solutions	526.10	
Totals	\$548.10	\$0.00
Total Fees & Costs		\$2,008.10
Previous Balance		\$13,095.61
Previous Payments		\$13,095.61
Balance Due Now		\$2,008.10
Retainer Balance	\$0.00	

JA3850

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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

January 31, 2019

Invoice #: 3562-098155233

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jan-02-19	Receive and review APCO's Reply in Support of its Motion to Continue Trial; Prepare arguments against same;	0.50	137.50	CBD
Jan-05-19	Discussions with APCO's counsel regarding family emergency and need to continue hearing on Motion to Continue Trial;	0.30	82.50	CBD
Jan-07-19	Continued discussions with Mary Bacon regarding moving hearing; receive, review and edit proposed Stip. and Order moving hearing on Motion to Continue trial given Mary's family emergency; Learn that Case was reassigned to new Judge with no civil litigation experience; Discussions with Victor regarding filing Peremptory Challenge; Discussions with Mary Bacon regarding likely new trial dates;	1.60	440.00	CBD
	[NO CHARGE] Research new judge, exchange emails with team	0.20	0.00	JDH
Jan-08-19	Receive, review and revise Peremptory Challenge; Instruct secretary to file same;	0.50	137.50	CBD
	File review; Prepare Peremptory Challenge; Revise Peremptory Challenge; File and Serve same;	0.40	50.00	TH
Jan-09-19	Discussions with APCO's counsel regarding staying deadline to file Opposition to the Motion in Limine in light of new Judge;	0.30	82.50	CBD

JA3851

	File review; Review Court Docket regarding case reassignment to Dept. 18;	0.40	50.00	TH
Jan-10-19	Receive and review notice from Court that based on Peremptory Challenge, the Case has been reassigned to Judge Tierra Jones;	0.30	82.50	CBD
	Receive and process Peremptory Challenge; Receive and process Notice of Department Reassignment; File review; Summarize same to Attorneys Domina and Holmes;	0.40	50.00	TH
Jan-11-19	Receive email from Chambers requesting new dates for hearing on Motion to Continue Trial; Discuss same with opposing counsel; Research timing of filing Request for Business Court in order to obtain Judge who has civil litigation experience;	0.90	247.50	CBD
Jan-25-19	Receive, review and revise Request to Transfer Case to Business Court; Learn that APCO has retained Fennemore Craig as counsel of record;	0.10	27.50	CBD
	Prepare Request to Transfer to Business Court; File and serve same;	0.30	37.50	TH
Jan-28-19	Receive notice that Case was assigned to Judge Gonzalez;	0.10	27.50	CBD
	Receive and respond to e-mail from Court Clerk requesting Business Court Cover Sheet; Prepare Business Court Cover Sheet; Submit same for filing; Receive and process Business Court Cover Sheet and Request for Transfer to Business Court; Receive and process Notice of Department Reassignment to Dept. 11; Summarize same to Attorney Domina;	0.30	37.50	TH
Jan-29-19	[NO CHARGE] Receive and review Business Court Order; Instruct secretary to calendar all dates therein;	0.20	0.00	CBD
	Receive and process Business Court Order setting Mandatory Rule 16 Conference; File review; Research Court Docket; Summarize same to Attorney Domina;	0.20	25.00	TH

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JAS382



Jan-31-19	Receive and process Substitution of Counsel and Consent to Substitution filed by Fennemore Craig; File review; Summarize same to Attorneys Domina and Holmes;	0.40	50.00	TH
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Totals		7.70	\$1,602.50	
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Other		Costs	Receipts
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	E Filing Fees	3.50	
Jan-31-19	Filing Fees	467.00	
	Filing Fees (Business Court)	1,301.30	

Totals		\$1,771.80	\$0.00
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Total Fees & Costs			\$3,374.30
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Previous Balance			\$2,008.10
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Previous Payments			\$0.00
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Balance Due Now			\$5,382.40
Retainer Balance	\$0.00		

PEEL BRIMLEY, LLP
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Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

February 28, 2019

Invoice #: 3562-098155514

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-04-19	Discussions with Brandi Planet, new counsel to APCO, regarding status of Opposition to Motion in Limine;	0.40	110.00	CBD
Feb-06-19	Call with APCO's new counsel regarding Trial dates;	0.30	82.50	CBD
Feb-28-19	Call with APCO's counsel regarding Rule 16 Conference; review Rule and Business Court Order in preparation of attorney Hearing;	2.10	577.50	CBD
	Totals	2.80	\$770.00	
	Total Fees & Costs			\$770.00
	Previous Balance			\$5,382.40
	Previous Payments			\$2,008.10
	Balance Due Now			\$4,144.30
	Retainer Balance	\$0.00		

JA3854

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Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

March 31, 2019

Invoice #: 3562-098155795

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-01-19	Call with APCO's attorney regarding Rule 16 Conference dates and protocol; Discuss stipulating to setting hearing on Motion in Limine; Exchange Disclosures required of Rule 16; Draft email memorializing discussions; Receive and review APCO's responses to email confirming stipulated procedures;	1.50	412.50	CBD
Mar-04-19	Prepare for and attend Rule 16 hearing; Receive, review and revise Stip. and Order;	3.50	962.50	CBD
Mar-07-19	Receive, review and revise Stip. and Order extending briefing schedule on APCO's third and fourth Motion in Limine;	0.20	55.00	CBD
	Receive and process Business Court Scheduling Order and Order Setting Civil Bench Trial and Calendar Call; Prepare Stipulation and Order to scheduled Motions in Limine Nos. 3 and 4; Summarize same to Attorney Domina;	1.00	125.00	TH
Mar-13-19	Receive, review and revise Stip. and Order continuing briefing schedule and setting hearing on Motions in Limine;	0.20	55.00	CBD
	[NO CHARGE] File review; Research Court Docket; Process Order Setting Civil Bench Trial and Calendar Call; Prepare Order on Motions in Limine Nos. 1-2; Review	2.00	0.00	TH

JA3855

	Stipulation and Order on Motions in Limine Nos. 3-4;			
Mar-19-19	Call with APCO's counsel regarding Motion in Limine and need to narrow scope of hearing;	0.50	137.50	CBD
	Discussions with APCO's counsel regarding modifications to Stip. and Order continuing hearing;	0.10	27.50	CBD
Mar-20-19	[NO CHARGE] Begin reviewing motion and Ray's deposition	2.30	0.00	JDH
	Receive and respond to e-mail from Attorney Brandi Planet; Revise Stipulation;	0.10	12.50	TH
	Receive and process signed Stipulation and Order to Extend Opposition and Reply Deadlines and Schedule Hearing; Arrange Stipulation and Order to be delivered to the Court for Judge's signature;	0.20	25.00	TH
Mar-21-19	Finish reviewing depositions and additional motions for necessary information, begin researching law regarding exclusion of documents due to failed 30b6 deposition	5.40	1,215.00	JDH
Mar-22-19	[NO CHARGE] Continue research regarding Opposition to Motion	5.00	0.00	JDH
Mar-25-19	Continue research, email C. Domina regarding position, email R. Jeffrey regarding missing deposition information	2.10	472.50	JDH
	Receive and process Stipulation and Order to Extend Opposition and Reply Deadlines and Schedule Hearing; File and serve Stipulation and Order to Extend Opposition and Reply Deadlines and Schedule Hearing; Prepare Notice of Entry of Stipulation and Order; File and serve Notice of Entry of Stipulation; File review;	0.80	100.00	TH
	Receive and respond to Attorney Holmes' e-mail regarding the Deposition of Robert Johnson;	0.20	25.00	TH
Mar-26-19	Review Deposition Transcript in preparation of drafting Opposition to Motion in Limine	1.50	412.50	CBD

JA3856

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	[NO CHARGE] Review exhibits to deposition, discuss strategy with C. Domina	0.40	0.00	JDH
Mar-27-19	Continue reviewing Transcript of Bob Johnson in preparation of drafting Opposition to Motion in Limine	1.40	385.00	CBD
Mar-28-19	[NO CHARGE] Receive, review and revise Opposition to Motion;	2.00	0.00	CBD
	Begin drafting opposition, discuss same with C. Domina	6.00	1,350.00	JDH
Mar-29-19	Receive, review and revise Helix Opposition;	1.60	440.00	CBD
	Finish opposition, proof read and revise as needed, provide to C. Domina, incorporate edits and gather exhibits and prepare for filing, create appendix and prepare for filing	6.70	1,507.50	JDH
	Bate Stamp Exhibits for Opposition to APCO's Motion in Limine 3 & 4 & provide JDH bate ranges for Appendix; submit Opposition and Appendix to the Court & serve on all interested parties;	0.60	45.00	AEA
	Totals	45.30	\$7,765.00	

Other	Costs	Receipts
Copies	1.25	
E Filing Fees	7.00	
Parking	6.00	
Courier/Delivery	25.00	
Totals	\$39.25	\$0.00

JA3857

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Total Fees & Costs		\$7,804.25
Previous Balance		\$4,144.30
Previous Payments		\$0.00
Balance Due Now		\$11,948.55
Retainer Balance	\$0.00	

JA3858

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

PEEL BRIMLEY, LLP
3333 E Serene Avenue, Suite 200
Henderson, Nevada 89074
(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

April 30, 2019

Invoice #: 3562-098156078

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-08-19	Receive and review Reply in Support of APCO's Motion in Limine; start outlining arguments in response to same;	0.30	82.50	CBD
Apr-09-19	Receive and review APCO's Reply in Support of its Motion in Limine;	0.60	165.00	CBD
	Review reply in support of MIL filed by opposing counsel, email C. Domina regarding initial thoughts	1.30	292.50	JDH
	Receive and process APCO's Reply in Support of its Motion in Limine No. 3 and Motion in Limine No. 4; File review; Summarize same to Attorney Domina and Holmes;	0.20	25.00	TH
Apr-11-19	Coordinate with APCO's counsel regarding new hearing date on Motion in Limine; Discussions with Court regarding same;	0.30	82.50	CBD
	Totals	2.70	\$647.50	

Other

Costs

Receipts

Courier/Delivery

10.00

Totals

\$10.00

\$0.00

JA3859

Total Fees & Costs		\$657.50
Previous Balance		\$11,948.55
Previous Payments		\$4,144.30
Balance Due Now		\$8,461.75
Retainer Balance	\$0.00	

JA3860

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

TRUST STATEMENT

	Disbursements	Receipts
Apr-30-19		
Received From: Helix Electric		3,374.30
Payment - Check No. 65890		
Received From: Helix Electric		770.00
Payment - Check No. 65890		
Paid To: PEEL BRIMLEY, LLP	4,144.30	
Transfer of funds to Account		
Total Trust	<hr/> \$4,144.30	<hr/> \$4,144.30
Trust Balance		\$0.00

JA3861

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3333 E Serene Avenue, Suite 200
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(702) 990-7272

Helix Electric of Nevada, LLC.
3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

May 31, 2019

Invoice #: 3562-098156345

Attention: Victor Fuchs

RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
May-03-19	Receive and respond to e-mail from Dept. 11 JEA regarding deadline to submit Pre-Trial Memorandum; Telephone call with Kassi of Attorney Jeffries office advising her of Pre-Trial Memorandum deadline and e-mail confirming same; Summarize same to Attorney Domina;	0.30	37.50	TH
May-06-19	Instruct associate regarding preparing outline for oral argument on Motion in Limine 3-4; Generally discussion Job Cost Report and APCO's claim that Helix cannot support actual costs;	0.60	204.00	CBD
	Review pleadings regarding motion in limine and prepare outline for C. Domina	5.00	1,125.00	JDH
May-07-19	Discussions with Bob regarding issues presented in Motion in Limine and need to meet to better understand weak spots of claim;	0.30	82.50	CBD
	Continue reviewing Motion and relevant documents to prepare for MIL, review produced documents to ascertain validity of APCO's claims, compare produced job cost reports to reports used in deposition, review Johnson deposition transcript, begin preparing summary of APCO's arguments to assist in rebuttal.	5.50	1,237.50	JDH
May-08-19	Receive and review summary of Motion in Limine prepared by associate in anticipation of	1.00	275.00	CBD

JA3862

	oral argument next week; Receive and review outline for oral argument; Instruct associate further regarding research and legal arguments to include in outline;			
	Finish summary of motion and arguments including rebuttal arguments and provide to C. Domina, revise hearing outline as well, share documents found with C. Domina	3.50	787.50	JDH
May-09-19	Conference with Cary concerning most recent events and his concern with proving up damages; conference with Victor regarding same;	0.60	210.00	RLP
	Continue preparing for MIL and assisting C. Domina put together claim, create spreadsheets referencing all costs incurred by item and individual, review APCO documents and daily time sheets to compare amounts, compare to claimed costs, begin gathering documents to use during client meeting, set up for client meeting, continue reviewing while waiting for client, draft various proposed questions and information needed from client, speak with C. Domina about rescheduling meeting after no word from client	8.30	1,867.50	JDH
May-10-19	Meet with Bob Johnson in preparation of arguing against Motion in Limine; Generally discuss trial preparation and schedule for witnesses	2.20	605.00	CBD
	Continue to prepare based on new questions from C. Domina for client meeting, prepare binder for hearing for C. Domina, prepare flash drive with all relevant documents for C. Domina, meet with B. Johnson to discuss issues	4.70	1,057.50	JDH
May-12-19	Start preparing for hearing on APCO's Motion in Limine; Revise Outline and review documents and APCO's Motion;	3.70	1,017.50	CBD
May-13-19	Prepare for and attend hearing on APCO's Motion in Limine 3 and 4; Exchange settlement discussions with APCO's counsel; receive offer from APCO to settle; Convey same to Victor; Discussions with Richard regarding case and strengths and weaknesses;	5.20	1,430.00	CBD

JA3863

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	Discuss same and help draft email to Victor advising him of risks and concerns;			
	Debrief hearing with C. Domina and discuss next steps	0.40	90.00	JDH
May-14-19	Telephone call with Victor concerning settlement options;	0.30	105.00	RLP
	Prepare for and attend Calendar Call; Continue with settlement discussions with Randy; Start preparing Pretrial Memo which is due Friday;	4.40	1,210.00	CBD
	Teleconference with Victor regarding settlement offers from APCO; Generally discuss potential risks of proceeding to trial; Discuss likely cost of trial; Discuss trial strategy with RLP	0.80	220.00	CBD
May-16-19	Telephone call with Victor regarding response from APCO; send correspondence to Cary regarding settlement authorization;	0.20	70.00	RLP
	Exchange Settlement figures with Randy Jeffries; determine that the parties are too far apart to merit continued discussions; Receive and review Safeco's Answer to Complaint;	0.30	82.50	CBD
May-17-19	Discussions with Randy regarding Pretrial Memorandum and exchanging of Exhibits;	1.50	412.50	CBD
May-20-19	Review correspondence from Cary concerning his conversation with attorney Jeffrey concerning settlement; telephone call with Victor regarding same; send response to Cary; send correspondence to Victor regarding trial date; receipt, review APCO's counter-settlement offer; send same to Victor for his consideration;	0.70	245.00	RLP
	Numerous discussions with Randy regarding Joint Exhibits and Pretrial Memorandum; Receive additional settlement offer from APCO; Convey same to Victor who rejected as it was too low and did not account for Manhattan West; Learn from Court that Pretrial Memo is due 5/24, and Findings of Fact, Conclusions of Law are due 5/31;	2.30	632.50	CBD
May-21-19	Discussions with Randy Jeffries	0.30	82.50	CBD

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	regarding his intention to file Motion to Strike testimony of Kurt Williams;			
	Begin preparing for trial; various discussions with Cary regarding things to do; review all peladings filed into case; review all motions filed in case to learn facts and issues surrounding the litigation; begin review of documents and preparation of Exhibit List for trial;	7.80	1,755.00	RON
May-22-19	Prepare and send correspondence to Victor and Bob regarding upcoming trial and things needed for same;	0.20	70.00	RLP
	Call with Randy regarding exchanging of Exhibits;	1.10	352.00	CBD
	Review motion filed by APCO, brief research into matter, discuss trial with C. Domina	0.60	135.00	JDH
May-23-19	Discussions with Bob regarding Job Cost Report which Judge ordered we produce; Receive daily reports from Ray Prietzel; Disclose Cost Report and include as Trial Exhibit; Work with Chris regarding gathering documents for trial director; Exchange emails with Randy regarding new documents to include on Trial exhibit List; Confirm Kurk is available to testify at trial June 3;	1.90	522.50	CBD
	Go over production from APCO with C. Domina, begin comparing values to our own calculations	1.40	315.00	JDH
	Receive and process Motion to Exclude the Testimony of Kurt Williams; File review; Summarize same to Attorneys; Prepare Pre-Trial Memorandum;	2.70	337.50	TH
May-24-19	Receipt, review correspondence exchanged between Cary and Terri concerning APCO's Motion to Exclude;	0.20	70.00	RLP
	Call with Randy Jeffries regarding edits to Pretrial Memo; finalize and file same; Receive and review Motion to Exclude testimony of Kurk Wiliams on OST; Revise facts section of Pretrial Memo as it was not neutral and stipulated to facts not agreed upon; Receive and review Trial Exhibit List; Work with	5.70	1,824.00	CBD

JA3865

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Ronnie to identify scope of Joint Exhibit List;
Instruct Chris to add daily reports to trial
director and provide same to APCO's counsel;
Exchange numerous emails with opposing
counsel regarding updates to Exhibits and
Exhibit List; Generally prepare for Trial by
starting to review deposition transcripts;
Instruct secretary to send original depositions
down to Court; Instruct paralegal to serve trial
subpoena on Jomele Lamdo;

	Review documents from APCO pre-trial exhibits and compare to our cost records	3.50	787.50	JDH
	Continue preparing for trial; receive, review and approve Trial Subpoena for Joemell Llamado and give instruciton to Amanda as to things to do; various calls with Cary regarding things to do; continue review of documents produced by Helix and APCO to determine documents that should be used for trial; receive Pre-Trial Memorandum and compare documents identified on the same to documents we want to use and discussions with Cary regarding the same; review documents used as exhibits to the various depositions to confirm all such documents were included in Pre-Trial Memorandum;	4.40	990.00	RON
	File review regarding sealed deposition transcripts; File review; Prepare Trial Subpoena for Joemel LLamado;	0.90	112.50	TH
	Compare certified payroll documents previously produced,	1.10	82.50	AEA
	Submit Pre-trial Memorandum to the court, email courtesy copy to the Dpt. for review	0.40	30.00	AEA
	Receive additioal documents from attorney and process them to apply bate numbering continuing on in the sequence. Update disclosure index and distribute bate numbered documents and save to server.	1.25	140.63	CJT
May-26-19	Continue preparing for trial by reading deposition transcripts of Joemele Llamado and Bob Johnson;	3.90	1,248.00	CBD
May-27-19	Receive proposed trial exhibit list and review.	5.75	646.88	CJT
JA3866				

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	Begin to identify and locate bates numbered documents referenced and organize them for use in importing into TrialDirector.			
May-28-19	General Trial Preparation, including making direct examination notebooks for Kurk Williams and Bob Johnson; Joemel Llamado; gather documents for Cross-Examination of Joe Pelan;	14.60	4,672.00	CBD
	Review additional documents and finish comparisons of summaries to source documents, begin working on opposition to motion to exclude kirk williams.	5.00	1,125.00	JDH
	Continue preparing for trial; receive and review emails exchanged between Cary and attorney Jefferies regarding exhibits; review certain exhibits and determine some should be separated from one another; continue review of documents; locate necessary documents and information for Cary as needed;	6.80	1,530.00	RON
	Continue working with proposed exhibit list to identify and gather and organize documents listed into trial exhibits and prepare them for use at trial.	6.25	703.13	CJT
May-29-19	Exchange several correspondence with the Labor Commissioner as to whether a electrical subcontractor must have a general foreman on site at all times;	0.50	175.00	RLP
	General Trial Preparation; Meet with Bob Johnson and Ray Prietzel to prepare them for direct and cross examination; Discussions with Bob regarding rules governing superintendents;	14.10	4,512.00	CBD
	Continue research regarding motion to exclude testimony provide information to C. Domina as needed	2.50	562.50	JDH
	Continue preparing for trial; review Deposition of Joemell Llamado and highlight important information; prepare Deposition Designation and identify pages and lines of Joemell's deposition that we will read into the record if Joemell does not testify at trial; continue comparison of documents to proposed exhibit	6.20	1,395.00	RON
JA3867				

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list; continue locating documents/information for Cary as needed;

	Work with all documents received to date to locate and identify those to be used as trial exhibits. Gather the exhibits and renumber to incorporate changes in trial exhibits. Prepare exhibits to import into TrialDirector and work with documents to import them. Create barcoded and trial exhibit marked PDF versions of the exhibits. Upload to Box all branded exhibits to share with opposing counsel and send to Vendor to have trial binders made.	8.75	984.38	CJT
May-30-19	Receipt, review correspondence from Victor concerning foreman requirements;	0.20	70.00	RLP
	Continue Trial Preparation; Meet with Kurk Williams and Bob Johnson; research for Findings of Fact and Conclusions of Law; start drafting Findings of Fact and Conclusions of Law; Start drafting Direct Examination of Kurk Williams;	15.00	4,800.00	CBD
	Find additional information for C. Domina, pull cases as needed, summarize various findings regarding APCO arguments and claim amounts	2.00	450.00	JDH
	Review deposition transcripts of Joe Pelan and Ray Preitzel in preparation for trial; prepare for and attend meeting with Kirk Williams and Bob Johnson; continue to locate documents/information for Cary as needed; review information/documentation regarding forklift charge in February and March and reconcile the same; prepare draft email from Cary to attorney Jefferies advising him that the forklift charge was correct, just not the correct month; begin review of Daily Job Reports for information related to Ray's activities as a superintendent;	9.40	2,115.00	RON
	Review documents produced by APCO; Prepare Supplemental Designation of Deposition Testimony; File and serve Supplemental Designation of Deposition Testimony; Serve courtesy copy of	0.90	112.50	TH

JA3868

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Designation of Deposition Testimony and
Supplement to Dept. 11;

	Continue to work with trial exhibits in TrialDirector to organize and code them for use at trial. Discussions regarding the creation of trial binders and coordinate with vendor. Discussions with Cary and opposing counsel regarding additional exhibits and add. Update exhibit list and distribute.	6.50	731.25	CJT
May-31-19	Continue preparing for Trial; Finalize proposed Findings of Fact, Conclusions of Law; extensive legal research for same; Submit same to chambers; Research NRS 338.485 and other provisions of Public Works Statute; Research NRS 624 pay-if-paid and whether it matters that Helix submitted proposed Terms; Research whether APCO's acceptance of payment created an illusory clause in the pay-if-paid clause; General research; Start drafting outline for direct examination of Bob Johnson; Receive, review and revise Opposition to Motion to Exclude testimony of Kurk Williams; Receive and review APCO's FFCL and Pretrial Brief regarding discovery issues and case matters;	15.10	4,152.50	CBD
	Continue working on opposition to motion to exclude, research additional arguments as needed, finalize, review, and prepare for filing, begin preparing to argue motion	9.40	2,115.00	JDH
	Continue preparing for trial; prepare for and attend meeting with Bob Johnson and Ray Preitzel; continue review of Daily Job Reports; begin preparing questions for direct examination of Ray; various discussions with Cary regarding NRS 338 and NRS 624; receive and review APCO's Findings of Fact and Conclusions of Law and discuss the same with Cary; receive and review APCO's Pre-Trial Evidentiary Issues and discussion with Cary regarding the same; locate documentation/information for Cary as needed; receive, review and comment on Helix's Findings of Fact and Conclusions of Law and discussions with ary regarding the same;	9.30	2,092.50	RON

JA3869

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Prepare cover sheets and side labels to 4-sets of trial binders; Revise Trial Exhibit List; Telephone call to Dept. 11 regarding revised Trial Exhibit List; Telephone call with Brandi Planet at Fennemore Craig regarding trial binders; Arrange delivery of one set of trial binders to Fennemore Craig; Arrange delivery of two sets of trial binders to Dept. 11; File and serve Helix's Opposition to APCO and Safeco's Motion to Exclude the Testimony of Kurt Williams; Arrange delivery of courtesy copy of Opposition to Dept. 11 pursuant to EDCR 2.20;	4.75	593.75	TH
Assisted in preparing deposition binders for upcoming meeting/trial	0.80	60.00	AEA
Receive & process APCO's FFCL, email same to CBD and RJC for review,	0.10	7.50	AEA
Work with documents to be used as trial exhibits in TrialDirector to incorporate into program and organize for use at trial. Coordinate with LDG regarding trial binders and make final preparations for Trial on Monday.	7.25	815.63	CJT
Totals	240.30	\$56,280.15	

Other		Costs	Receipts
	Copies	84.25	
	E Filing Fees	17.50	
	Courier/Delivery	218.50	
	Service of Process	113.00	
May-30-19	Trial Prep Meal	62.28	
May-31-19	Trial Binders: Litigation Discovery Group	1,031.71	
	Trial Prep Meal	34.64	
	Online Research	82.17	
	Totals	\$1,644.05	\$0.00

JA3870

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Total Fees & Costs		\$57,924.20
Previous Balance		\$8,461.75
Previous Payments		\$0.00
Balance Due Now		\$66,385.95
Retainer Balance	\$0.00	

JA3871

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(702) 990-7272

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3078 E. Sunset Rd
Suite 9
Las Vegas, NV 89120

June 30, 2019

Invoice #: 3562-098156688

Attention: Victor Fuchs
RE: File No. 3562-098-- vs. APCO (Craig Ranch Park)

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-01-19	Continue preparing for trial; prepare opening statements and direct examination of Kurk Williams; Discussions with Randy regarding Findings of Fact and Conclusions of Law; Instruct associate regarding research needed to address legal arguments in APCO FFCL; Discussions with Victor regarding strategy and potential discussions with Jim Barker; Instruct associate regarding additional research on NRS 338.485; Review Ronnie's proposed direct examination of Ray Prietzel; Instruct him to limit same; Discussions with Kurk as to whether he negotiated the Subcontract and put bid together;	13.00	4,160.00	CBD
	Continue hearing prep and call with C. Domina to discuss trial prep research, conduct initial research	2.50	562.50	JDH
	Continue preparing for trial;	9.10	2,047.50	RON
	Work with additional exhibits in TrialDirector to prepare for trial.	2.50	281.25	CJT
Jun-02-19	Meet with Cary and Ronnie to discuss damage issues relating to cost report and PM and superintendent time; Review contract and analyze strategy for trial relating to damages;	1.70	552.50	SDM
	Continue preparing for trial; Meet with Steve Meacham to review Subcontract Agreement and Job Cost Summaries; prepare direct	13.00	4,160.00	CBD

JA3872

examination of Jomele Llamada; Coordinate with APCO's and CNLV's counsel regarding scheduling of Joemel's direct examination; Continue preparing opening statements; Lengthy conference call with Kurk Williams in preparation of his direct examination; Instruct associate regarding research on: (i) whether discussions between Victor and Joe Pelan are settlement discussions and if so, whether any exceptions apply; (ii) whether summaries of voluminous documents are evidence or demonstrative exhibits only; and (iii) applicability of parole evidence; Correspondence with Randy regarding scheduling of witnesses and time needed for trial; Instruct Ronnie to create a summary of hours Kurk worked on Project according to Job Cost Report to contrast same with his testimony; Instruct Ronnie to amend proposed FFCL to include missing citation and to reference NRS 338.485 instead of NRS 624; Receive and review memo from Jeremy regarding what constitutes abandonment of Project and cardinal change; Exchange email with Bob regarding schedule of values; Receive and review Memo from Ronnie regarding JA Jones case and APCO's misapplication of same;

	Continue assistance with trial prep, various research assignments per C. Domina instruction, draft several memorandums addressing potential issues and arguments to make, continue preparation for hearing on motion to exclude	8.00	1,800.00	JDH
	Continue preparing for trial;	16.60	3,735.00	RON
	Receive additional documents to be added as exhibits and import into TrialDirector. Work in TrialDirector database to finalize for trial. Final preparations for trial.	3.50	393.75	CJT
Jun-03-19	Telephone call from Victor regarding various issues affecting trial; send correspondence to Cary regarding same; receipt, review correspondence from Cary regarding "no damages for delay"; telephone call with Cary regarding same;	0.60	210.00	RLP

JA3873

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	Conference with Cary and Ronnie regarding outcome of trial and things to do;	0.50	175.00	RLP
	Continue preparing outline for opening statement; generally prepare for and attend First Day of Trial; Direct Examination of Kurk Williams; Direct examination of Jomele Llamado; Start preparing for second day of trial;	18.10	5,792.00	CBD
	Finish preparing for arguments on motion to exclude K. Williams, attend hearing and argue motion	3.00	675.00	JDH
	[NO CHARGE] Attend trial;	7.00	0.00	JDH
	Prepare for, travel to and attend Day 1 of trial; prepare for Day 2 of trial;	16.80	3,780.00	RON
	Receive and process APCO's Civil Subpoena (Trial) to Joemel Llamado; Summarize same to Attorneys;	0.20	25.00	TH
	Prepare for and set up and attend first day of trial. Set up electronic equipment and run TrialDirector during direct and cross and assist as necessary.	10.25	1,153.13	CJT
Jun-04-19	Discuss trial issues with Cary; meet with Cary and Bob to review contract provisions and trial strategy relating to specific contract provisions;	0.60	195.00	SDM
	Prepare for and attend Second day of trial; prepare Direct Examination of Bob Johnson; Start preparing for day three of trial, including closing arguments and cross-examination of Joe Pelan;	18.10	5,792.00	CBD
	[NO CHARGE] Attend trial	8.00	0.00	JDH
	Prepaer for, travel to and attend Day 2 of trial; prepare for Day 3 of trial;	12.70	2,857.50	RON
	Prepare for and set up and attend second day of trial. Run TrialDirector during direct and cross and assist as necessary.	9.75	1,096.88	CJT
Jun-05-19	Prepare for Cross-Examination of Joe Pelan; Prepare Closing Arguments; Attend final day	8.20	2,624.00	CBD

JA3874

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

of trial; Post-Trial debriefing with Helix Team;
Discussions with Victor following trial;

	[NO CHARGE] Attend trial	4.00	0.00	JDH
	Prepare for, travel to and attend day 3 of trial;	7.00	1,575.00	RON
	Receive and process Receipt of Helix's Deposition Transcripts; Receive and process Receipt of APCO's Deposition Transcripts; Receive and process Receipt of Trial Exhibits	0.30	37.50	TH
	Prepare for and set up and attend last day of trial. Run TrialDirector during direct and cross and assist as necessary. Disassemble all electronic equipment and pack up trial items and return to office.	10.50	1,181.25	CJT
	[NO CHARGE] Review Daily Sign In Sheets looking for APCO's employees by the name Joe Pelan, Mark Yoakum and Brian Bohn;	1.30	0.00	BNG
Jun-06-19	Debrief after trial and copy items used at trial to server. Update spreadsheets of exhibits used at trial and reorganize post trial.	2.25	253.13	CJT
Jun-21-19	Receive and review Order from Court continuing status check for 2 weeks; Discuss same with Victor;	0.20	55.00	CBD
Jun-24-19	Receive and process Court's Minute Order setting Status Check in Chambers on July 5, 2019; File review; Summarize same to Attorneys Domina and Holmes;	0.20	25.00	TH
	Totals	209.45	\$45,194.89	

Other		Costs	Receipts
	Parking	237.00	
Jun-06-19	Trial Expenses	317.31	
	Totals	\$554.31	\$0.00

JA3875

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

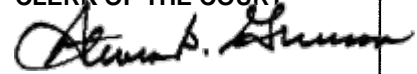
Total Fees & Costs		\$45,749.20
Previous Balance		\$66,385.95
Previous Payments		\$8,461.75
Balance Due Now		\$103,673.40
Retainer Balance	\$0.00	

JA3876

PLEASE NOTE: (I) Payments May Be Made By Telephone, In-Person, By Check Or Credit Card. (Please Contact Afton George At 702/990-7272 For More Detail Concerning Payment By Credit Card); (II) Payments Will Be Applied To The Oldest Outstanding Balance; (III) When Payments Are Made By Check A) The Check Should Be Made Payable To "Peel Brimley LLP"; And B) You Authorize Us To Either Use Information From Your Check To Make A One-Time Electronic Fund Transfer From Your Account Or To Process The Payment As A Check.

EXHIBIT 2

JA3877



1 **MEMC**
2 CARY B. DOMINA, ESQ.
3 Nevada Bar No. 10567
4 RONALD J. COX, ESQ.
5 Nevada Bar No. 12723
6 JEREMY HOLMES, ESQ.
7 Nevada Bar No. 14379
8 **PEEL BRIMLEY LLP**
9 3333 E. Serene Avenue, Suite 200
10 Henderson, Nevada 89074-6571
11 Telephone: (702) 990-7272
12 Facsimile: (702) 990-7273
13 cdomina@peelbrimley.com
14 rcox@peelbrimley.com
15 jholmes@peelbrimley.com
16 *Attorneys for Plaintiff*
17 *Helix Electric of Nevada, LLC*

18 **DISTRICT COURT**

19 **CLARK COUNTY, NEVADA**

20 HELIX ELECTRIC OF NEVADA, LLC, a
21 Nevada limited liability company,

22 Plaintiff,

23 vs.

24 APCO CONSTRUCTION, a Nevada corporation;
25 SAFECO INSURANCE COMPANY OF
26 AMERICA; DOES I through X; and BOE
27 BONDING COMPANIES I through X,

28 Defendants.

CASE NO. : A-16-730091-C
DEPT. NO. : XI

**HELIX ELECTRIC OF NEVADA,
LLC'S MEMORANDUM OF COSTS
AND DISBURSEMENTS**

Plaintiff, HELIX ELECTRIC OF NEVADA, LLC ("Helix") hereby submits their
Memorandum of Costs and Disbursements:

Copies (NRS 18.005(12)) (Exhibit 1)	\$1,169.46
Filing Fees (NRS 18.005(1)) (Exhibit 2)	\$2,139.98
Postage Costs (NRS 18.005(14)) (Exhibit 3)	\$125.54
Deposition Transcript Costs (NRS 18.005(2)) (Exhibit 4)	\$3,253.24
Runner Costs (NRS 18.005(17)) (Exhibit 5)	\$922.67
Service of Process Costs (NRS 18.005(7)) (Exhibit 6)	\$223.00
Parking Costs (NRS 18.005(17)) (Exhibit 7)	\$282.00
Legal Research Costs (NRS 18.005(17)) (Exhibit 8)	\$418.28

JA3878

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

1 Telecopies (NRS 18.005(11)) (Exhibit 9)..... \$1.00
2 Other Costs (NRS 18.005(17)) (Exhibit 10) \$414.23
3 **Total Costs** **\$8,949.40**

4
5 STATE OF NEVADA)
6) ss.
7 COUNTY OF CLARK)

8 Jeremy D. Holmes, Esq., being duly sworn, states: that Affiant is the attorney for the
9 Plaintiff and has personal knowledge of the above costs and disbursements expended; that the
10 items contained in the above memorandum are true and correct to the best of this Affiant's
11 knowledge and belief; and that the said disbursements have been necessarily incurred and paid
12 in this action.

13 I declare under penalty of perjury under the law of the State of Nevada that the foregoing
14 is true and correct.

15 EXECUTED this 12th day of July, 2019

16 **PEEL BRIMLEY LLP**

17 
18 CARY B. DOMINA, ESQ.
19 Nevada Bar No. 10567
20 RONALD J. COX, ESQ.
21 Nevada Bar No. 12723
22 JEREMY HOLMES, ESQ.
23 Nevada Bar No. 14379
24 3333 E. Serene Avenue, Suite 200
25 Henderson, Nevada 89074-6571
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27 cdomina@peelbrimley.com
28 rcox@peelbrimley.com
 jholmes@peelbrimley.com
 Attorneys for Plaintiff
 Helix Electric of Nevada, LLC

PEEL BRIMLEY LLP
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HENDERSON, NEVADA 89074
(702) 990-7272 ♦ FAX (702) 990-7273

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 17 day of July, 2019, I caused the above and foregoing document, **HELIX ELECTRIC OF NEVADA, LLC'S MEMORANDUM OF COSTS AND DISBURSEMENTS**, to be served as follows:

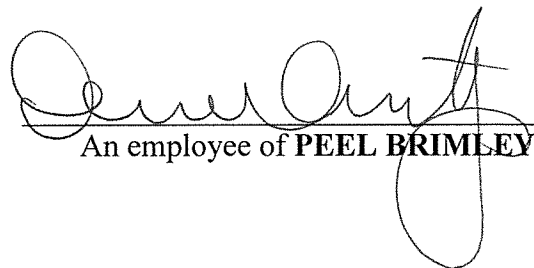
- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- ☒ pursuant to NEFCR 9, upon all registered parties via the Court's electronic filing system;
- ☐ pursuant to EDCR 7.26, to be sent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

Attorneys for APCO Construction and Safeco Insurance Co.

John Randall Jefferies, Esq. (rjefferies@fclaw.com)

Brandi M. Planet, Esq. (bplanet@fclaw.com)


An employee of **PEEL BRIMLEY, LLP**