

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 80508

Electronically Filed
Mar 05 2020 07:36 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

APPENDIX TO DOCKETING STATEMENT
Volume XII

ERIC B. ZIMBELMAN, ESQ.

Nevada Bar No. 9407

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Attorneys for Appellant

Helix Electric of Nevada, LLC

<u>Exhibit</u>	<u>Description</u>	<u>Bates Range</u>	<u>Volume</u>
A	Court Docket for Case No. 09A587168	Helix000001 – Helix000044	I
B	Notice of Entry of Order to Consolidate	Helix000045 – Helix000053	I
C	Consolidated Case List	Helix000054 – Helix000062	I
D			
D-1	Pleadings Related to Accuracy	Helix000063 - Helix000066	I
	Complaint Re Foreclosure filed by Accuracy Glass & Mirror Company	Helix000067 – Helix000103	I
	First Amended Complaint Re: Foreclosure	Helix000104 – Helix000119	I
	APCO's Answer to Accuracy's First Amended Complaint Re: Foreclosure	Helix000120 – Helix000135	I & II
	CAMCO's Answer and Counterclaim	Helix000136 – Helix000155	II
	Accuracy's Answer to CAMCO's Counterclaim	Helix000156 – Helix000160	II
D-2	Pleadings Related to Helix Electric of Nevada, LLC d/b/a Helix Electric	Helix000161 – Helix000163	II
	Helix Electric's Amended Statement of Facts Constituting Lien and Third-Party Complaint	Helix000164 – Helix000179	II

	APCO's Answer to Helix's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	Helix000180 – Helix000195	II
	CAMCO and Fidelity's Answer and CAMCO's Counterclaim	Helix000196 – Helix000211	II
	Notice of Entry of Granting Helix's Motion for Fees, Interest and Costs	Helix000212 – Helix000220	II
	Notice of Entry of Judgment	Helix000221 – Helix000240	II
	Notice of Entry of Judgment [As to the Claims of Helix and National Wood Products Against APCO]	Helix000241 – Helix000251	II & III
	Findings of Fact and Conclusions of Law and Order as to the Claims of Helix and Cabenotec Against APCO	Helix000252 – Helix000323	III
D-3	Pleadings Related to WRG Design, Inc.	Helix000324 – Helix000326	III
	WRG's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	Helix000327 – Helix000343	III
	APCO's Answer to Helix's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	Helix000344 – Helix000359	III
	CAMCO & FDCM's Answer and CAMCO's Third-Party Complaint	Helix000360 – Helix000380	III & IV
	Notice of Entry of Stipulation and Order of Dismissal	Helix000381 – Helix000388	IV

	WRG's Answer to CAMCO's Counterclaim	Helix000389 – Helix000393	IV
D-4	Pleadings Related to Heinaman Contract Glazing	Helix000394 – Helix000396	IV
	Heinaman's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	Helix000397 – Helix000409	IV
	CAMCO and FDCM's Answer to Heinaman's Statement of Facts and CAMCO's Counterclaim	Helix000410 – Helix000430	IV
	Notice of Entry of Order	Helix000431 – Helix000439	IV
	Notice of Entry of Judgment	Helix000440 – Helix000462	IV
	Heinaman's Answer to CAMCO's Counterclaim	Helix000463 – Helix000467	IV
D-5	Pleadings Related to Bruin Painting Corporation	Helix000468 – Helix000469	IV
	Bruin Painting's Amended Statement of Facts Constituting Amended Notice of Lien and Third-Party Complaint	Helix000470 – Helix000482	IV
	CAMCO's Answer and Counterclaim	Helix000483 – Helix000503	IV & V
	Voluntary Dismissal	Helix000503 – Helix000505	V

D-6	Pleadings Related to HD Supply Waterworks, LP	Helix000506 – Helix000508	V
	HD Supply's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	Helix000509 – Helix000526	V
	APCO's Answer to Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	Helix000527 – Helix000541	V
	Amended Answer to HD Supply & Waterworks, LP's Statement of Facts Constituting Lien and CAMCO's Third-Party Complaint	Helix000542 – Helix000548	V
	Jeff Heit Plumbing and Old Republic's Answer to HD Supply's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	Helix000549 – Helix000558	V
	Stipulation and Order to Dismiss E&E Fire Protection	Helix000559 – Helix000569	V
	Voluntary Dismissal of Platte River Insurance	Helix000570 – Helix000577	V
	Scott Financial's Answer to HD Supply's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	Helix000578 – Helix000601	V
E	Accuracy Glass & Mirror Company's Complaint Re: Foreclosure	Helix000602 – Helix000638	V & VI

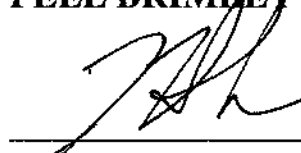
F	Accuracy Glass & Mirror Company's First Amended Complaint Re: Foreclosure	Helix000639 – Helix 000654	VI
G	Bruin Painting	Helix000655- Helix691	VI
H	HD Supply	Helix000692 – Helix000785	VI & VII
I	Heinaman	Helix000786 – Helix000857	VII & VIII
J	WRG	Helix000858 – Helix000925	VIII & IX
K	131 Nev Advance Opinion	Helix000926 – Helix000943	IX
L	Notice of Entry of Order Granting Plaintiff's Motion to Dismiss	Helix000944 – Helix000950	IX
M	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.	Helix000951 – Helix961	IX
N	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against CAMCO Construction Co., Inc.]	Helix000962 – Helix000981	IX
O	Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against CAMCO Construction Co., Inc.)	Helix000982 – Helix001004	IX & X

P	Order Dismissing Appeal (NV Supreme Court Case No. 76276)	Helix001005 – Helix001008	X
Q	Notice of Entry of Granting Helix Electric of Nevada's Motion for Rule 54(b) Certification	Helix001009 – Helix001017	X
R	Notice of Appeal	Helix001018 – Helix1607	X & XI & XII & XIII

Dated this 5th day of March, 2020.

PEEL BRIMLEY LLP

Bar # 14377



ERIC B. ZIMBELMAN, ESQ.

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Attorneys for Appellant

Helix Electric of Nevada, LLC

CERTIFICATE OF SERVICE

Pursuant to Nev. R. App. P. 25(b) and NEFCR 9(f), I certify that I am an employee of **PEEL BRIMLEY, LLP**, and that on this 3rd day of March, 2020, I caused the above and foregoing document, **APPENDIX TO DOCKETING STATEMENT**, to be served as follows:

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

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

John Randall Jeffries, Esq. (NV Bar No. 3512)
Christopher H. Byrd, Esq. (NV Bar No. 1633)
400 S. Fourth Street, Suite 500
Las Vegas, NV 89101
Telephone: (702) 408-3411

- and -

Jack Chen Min Juan, Esq. (NV Bar No. 6367)
Cody S. Munteer, Esq. (NV Bar No. 11220)
10001 Park Run Drive
Las Vegas, NV 89145
Telephone: (702) 382-0711

*Attorneys for Respondent/Cross-Appellant
APCO Construction, Inc.*

Settlement Judge:

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


An employee of **PEEL BRIMLEY, LLP**

pushed back on a couple of those changes so they will have to work it out. Mr. Meier noted there has also been a form of order that was agreed to by all parties, and he spoke with the title officer and they need to have order to send to underwriters to have them comment, and he expects they will want some changes that will necessitate further conversation. Court noted it has a list of the four people with an objection last time: Mr. Berman, Mr. Gochmour, Mr. Stan Johnson and Mr. Kessler. Mr. Gochmour advised he had concerns but is fine with everything at this point and Court can remove him from that list. Mr. Zimbelman and Mr. Gochmour noted it was made clear at the last hearing that those who have objections could come back after additional seven days to express concerns, but if they didn't come back their objections would not be pursued. Court noted now that Mr. Gochmour removed his name from the list, Mr. Berman is the only one here from that list. Mr. Berman noted his objection. Court advised the trial can be set for Mr. Berman's client right away. Upon Court's inquiry, Mr. Berman advised his case should take half a day. Mr. Gochmour noted the trial should be two days at the most. COURT ORDERED, trial date set on the October stack only for Ready Mix, Inc. Mr. Gochmour requested expedited discovery schedule of 15 days for discovery responses and one calendar week for deposition notices. COURT SO ORDERED. Upon Court's inquiry, counsel requested another status hearing in one week. COURT ORDERED, status check set. Mr. Meir to present proposed order to title company and get feedback and go from there.

10/23/12 1:30 PM STATUS CHECK RE: SALE OF PROPERTY

10/24/12 10:30 AM CALENDAR CALL

10/29/12 10:30 AM TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 23, 2012**

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

October 23, 2012 1:30 PM Status Check

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Kessler, Andrew J., ESQ	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Andrew Kessler participated through CourtCall.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC, and also participating through CourtCall.

Attorney Charles Michalek, Bar No. 5721, appearing for Grubb & Ellis.

Upon the Court's inquiry, Attorney Meier advised he made contact with the Title Company, noting they reviewed the proposed form Order, and got back to him with some changes, which should not be problematic. Attorney Meier advised they want a list of all the liens, and something stating all parties consent. Attorney Meier explained he is looking at different alternatives, but the position taken by Nevada Ready Mix, may cause the Underwriter to not right the policy. Statements by Attorney Peel. Upon the Court's further inquiry, Attorney Kessler stated he has no objection with Court's Order regarding the selling of the property, but expressed his concern regarding not having seen the terms of the proposed agreement, including price and other details. Attorney Carter advised people are still getting on board, and the property continues to deteriorate. Attorney Ferrario stated he cannot wait any longer, and suspects foreclosure will be initiated promptly. Court CLARIFIED, Attorney Berman is the only objection, and there is a Calendar Call scheduled for tomorrow. Court FINDS, we need to get a Title policy. At the request of Counsel, COURT ORDERED, Status Check CONTINUED.

10/24/12 10:30 AM CALENDAR CALL

11/6/12 10:00 AM STATUS CHECK: REGARDING SALE OF THE PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 24, 2012**

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

October 24, 2012 10:30 AM Calendar Call

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder
 Carol Foley

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Meier, Glenn F	Attorney

JOURNAL ENTRIES

- Counsel announced ready for trial. Mr. Berman advised he has one witness and he believes his case will take half a day. Mr. Gochmour noted he does not anticipate bringing his own witness and he thinks trial can be done in less than one day. Discussion regarding availability next week. COURT ORDERED, trial reset 10/30 at 1:30 p.m. Pretrial memos due the morning of 10/30.

10/30/12 1:30 PM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 30, 2012**

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

October 30, 2012 1:30 PM Bench Trial

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Meier, Glenn F	Attorney

JOURNAL ENTRIES

- Court convened for the scheduled Bench Trial.

Upon the Court's inquiry, Attorney Berman advised the matter is mostly resolved, but will still need to put some testimony and exhibits into the Record. Attorney Berman stated the Ten Causes of Action cited in his Complaint. Attorney Berman further advised that pursuant to negotiations, parties have agreed that Ready Mix will abandon their Tenth Cause of Action. Attorney Gochmour explained that based on negotiations, Scott Financial and APCO have agreed not to contest any points, either the amounts submitted or validity of the lien, in exchange for Ready Mix agreeing to the sale. Attorney Meier further clarified: the consenting of the sale to release the lien from the property, and the transfer of the lien to the sale proceeds, and the COURT SO ORDERED. Testimony and exhibits presented (see worksheets). COURT FURTHER ORDERED, the principal amount of the mechanics lien, \$683,771.68, plus reserving Interest and Attorney Fees under statute, are hereby AWARDED. Attorney Berman stated he will prepare an Order as to the Mechanics Lien, and a Judgment for the other Eight Causes of Action, COURT SO ORDERED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 06, 2012**

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

November 06, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Andrew Kessler participated through CourtCall.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC, and also participating through CourtCall.

Attorney Charles Michalek, Bar No. 5721, appearing for Grubb & Ellis.

Attorney Jay Shafer, Bar No. 9184, also appearing for Cellcrete Fireproofing of Nevada.

Attorney Meier advised they have been focusing on Title, noting he talked with the Title Officer and Escrow Officer this morning. Attorney Meier advised progress is being made, and they asked for proof of service on the Order to Show Cause Orders, which have been provided. Mr. Meier stated that by the end of the day, he is suppose to get a list of the liens they are ok clearly off on based on the information they now have, and the ones they need additional information on. Attorney Meier reiterated that things are moving in the right direction.

Upon the Court's inquiry, Attorney Carter stated he estimates Escrow closing possibly in February. Attorney Gochmour advised the Fontainebleau Decision has come down, and he has been in discussions with Attorney Meier's office about the Writ proceedings going on before the Supreme Court, and they are going to jointly ask the Court for an updated Briefing Schedule, to allow them to supplement their original Writ, before they have to file their Answer and Reply Brief. Attorney Gochmour further explained that he believes the Ruling will substantially resolve a good portion of the case, if not all, and requested a Stay in this case pending a Decision on the Writ. Colloquy regarding the Five Year Rule running. Attorney Gochmour noted that technically with the Trial proceedings taking place last week with Nevada Ready Mix, the Trial has already commenced. Attorney Meier and Attorney Berman concurred. Attorney Berman advised he would also indicate such in his Order. COURT ORDERED, STAY is GRANTED except for any matters regarding the SALE. COURT FURTHER ORDERED, matter CONTINUED.

12/6/12 10:00 AM STATUS CHECK: RE: SALE OF PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 29, 2012**

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

**November 29, 2012 3:00 AM Motion to Withdraw as
Counsel**

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Having considered T. James Truman, Esq.'s Motion to Withdraw as Counsel of Record for Dave Petersen Framing, and noting no opposition thereto, this Court hereby GRANTS IN PART and DENIES IN PART said motion.

Specifically, the Motion is Granted as to allowing James T. Truman, Esq. to withdraw. The Order, to be prepared by Attorney Truman within 10 days, shall include the Name, Last Known Address, and Last Known Telephone Number of Dave Petersen Framing; and include future hearing dates.

The remainder of the motion, namely the 1) Notice of the Attorneys Lien, 2) Foreclosing on the Attorneys Lien, and 3) Reducing the Lien to Judgment, is hereby Denied Without Prejudice. NRS 18.015(4) allows this Court to adjudicate attorneys liens only after all interested parties have had 5 days notice. The submitted papers do not have any evidence showing perfection of the lien by certified mailing to Dave Petersen Framing, nor has T. James Truman, Esq. provided a detailed breakdown of the billings. Accordingly, this portion of the Motion is DENIED without Prejudice.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 06, 2012**

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

December 06, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC, and also participating through CourtCall.

Attorney Jay Shafer, Bar No. 9184, also appearing for Cellcrete Fireproofing of Nevada.

Attorney Dana Kim also appearing for Intervenor, National Wood Products, also participating through CourtCall.

Attorney Nathanael R. Rulis, Bar No. 11259, appearing for Attorney Matthew Carter, on behalf of Defendant Bradley Scott.

Attorney Meier provided the Court with an update, and advised there is a signed agreement, with a 2/28/13 closing date. Attorney Meier stated he is still working with the Title Company, and is in the process of answering another series of questions. Attorney Meier noted he did not anticipate needing the Court's assistance unless there is someone out there that has not been expunged yet, then there might need to be another Show Cause Hearing set. Colloquy regarding an article in the Las Vegas Review Journal which contained false information, which stated this case was in Bankruptcy Court. Attorney Berman asked if there is another Order To Show Cause Hearing, that is be limited to just things that need to be cleared up, and the COURT SO ORDERED. COURT FURTHER ORDERED, matter CONTINUED for another Status Check, and everyone's presence is excused, but Attorney Meier.

2/7/13 10:00 AM STATUS CHECK: SALE OF PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 03, 2013**

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

January 03, 2013 1:30 PM Motion

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

PRESENT:	Berman, Brian Keith	Attorney
	Cawley, Reuben	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Long, Rhonda R.	Attorney
	Maskas, Marisa	Attorney
	Peel, Richard L.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Rachel Donn, Bar No. 10568, appearing for Defendant Scott Financial Corp.

Statements by Attorney Peel in support of the relief requested, noting issues regarding the pending sale, including the commission being paid, an open-ended sale period, and not being able to review and state concerns about the two Amendments and Order. Attorney Carter advised the Title process has taken longer than expected, and stating there has been a bit of a disconnect. Attorney Carter requested a continuance in order to review the Motion, and speak with his client. COURT ORDERED, matter CONTINUED.

08A571228

1/16/13 10:30 AM HEARING TO DISCUSS ORDER APPROVING PRIVATE SALE, PURCHASE
AND SALE AGREEMENT, AND RELATED ISSUES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 16, 2013**

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

January 16, 2013 10:30 AM Motion

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D

COURT CLERK: Dulce Romea
 Ying Pan

RECORDER: Angie Calvillo**REPORTER:****PARTIES**

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Long, Rhonda R.	Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Charles Michalek (Bar No. 5721) present on behalf of non-party, Grubb & Nellis.

Arguments by counsel regarding the Purchase and Sale Agreement (PSA). Issues raised as to the second amendment, closing date, permit, and commission. Plaintiff's counsel provided the Court the proposed Order with revisions. COURT ORDERED, Closing Date of the Private Sale is May 1, 2013. COURT FURTHER ORDERED, Pre-Trial Conference, Calendar Call, and Trial Date VACATED. Further discussions regarding other lien holders' responses and arguments regarding the

commission. Mr. Michalek advised his client has a different understanding about the commission and requested an Evidentiary Hearing be set. COURT SO ORDERED. Court DIRECTED Plaintiff's counsel to revise and submit proposed Order before the next Status Check.

2/7/13 10:00 AM STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 05, 2013**

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

February 05, 2013 10:00 AM Show Cause Hearing

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

PRESENT: Carter, Matthew S. Attorney
 Hayes, Garry L. Attorney
 Meier, Glenn F Attorney

JOURNAL ENTRIES

- Attorney Marcus Risan (Bar No. 2455) present on behalf of Creative Home Theatre, LLC.

Mr. Hayes and Mr. Risan stated their appearances. After a discussion, counsel advised they have no objections to the sale going forward. Mr. Meier advised HD Supply and Whitecap Construction Supply has previously settled with Mr. Edelstein and requested its lien be expunged, COURT SO ORDERED. Following Status Report regarding Services on interested parties, COURT FURTHER ORDERED, all parties' claims RELEASED except Jordon & Skala Engineers, Inc. Mr. Meier to prepare proposed Order.

2/7/13 10:00 AM EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE
 SALW ... STATUS CHECK: RE: SALE OF PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 07, 2013**

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

February 07, 2013 10:00 AM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curt Allopp and Benjamin Millis, also present.

Court NOTED, it has reviewed the Declaration of Bradley J. Scott which was filed yesterday. Mr. Michalek advised the key witness, Bradley Scott, cannot appear today; however, Evidentiary Hearing can proceed as the Declaration is sufficient. Arguments between counsel regarding the validity of the

commission contract between Mr. Scott and G & E, binding parties of this case, and whether Mr. Scott should be present for the Evidentiary Hearing. Further discussions regarding how the hearing shall proceed, and whether it is appropriate for counsel to testify as witnesses. Court FINDS counsel will be allowed to testify as witnesses. COURT ORDERED, matters CONTINUED. COURT FURTHER ORDERED, simultaneous briefs will be due by 2/25/13, including witnesses and documents.

3/1/13 9:00 AM STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 14, 2013**

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

February 14, 2013 9:00 AM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Gochnour, Wade B. Attorney
 Attorney
 Meier, Glenn F Attorney

JOURNAL ENTRIES

- DEFENDANT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS AND EXPUNGE LIENS ON ORDER SHORTENING TIME...ORDER TO SHOW CAUSE

Attorney Dana Y. Kim, participated telephonically through CourtCall, on behalf of Intervenor, National Wood Products.

Statements by Counsel. COURT ORDERED, Order To Show Cause is GRANTED. COURT FURTHER ORDERED, Jordan & Skala Engineers Inc. failed to appear,, and their Lien is hereby EXPUNGED. Order signed in Open Court this date, 2/14/13.

COURT ADDITIONALLY ORDERED, Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens is GRANTED. COURT ORDERED, the liens held by Atlas Construction Supply, Republic Crane Services, HA Fabricators and Executive Plastering against the Manhattan West Project are hereby EXPUNGED.

Colloquy regarding case status. Attorney Meier advised things are currently on track. COURT

08A571228

FURTHER ORDERED, Evidentiary Hearing date STANDS.

3/1/13 9:00 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 01, 2013**

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

March 01, 2013 9:00 AM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Ying Pan

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Attorney Peter Dunkley (Bar No. 11110) present on behalf for Attorney Glenn Meier, on behalf of Defendant, Scott Financial Corporation.

Attorney Andrew Kessler (Bar No. 10640) present telephonically, on behalf of Plaintiff, Uintah Investments, LLC.

Attorney Reuben Cawley (Bar No. 9384) present on behalf of Plaintiff, Zitting Brothers Construction, Inc.

Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curt Allop and Benjamin Millis, also present.

Testimonies and exhibits presented (see worksheets). Colloquy as to Mr. Bradley Scott's potential additional testimony, and a continuance date. COURT ORDERED, matter CONTINUED.

3/7/13 1:00 PM STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 07, 2013**

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

March 07, 2013 1:00 PM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Williams, Donald H	Attorney
		Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Attorney Peter Dunkley (Bar No. 11110), appearing on behalf of Defendant, Scott Financial Corporation.

Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curt Allsop and Benjamin Millis, also present.

PRINT DATE: 01/30/2020

Page 124 of 204

Minutes Date: May 12, 2009

Helix001412

Court convened for the continuation of the Evidentiary Hearing and Status Check. Testimony and exhibits presented (see worksheets). COURT ORDERED, Evidentiary Hearing CONTINUED for Closing Arguments.

3/12/13 2:00 PM EVIDENTIARY HEARING (CLOSING ARGUMENTS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 12, 2013**

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

March 12, 2013 2:00 PM Evidentiary Hearing

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curtis Allsop and Benjamin Millis, also present.

Attorney Kade Baird (Bar No. 8362), also present for Grubb & Ellis, assisting in the Court's proceedings.

Attorney Rachel Donn (Bar No. 10568), appearing for Scott Financial Corporation.

Court convened for continuation of the Evidentiary Hearing. Closing arguments by Attorney Carter and Attorney Michalek on behalf of the Defendants. Closing argument by Attorney Zimbelman and Attorney Katz who joined in Attorney Zimbelman's argument.
 Further rebuttal argument by Attorney Carter and Attorney Michalek.

08A571228

COURT ORDERED, matter taken UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 26, 2013

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

March 26, 2013 10:00 AM Decision

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED matter CONTINUED.

CONTINUED TO 4/3/13 3:00 AM DECISION (CHAMBER CALENDAR)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 10, 2013**

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

**April 10, 2013 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:****COURT CLERK:** Larry Snyder**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Having considered Donald H. Williams, Esq.'s Motion to Withdraw as Attorney of Record for Harsco Corp., and noting no opposition thereto, this Court hereby GRANTS said Motion. Attorney Williams to prepare the Order within 10 days. The Order shall include the Name, Last Known Address, and Last Known Telephone Number of Harsco Corp. and include future hearing dates.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 30, 2013**

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

May 30, 2013 9:00 AM Motion to Set Aside

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder
 Dania Batiste

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Weiland, Jason, ESQ Attorney
 Williams, Donald H Attorney
 Attorney

JOURNAL ENTRIES

- Colloquy between the Court and counsel regarding proper service of the parties. Mr. Weiland advised Ahern Rentals is the party who has a Judgment against the Defendant. COURT ORDERED, matter OFF CALENDAR, noting Ahern Rentals has not been served.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 13, 2013**

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

June 13, 2013 10:00 AM Motion

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder
 Dania Batiste

RECORDER: Sandra Pruchnic

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Cawley, Reuben	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney

JOURNAL ENTRIES

- Rachel Donn, Esq., Bar Number 10568 also present.

Colloquy between Court counsel regarding the language of the Order. Mr. Gochmour stated he will send Defendant s counsel a revised Order to approve as to form and content. Ms. Donn advised the property has closed and a Notice of Sale will be filed. COURT ORDERED, Motion GRANTED with the qualifications made by counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 15, 2014**

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

July 15, 2014 9:00 AM Motion

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Katrina Hernandez**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

PRESENT: Dobberstein, Eric Attorney
 Attorney
 Gochmour, Wade B. Attorney
 Attorney
 Morris, Steven L. Attorney
 Attorney

JOURNAL ENTRIES

- Jonathan Salls, Attorney for Insulpro Projects Inc, Taylor Waite on behalf of Accuracy Glass & Mirror Company Inc.

Arguments by Mr. Gochmour contending Insulpro's main objective is to lift the stay in order to file a Motion for Summary Judgment, further stated there are factual issues. Mr. Waite argued whether or not there are factual issues, the court can later determine. Further arguments by counsel as to lifting the Stay. Court stated its findings and ORDERED, Motion DENIED. Plaintiff to prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****August 19, 2015**

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

**August 19, 2015 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Katrina Hernandez**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- This Court, having considered Pezzillo Lloyd s Motion to Withdraw as Counsel of Record for Northstar Concrete, Inc., and noting no opposition, GRANTS said Motion. Jennifer R. Lloyd, Esq. or George E. Robinson, Esq., to prepare the order. The Order shall include the Last Known Address and Last Known Telephone Number of Northstar Concrete, and include future hearing dates.

*CLERK'S NOTE: The above minute order was distributed via electronic mail to: jl@h2law.com./kh
8-20-15

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 21, 2015**

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

October 21, 2015 9:30 AM Status Check

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Katrina Hernandez**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Parties present: Michael Ernest, Esq., Wade Gochmour, Esq., Matthew Carter, Esq., Eric Doberstein, Esq., Reuben Cawley, Esq., Steven Morris, Esq., Mark Ferrario, Esq., and Eric Zimbelman, Esq. present via Court Call.

Mr. Gochmour advised of the status and upon Court's inquiry noted there is still a significant amount to do. Colloquy regarding how to proceed and whether to lift the stay on discovery. Arguments by Mr. Gochmour in supposition of lifting the stay and arguments by Mr. Dobberstein in support. COURT ORDERED, oral Motion to Lift Stay, DENIED and status check CONTINUED.

4/20/16 9:30 AM (CONTINUED STATUS CHECK)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 14, 2016**

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

April 14, 2016 9:00 AM Motion to Release Funds

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Jennifer Kimmel

RECORDER: Martha Szramek

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Juan, Chen M.	Attorney

JOURNAL ENTRIES

- Mr. Ferrario, Esq. advised this matter is resolved and counsel have STIPULATED that the net proceeds from the sale, as defined in the Sale Order, shall be released from escrow and delivered to Scott Financial Corp., or its designee, within FIVE (5) business days from filed date of the Notice of Entry of the Order and the COURT SO ORDERED.

Court signed the Order and returned it to Mr. Ferrario.

CLERK'S NOTE: Correction made to include counsel's agreement to vacate the upcoming Status Check set for 4/21/16. jk

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 21, 2016**

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

April 21, 2016 9:00 AM Status Check

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Eric Dobberstein, Esq., appearing on behalf of Insulpro Projects Inc
 Eric Zimbelman, Esq., appearing on behalf of SWPPP Compliance Solutions LLC, S R Bray Corp,
 Cactus Rose Construction, Inc., and Interstate Plumbing & Air Condition Inc.

At Status Check: Disbursement of Sale Proceeds and any other Matters Remaining following the S. CT. Decision 131Nev., Adv. Op. 70, Court noted the matter came before it on April 14, 2016 regarding the proceeds of the sale, today's proceedings should have been vacated, but remained on calendar. Mr. Zimbelman stated he did not receive any notice of the hearing being vacated, noting some parties feel the case is over and for some it's not because they continue to have contract claims that were stayed while the parties pursued the lien claims.

Mr. Dobberstein noted a stay issued by Judge Scann while the Supreme Court hearing was pending and requested this Court allow him to proceed with their lien claims.

After hearing from Mr. Zimbelman and Mr. Dobberstein, the Court stated it would issue an order setting a status check with notice to all counsel. Additional comments made by counsel as to preparing a motion to lift the stay and obtaining a trial date. COURT SO NOTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 02, 2016**

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

June 02, 2016 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Wade Gochmour, Esq., and Chen Jack Juan, Esq., appeared on behalf of Plaintiff
 Andrew Blaylock, Esq., appeared on behalf of Las Vegas Pipeline
 Eric Dobberstein, Esq., appeared on behalf of Counter Claimant, Insulpro Projects Inc
 Steve Morris, Esq., appeared on behalf of Counter Claimant, Camco Pacific Construction Company Inc
 Morrea Katz, Esq., appeared on behalf of the Tharalldson Entities
 Ronald Cox, Esq., appeared on behalf of Counter Defendant, Accuracy Glass & Mirror Company Inc,
 Buchele Inc, Bruin Painting Corp, Cactus Rose Construction Inc, Fast Glass Inc, HD Supply
 Waterworks LP, Heinaman Contract Glazing, Helix Electric of Nevada LLC, Interstate Plumbing &
 Air Conditioning, SWPPP Compliance Solutions LLC, and WRG Design Inc
 I-che Lai, Esq., appeared on behalf of Counter Defendant, Zitting Brothers Constructions Inc
 Michael Ernst, Esq., appeared on behalf of Steel Structures Inc and Nevada Prefab Engineers Inc

STATUS CHECK SMITH & SHAPIRO, PLLC s MOTION TO WITHDRAW

There being no opposition and cause appearing, COURT ORDERED, the Motion to Withdraw
 GRANTED.

ORDER SIGNED IN OPEN COURT and returned to counsel for processing.

Thereafter, colloquy held regarding upcoming motion practice. If the Motion to Appoint Special Master currently set, June 9, 2016 is resolved, the Court will be notified or an order will be presented.

Court noted the status of the case reported.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 09, 2016**

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

June 09, 2016**9:00 AM****Motion****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Marwanda Knight**RECORDER:** Martha Szramek**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Chen M. Juan, Esq., and Wade Gochnour, Esq., appearing on behalf of Plaintiff, Apco Construction
Ronald Cox, Esq., appearing on behalf of Counter Defendant
I-Che Lai, Esq., appearing on behalf of Counter Defendant Zitting Brothers Construction Inc
Eric Dobbertstein, Esq., appearing on behalf of Third Party Plaintiff

At Plaintiff's Motion to Appoint Special Master, Mr. Juan advised that counsel resolved their issue and provided the Court with an order that the parties had agreed on. COURT SO NOTED and ORDERED, Motion GRANTED.

Order SIGNED IN OPEN COURT and returned to counsel for processing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 20, 2016**

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

June 20, 2016 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Marwanda Knight
 Olivia Black

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Wade Gochmour, Esq., Cody Mounter, Esq., and Chen 'Jack' Juan, Esq., appearing on behalf of Plaintiff

Rachel Donn, Esq., appearing on behalf of Defendant, Scott Financial Corporation

Eric Dobberstein, Esq., appearing on behalf of Insulpro Projects Inc

Steven Morris, Esq., appearing on behalf of Camco Pacific Construction Company Inc

I-Che Lai, Esq., appearing on behalf of Zitting Brothers Construction Inc

RENEWED MOTION FOR PARTIAL SUMMARY JUDGMENT...ZITTING BROTHERS
 CONSTRUCTION, INC'S JOINDER TO INSULPRO PROJECTS, INC'S RENEWED MOTION FOR
 PARTIAL SUMMARY JUDGMENT...APCO'S OPPOSITION TO RENEWED MOTION FOR
 PARTIAL SUMMARY JUDGMENT AND JOINDER THERETO; AND COUNTERMOTION TO
 DISMISS AND/OR FOR SUMMARY JUDGMENT AGAINST INSULPRO

Court queried counsel whether the motions on today's calendar should be referred to the Special Master.

Mr. Dobberstein argued why he opposed the motions going before the Special Master, noting the only thing that should be decided by the Special Master would be as to the responsibilities of Apco or

Camco.

Mr. Mounteer argued it would be best the motions go before the Special Master to work out any additional discovery issues and then they would be able to decide if there are any lien claims. Mr. Morris added that to his knowledge the only matters that have been decided are the claims against Gemstone and not the contractors. Further, Mr. Morris noted no opposition to the motions being referred to the Special Master. Additional comments by Mr. Mounteer as to the amount Insulpro is claiming.

Court stated that in its preparation, it appeared that having appointed a Special Master and given the subject matter that's involved, given the fact that there has been a foreclosure that has wiped out the junior liens, and given the fact that claims are still being made, it's important that the right hand knows what the left hand is doing, and ORDERED, motions REFERRED to the Special Master.

Mr. Juan to submit a proposed order after passing the same by opposing counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 06, 2017**

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

March 06, 2017 9:00 AM All Pending Motions

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

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Wade Gochmour, Esq., appeared on behalf of Pltff
 Mark Ferrario, Esq. and Kara Hendricks, Esq., appeared on behalf of the Tharaldson Parties
 Patrick Sheehan, Esq., appeared on behalf of Non-Parties, Newmark Grub
 Elizabeth Stephens, Esq., appeared on behalf of Intervnor Pltff, Interstate Plumbing

PLAINTIFF'S MOTION TO ASSOCIATE COUNSEL - JONATHAN S. DABBIERI, ESQ.

COURT stated everything appears to be in order, and ORDERED, Motion GRANTED. COURT FURTHER ORDERED, status check SET to show that the State Bar has been notified of the admission. Court noted if the record reflects that the State Bar has been notified, it will not be necessary for counsel to attend the next hearing. However, if the record does not show the State Bar has been notified counsel will have to appear to explain why.

CLUB VISTA FINANCIAL SERVICES, LLC AND THARDLDSOON MOTELS II, INC'S MOTION FOR ORDER TO SHOW CAUSE WHY GRUBB & ELLIS, NOW KNOWN AS NEWMARK GRUBB, SHOULD NOT BE HELD IN CONTEMPT OF COURT

Counsel argued regarding the merits of the Motion. After hearing from counsel, COURT stated it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

08A571228

04/03/2017 9:00 A.M. | STATUS CHECK RE: SCR 42 COMPLIANCE (JONATHAN S. DABBIERI, ESQ.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 15, 2017**

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

March 15, 2017 11:45 AM Decision

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

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- After review and consideration of the pleadings on file herein and the arguments of counsel at the time of the March 6, 2017 hearing, COURT ORDERS, Motion for Order to Show Cause Why Grubb & Ellis, Now Known as Newmark Grubb, Should Not be Held in Contempt DENIED.

Counsel for Grubb is directed to provide prompt written notice of entry hereof. Please see the Court's written Decision and Order filed March 15, 2017 for full context.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 20, 2017

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

**March 20, 2017 9:00 AM Motion to Withdraw as
 Counsel**

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

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Monica Caffaratti, Esq., appeared on behalf of Deft., Gemstone Development West Inc.

Cause appearing and there being no opposition, COURT ORDER, Motion GRANTED and directed Ms. Caffaratti to submit a proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

April 03, 2017

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

April 03, 2017 9:00 AM Motion

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

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Stephen Kopolow, Esq., appeared on behalf of Counter Deft, Ahern Rentals Inc
Selina Cisneros, Esq., Pro Se Deft

Following representations made by Ms. Cisneros and Mr. Kopolow, COURT STATED it would
revei w the matter further before issuing its ruling, and ORDERED, matter taken UNDER
ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 18, 2017**

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

April 18, 2017 2:00 PM Minute Order

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

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HAVING further reviewed the record pertaining to Plaintiff's (sic) Motion to Set Aside Judgment filed herein on February 28, 2017, and being now fully advised in the premises, the Court is not persuaded that the Motion has merit and it is DENIED.

Counsel for Plaintiff Ahern Rentals, Inc. (Consolidated Case No. A-08-574792) is directed to submit a proposed order consistent herewith.

IT IS SO ORDERED.

CLERK S NOTE - A copy of this minute order was distributed via E-Service Master List. / mk
04/18/2017

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 11, 2017**

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

**May 11, 2017 9:00 AM Motion to Withdraw as
 Counsel**

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Eric B. Zimbelman, Esq., appeared on behalf of Pltf, Accuracy Glass and Mirror Co Inc (A587168)

There being no opposition, COURT ORDRED, Motion GRANTED.

Order SIGNED IN OPEN COURT and returned to counsel for processing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 15, 2017**

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

**May 15, 2017 9:00 AM Motion for Summary
 Judgment**

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Chen "Jack" Juan, Esq., appeared on behalf of Pltf
Martin Little, Esq., appeared on behalf of Counter Defendant, Unitah Investments LLC

Following argument, COURT STATED ITS FINDINGS, and ORDERED, Motion for Summary Judgment GRANTED as to the ability of Unitah Investments LLC being able to continue to pursue this action, or have the action pursued in its name WITHOUT PREJUDICE to a Motion to substitute Pacific Coast Steel.

Mr. Juan directed to submit a proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 30, 2017**

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

**May 30, 2017 9:00 AM Motion to Associate
 Counsel**

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
 PRESENT:**

JOURNAL ENTRIES

- Court stated that the Motion appeared to be in order, and with there being no oppositon ORDERED, Motion GRANTED.

COURT FURTHER ORDERED, status check SET to show that the State Bar has been notified of the admission. If the record reflects that the State Bar has been notified, it will not be necessary for counsel to attend the next status check. However, iff the record does not show the State Bar has been notified then counsel will have to appear to explain why.

Order SIGNED IN OPEN COURT and will be available for counsel to pickup; the Court's Law Clerk will notify counsel.

07/31/2017 9:00 AM | STATUS CHECK RE: SCR 42 COMPLIANCE (S. Judy Hirahara, Esq.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 24, 2017

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

July 24, 2017 9:00 AM Motion to Continue

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Cody Munteer, Attorney for Pltf
I-Che Lai, Attorney for Counter Defendant, Zitting Brothers Construction, Inc

Cause appearing and there being no opposition, COURT ORDERED, Motion GRANTED and directed counsel to submit a proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 25, 2017

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

July 25, 2017 5:35 PM Minute Order

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

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Cause appearing, and pursuant to EDCR 2.20(e) and 2.23(c), the Court GRANTS Gerdau Reinforcing Steel's Motion to Substitute without oral argument and ORDERS such Motion removed from its civil motion calendar of July 27, 2017. Counsel for moving party to submit a proposed order.

IT IS SO ORDERED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 31, 2017**

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

July 31, 2017	9:00 AM	Status Check
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HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

At call of case, Court noted no appearances, and ORDERED, MATTER TRAILED.

MATTER RECALLED - Court stated that the matter was on for status check regarding SCR 42 Compliance to show that the State Bar has been notified of the pro hac vice admission of S. Judy Hirahara, Esq. Further, Court stated that the record does not show that the State Bar has been notified of such admission, and ORDERED, status check CONTINUED thirty (30) days. Counsel is directed to notify the State Bar of the pro hac vice admission.

CONTINUED TO: 08/31/17 9:00 a.m.

CLERK'S NOTE: The above minute order has been distributed to:

Richard Tobler, Esq.
Fax: (702) 256-2248

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****August 10, 2017**

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

August 10, 2017 9:00 AM Motion to Dismiss

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Juan Jack Chen, Attorney for Pltf
 Joe Palin, Principal of Apco Construction
 Steve Morris, Attorney for Deft, Camco Pacific Construction Company Inc
 Elizabeth Stephens, Attorney for Trustee
 Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, Fast Glass Inc., and Cactus Rose Construction Inc
 I-Che Lai, Attorney for Pltf, Zitting Brothers Construction Inc., A589195

Following argument by counsel, COURT stated its FINDINGS, noting there are some genuine issues that need to be further developed, and treating the Motion as a Motion for Summary Judgment ORDERED, Motion DENIED WITHOUT PREJUDICE to counsels' contentions.

As a housekeeping matter, counsel discussed moving the motions currently calendared for August 24, 2017 to September 5, 2017. COURT SO ORDERED. Additional colloquy regarding trial setting, parties not participating in the case, and the parties having a settlement conference.

Mr. Zimbelman indicated he would submit the proposed order after passing the same by opposing counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 05, 2017

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

**September 05, 2017 9:00 AM Motion to Associate
Counsel**

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: John B. Taylor and Rich Tobler, Attorneys for National Wood Products and Cabinetec

There being no opposition and with cause appearing, COURT ORDERED, Motion GRANTED and FURTHER ORDERED status check regarding SCR 42 compliance SET October 5, 2017 at 9:00 am.

10/05/2017 9:00 AM | STATUS CHECK RE: SCR 42 COMPLIANCE (JOHN B. TAYLOR, ESQ.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****September 05, 2017**

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

September 05, 2017 2:00 PM Calendar Call

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Jack Chen Min Juan and Cody Mounter, Attorney for Pltff
 Elizabeth Stephens, Attorney for IPAC, Chapter 7 Trustee
 John Taylor and Rich Tobler, Attorneys for National Wood Products
 I-Che Lai, Attorney for Zitting Brothers
 Eric Zimbelman, Attorney for Helix Electric of Nevada LLC, Heinaman Contract Glazing, Buchele Inc, Cactus Rose Construction Inc, Fast Glass Inc
 Benjamin Johnson, Attorney for United Subcontractors Inc d/b/a Skyline
 William Urga and Michael R. Ernst, Attorneys for Gerdau Reinforcing Steel, Steel Structures Inc, Nevada Prefab Engineers Inc, and Unitah
 Tracy Truman, Attorney for E & E Fire
 Steve Morris, Camco Pacific Construction Company Inc

Court noted the settlement conference scheduled September 21, 2017. Mr. Juan requested that the calendar call and trial be continued so the parties can proceed with settlement. Further, Mr. Juan stated that the only parties that should remain are those that have complied with the Special Master's questionnaire and have filed their pre-trial disclosures.

Mr. Johnson noted confusion with the number of parties in the case, knowing what's going on

procedurally, and the Motion for Summary Judgment and Joinders being moved to October. Further, Mr Johnson noted his objection to the striking of his client's claims. Colloquy regarding parties left in the case with claims and proceeding with negotiations.

COURT ORDERED deadline for parties who have not complied with the Special Master's questionnaire and have not filed their pretrial disclosures SET Friday, September 8, 2017 by 5:00 pm and FURTHER ORDERED hearing SET Monday, September 11, 2017 on Pltf's Oral Motion to Dismiss Pursuant to Rule 7(b).

COURT FURTHER ORDERED the current trial setting VACATED and status check SET October 5, 2017 at 9:00 am to discuss resetting the trial.

HEARING ON PLTF'S ORAL MOTION TO DISMISS PURSUANT TO RULE 7(b): 09/11/2017 9:00 AM

STATUS CHECK RE:RESETTING TRIAL: 10/05/2017 9:00 AM

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 11, 2017

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

September 11, 2017 9:00 AM Hearing

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Jack Juan, Attorney for Pltf
Brad Slighting, Attorney for Deft, United Subcontractors
Michael Ernst, Attorney for Deft, Gerdau Reinforcing Steel
Elizabeth Stephens, Attorney for the Trustee
I-Che Lai, Attorney for Deft Zitting Brothers Construction

Following representations made by counsel, COURT ORDERED case dismissed as to the parties that did not comply with the Court's ruling to make their filings. All of the other parties who have made a pre-trial filings will soon get a letter from Mr. Juan or a schedule from the settlement judge regarding the September 21, 2017 settlement conference.

Mr. Juan to submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 21, 2017

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

September 21, 2017 9:00 AM Settlement Conference

HEARD BY: **COURTROOM:**

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Judge David Barker met with the parties for the purpose of a settlement conference at Esquire Solutions, the case did not settle.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 05, 2017**

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

October 05, 2017 9:00 AM All Pending Motions

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

-

APPEARANCES: Jack Juan, Cody Munteer, John Mowbray, and Mary Bacon, Attorneys for Apco
 Steven Morris, Attorney for Camco Pacific Construction Co Inc
 Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, SWPP Compliance Solution, Buchele
 Inc, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing
 Benjamin Johnson, Attorney for United Subcontractors Inc
 John Taylor and Rich Tobler, Attorneys for National Wood Products
 Elizabeth Stephens, Attorney for Trustee
 I-Che Lai, Attorney for Pltf, Zitting Brothers Construction Inc.
 Tracy Truman, Attorney for E & E Fire
 Michael Ernst, Attorney for Gerdau Reinforcing Steel, Steel Structures Inc, and Nevada Prefab
 Engineers

CONFERENCE AT BENCH: Court disclosed that the wife of its current Law Clerk, Andrew Lajoie, is the niece of Steven Morris. Counsel acknowledged their agreement to proceed in light of the Court's disclosure. Further, Court advised that Mr. Lajoie would be screened from this case.

Mr. Juan advised that at the settlement conference no global settlement was reached; however, progress was made with some. Further, Mr. Juan requested discovery be extended another 45 days to finish up depositions, which resulted in colloquy as to deferring the hearing on the motions pending depositions. Mr. Zeimbelman noted his opposition. COURT ORDERED, matter TRAILED for counsel to discuss the matter further.

MATTER RECALLED - Court noted that there are some different points as to what should happen relative to scheduling of trial and/or hearing the motions that are before the Court today. Mr. Juan advised that the key concern is for those who are opposed to having their clients deposed and the trial being delayed. Court advised the case could be placed on the November 28, 2017 stack, which lead to further discussion as to that date changing any of the parties' position, the case having a date certain on the stack, the amount of time trial would require, and the specific depositions that would be taken. It was estimated that each subcontractor would take a day.

After hearing from counsel, COURT ORDERED trial date SET November 28, 2017 at 9:00 am; new trial order to issue and a calendar call date will be set as well.

COURT FURTHER ORDERED that the Motions on today's calendar CONTINUED to November 16, 2017 at 9:00 am.

COURT FURTHER ORDERED that the deadline for taking depositions is October 30, 2017.

COURT FURTHER ORDERED that any motions in limine be filed by November 5, 2017 will be SET for hearing on November 16, 2017 at 9:00 am; no more motions for summary judgment can be filed.

Additional colloquy.

Mr. Juan to prepare and circulate an order reflecting what has been done today.

CLERK'S NOTE: This Minute Order has been amended to reflect that motions in liminie will be SET for hearing on November 16, 2107 at 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 16, 2017**

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

November 16, 2017 9:00 AM All Pending Motions

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Ernst, Michael R.	Attorney
	Jefferies, John R.	Attorney
	Lai, I-Che	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Mounteer, Cody S.	Attorney
	Ramirez, Jorge A.	Attorney
	Truman, T. James	Attorney
		Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Rich Tobler and John Taylor, Attorneys for Deft, Nation Wood Products

Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, SWPP Compliance Solution, Buchele Inc, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

ZITTING BROTHERS CONSTRUCTION INC'S MOTION FOR PARTIAL SUMMARY JUDGEMENT
 AGAINST APCO CONSTRUCTION

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT
PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS AND EX PARTE
APPLICATION FOR ORDER SHORTENING TIME

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

ZITTING BROTHERS CONSTRUCTION, INC.'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS'
MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-
PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

STEEL STRUCTURES, INC., NEVADA PREFAB ENGINEERING, AND GERDAU REINFORCING
STEEL'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' OPPOSITION TO APCO'S MOTION
FOR SUMMARY JUDGMENT RE: LIEN CLAIMS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

WILLIAM A. LEONARD, JR.'S JOINDER OF INTERSTATE PLUMBING AND AIR CONDITIONING
LLC TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT
PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

NATIONAL WOOD PRODUCTS INC'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY IF PAID AGREEMENTS AND EX PARTE APPLICATION SHORTENING TIME; AND MEMORANDUM OF POINT AND AUTHORITIES IN SUPPORT THEREOF

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

E & E FIRE PROTECTION, LLC'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

ERIC B. ZIMBELMAN, ESQ.'S MOTION TO WITHDRAW AS COUNSEL FOR BUCHELE, INC. AND FOR ORDER SHORTENING TIME

There being no opposition and with cause appearing, COURT ORDERED, Motion GRANTED.

Mr. Zimbelman to submit the proposed order.

ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION IN LIMINE TO LIMIT THE DEFENSES OF APCO CONSTRUCTION TO THE ENFORCEABILITY OF PAY-IF-PAID PROVISION

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

APCO CONSTRUCTION, INC.'S OMNIBUS MOTION IN LIMINE

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA'S MOTIONS IN LIMINE NOS. 1-4 (AGAINST APCO CONSTRUCTION)

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PEEL BRIMLEY LIEN CLAIMANTS' MOTIONS IN LIMINE NOS. 1-6 (AGAINST CAMCO PACIFIC CONSTRUCTION, INC.)

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA'S MOTION IN LIMINE NOS. 1-4 AGAINST APCO CONSTRUCTION

Court stated the matter had been well briefed and would stand submitted; advised it would review

the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PLAINTIFF IN INTERVENTION, NATIONAL WOOD PRODUCTS, INC'S MOTION IN LIMINE TO EXCLUDE EVIDENCE TESTIMONY, DOCUMENTS AND THINGS NOT PROPERLY PRODUCED BY DEFENDANT APCO CONSTRUCTION IN DISCOVERY; DECLARATION OF S. JUDY HIRAHARA; AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 20, 2017**

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

November 20, 2017 2:00 PM Calendar Call

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Hirahara, S Judy, ESQ	Attorney
	Lai, I-Che	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Munteer, Cody S.	Attorney
	Tobler, Richard L	Attorney
	Truman, T. James	Attorney
		Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Eric Zimbelman, Attorney for Defts, Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, Heinaman Contract Glazing

Richard Dreitzer, Attorney for Deft, Zitting Bros

Brad Slighting, Attorney for Deft, United Subcontractors

Upon inquiry of the Court as to the number of days expected for trial, noting rulings the Court has to make on motions in limine and partial summary judgment, Mr. Munteer advised counsel met today for pretrial; advised they expect 12 days full trial days, noting they are trying to have the parties go in a chronological order as the project would have progressed. Requested the Court continue this matter

to the January 2018 stack and put the case during the weeks of January 15, 2018 and January 22, 2018 to try the case. Colloquy regarding placement on the next stack and the age of this case. COURT ORDERED, the current trial setting VACATED to be RESET on the January 9, 2018 stack; new order to issue.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 05, 2017**

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

December 05, 2017 5:03 PM Minute Order

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

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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HAVING further reviewed APCO Construction, Inc.s Omnibus Motion in Limine and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court makes the following rulings:

The Court DENIES Motion in Limine No. 1 without prejudice to objections made to evidentiary proffers at trial that the Court can consider in context.

The Court GRANTS Motion in Limine No. 2 IN PART to the extent that it addresses parties which, as APCO puts it, have chosen not to participate in trial (Reply, p. 4, ll. 21-22), but it is DENIED IN PART as to parties which have participated.

The Court DENIES Motion in Limine No. 3 regarding unjust enrichment as it essentially seeks a summary adjudication without reference to any specific evidence. Furthermore, unjust enrichment is commonly pleaded in the alternative and its viability relates to development of the evidence.

The Court DENIES Motion in Limine No. 4 without prejudice to objections to specific evidence

proffered.

The Court DENIES Motion in Limine No. 5 without prejudice to objections to specific evidence proffered.

The Court GRANTS Motion in Limine No. 6 to the extent that it seeks to preclude witnesses who should have been, but were not, properly disclosed. Of course, making any such determination requires a witness-by-witness inquiry.

The Court GRANTS Motion in Limine No. 7 to the extent that it seeks to preclude evidence that should have been, but was not, properly disclosed. Of course, making any such determination will require an examination of the disclosure history of any specific evidence proffered.

Counsel for Helix Electric is directed to submit a proposed order consistent with the foregoing and which sets forth the underpinnings of the same. Such proposed order should be submitted to opposing counsel for review and signification of approval/disapproval. Instead of seeking to clarify or litigate meaning or any disapproval through correspondence directed to the Court or to counsel with copies to the Court, any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 05, 2017

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

December 05, 2017 5:03 PM Minute Order

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

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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HAVING further reviewed Plaintiff-in-Intervention, National Wood Products, Inc. s Motion in Limine to Exclude Evidence, Testimony, Documents and Things not Properly Produced by Defendant APCO Construction in Discovery and the Opposition thereto, coming before the Court on November 16, 2017, and then taken under advisement, the Court GRANTS the same to the extent that proffered evidence was not properly produced in discovery. Of course, this determination will require an examination of the disclosure history of any specific evidence proffered.

Counsel for National Wood Products is directed to submit a proposed order consistent with the foregoing.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 05, 2017

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

December 05, 2017 5:03 PM Minute Order

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

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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HAVING further reviewed Peel Brimley Lien Claimants Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.), and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court GRANTS the same. The Motion relates to disclosures and evidence. The Opposition relates to legal contentions.

Counsel for Peel Brimley Lien Claimants is directed to submit a proposed order consistent with the foregoing.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 05, 2017**

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

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HAVING further reviewed Zitting Brothers Construction, Inc. s Motion in Limine to Limit the Defenses of Apco Construction to the Enforceability of Pay-if-Paid Provision and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court GRANTS the Motion as it is persuaded by the same.

Counsel for the Zitting Brothers is directed to submit a proposed order consistent herewith and with its briefing/argument. Such proposed order should be submitted to opposing counsel for review and signification of approval/disapproval. Instead of seeking to clarify or litigate meaning or any disapproval through correspondence directed to the Court or to counsel with copies to the Court, any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 05, 2017

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

December 05, 2017 5:03 PM Minute Order

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

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HAVING further reviewed Helix Electric of Nevada s Motions in Limine Nos. 1-4 and the Opposition thereto, coming before the Court on November 16, 2017, and then taken under advisement, the Court GRANTS Motions Nos. 1-3 and DENIES Motion No. 4 without prejudice to objections at trial.

Counsel for Helix Electric is directed to submit a proposed order consistent herewith.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 21, 2017

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

December 21, 2017 9:00 AM Motion

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Bacon, Mary E. Attorney

JOURNAL ENTRIES

- Following representations made by counsel, COURT ORDERED, Motion GRANTED; counsel for Buchele to submit notice of appearance ten (10) days from today.

Ms. Bacon to submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

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

January 02, 2018 2:00 PM Calendar Call

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Jefferies, John R.	Attorney
	Lai, I-Che	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Munteer, Cody S.	Attorney
	Ramirez, Jorge A.	Attorney
	Taylor, John B., ESQ	Attorney
	Tobler, Richard L	Attorney
	Truman, T. James	Attorney
		Attorney

JOURNAL ENTRIES

- ALSO PRESENT - Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Court noted having trial down for twelve (12) days, which Mr. Zimbelman thought would be a little light with the number of parties. Mr. Morris noted discussions had at the pre-trial conference as to how the trial would proceed with APCO going first and then CAMCO; advised the Court he would be out of the country January 8-22, 2018. Mr. Zimbelman stated counsel discussed proceeding

without Mr. Morris and the claims against CAMCO being set when he is available. Mr. Morris concurred, noting he did not have to be present for the APCO portion of the trial; colloquy.

Mr. Mounter addressed pending orders; advised APCO plans to file a motion for reconsideration on a few of those orders. Further, Mr. Mounter requested a trial setting on the February stack to allow the parties a chance to file motions and respond. Colloquy held between the Court and counsel regarding the age of the case, the case being a consolidated action, the current position of the parties, and proceeding with the trial in part.

On behalf of APCO, Mr. Jefferies requested the trial begin the latter half of January to get the motion for reconsideration in front of the Court for its review and for fairness to the parties. Mr. Jefferies further noted, that once the Zitting order is resolved counsel would be in a position to file the motion. Mr. Lai advised he received the final order earlier today.

Court queried counsel as to the parties having a settlement conference; however, no settlement conference was requested. COURT ORDERED, MATTER TRAILED.

MATTER RECALLED - COURT ORDERED, non-jury trial date SET Wednesday, January 17, 2017 at 10:00 am; pretrial memorandum due January 12, 2018 by 5:00 pm.

Mr. Tobler provided the Court with an amended order that APCO and Helix had consented to that pertained to the Omnibus Motion filed by APCO. Order SIGNED IN OPEN COURT and returned to counsel for processing.

01/17/2018 10:00 AM | NON-JURY TRIAL BEGINS

CLERK'S NOTE - This Minute Order was amended to reflect that Brad Slighting, Attorney for United Subcontractors, was present at calendar call.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 11, 2018**

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

January 11, 2018 9:00 AM All Pending Motions**HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES**

PRESENT:	Bacon, Mary E.	Attorney
	Lai, I-Che	Attorney
	Munteer, Cody S.	Attorney
	Taylor, John B., ESQ	Attorney
	Tobler, Richard L	Attorney

JOURNAL ENTRIES

- ALSO PRESENT - Eric Zimbleman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

NOTE: Mr. Zimbelman appeared by telephone.

PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING PEEL
BRIMLEY LIEN CLAIMANTS PARTIAL MOTION FOR SUMMARY JUDGMENT TO PRECLUDE
DEFENSES BASED ON PAY IF PAID PROVISIONS

Following arguments by counsel, COURT ORDERED, Motion DENIED.

Counsel for Peel Brimley to submit the proposed order.

CAMCO'S JOINDER TO APCO'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING PEEL BRIMLEY LIEN CLAIMANT'S PARTIAL MOTION FOR SUMMARY JUDGMENT TO PRECLUDE DEFENSES BASED ON PAY IF PAID PROVISIONS

Following arguments by counsel, COURT ORDERED, Motion DENIED.

PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC'S PARTIAL MOTION FOR SUMMARY JUDGMENT AND EX PARTE APPLICATION FOR ORDER SHORTENING TIME AND TO EXCEED PAGE LIMIT

Following arguments by counsel, COURT ORDERED, Motion DENIED.

Counsel for Zitting Brothers Construction to submit the proposed order.

COURT advised it signed an order shortening time of the Motion for Stay, setting it for Tuesday, January 16, 2018. Mr. Zimbleman requested he receive a courtesy copy of the Motion.

Mr. Taylor requested that he be allowed to appear without Mr. Tobler for purposes of trial. There being no objections, COURT SO ORDERED.

At the request of counsel, COURT ORDERED that the Hearing Re: ZBCI Attorney's Fees and Costs currently set for January 18, 2018 is CONTINUED to March 1, 2018 at 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

January 16, 2018

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

January 16, 2018 9:00 AM Motion to Stay

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

COURT ORDERED, Motion CONTINUED pursuant to Stipulation and Order.

CONTINUED TO: 01/19/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 17, 2018**

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

January 17, 2018	10:00 AM	Bench Trial	Day 1
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HEARD BY: Denton, Mark R.	COURTROOM: RJC Courtroom 03D
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COURT CLERK: Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES**

PRESENT:	Bacon, Mary E.	Attorney
	Hirahara, S Judy, ESQ	Attorney
	Jefferies, John R.	Attorney
	Taylor, John B., ESQ	Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Andy Rivera, Client Representative of Helix Electric of Nevada

Mr. Jefferies noted the structure of the pleadings, which lists APCO as Pltf and Gemstone as Deft. Further, Mr. Jefferies advised that Gemstone's default was entered and their Answer and Counterclaim stricken, and APCO's Motion for Summary Judgement was granted in June 2013; however, counsel is unable to locate the order. Colloquy between the Court and counsel regarding the procedural posture of the case and the scope of cross not being limited to direct so the parties can call witnesses one time.

Opening statements by Mr. Zimbelman on behalf of Helix; Mr. Taylor on behalf of National Wood;

and Mr. Jefferies on behalf of APCO.

Testimony and exhibits presented. (See worksheets)

Colloquy between the Court and counsel regarding the submission of a stipulation regarding exhibits and trial schedule. COURT ORDERED, trial would resume tomorrow, Thursday, January 18, 2018 at 1:00 p.m.

Testimony and exhibits presented. (See worksheets)

COURT excused parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/18/2018 1:00 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 18, 2018**

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

January 18, 2018 1:00 PM Bench Trial Day 2

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Hirahara, S Judy, ESQ Attorney
 Jefferies, John R. Attorney
 Taylor, John B., ESQ Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Andy Rivera, Client Representative of Helix Electric of Nevada

Mr. Zimbelman advised of a problem with a witness and requested he be allowed to call a witness out of order tomorrow relative to Fast Glass, noted the witness would be out of the country; no objections from Mr. Jefferies or Mr. Taylor. COURT SO ORDERED.

Stipulation and Order Regarding Trial Exhibits Admitted into Evidence SIGNED IN OPEN COURT and returned to counsel for processing; objections noted.

Order Denying Reconsideration of the Motion for Summary Judgment SIGNED IN OPEN COURT and returned to counsel for processing.

Testimony and exhibits presented. (See worksheets)

Colloquy regarding trial procedures and calling of witnesses.

COURT excused parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/19/2018 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

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

January 19, 2018 9:00 AM Bench Trial Day 3

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

COURT CLERK: Elizabeth Vargas

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Hirahara, S Judy, ESQ	Attorney
	Jefferies, John R.	Attorney
	Lai, I-Che	Attorney
	Mounteer, Cody S.	Attorney
	Taylor, John B., ESQ	Attorney

JOURNAL ENTRIES

- Eric Zimbleman, present on behalf of Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction, Inc, Fast Glass Inc. and Heinaman Contract Glazing. Arguments by Mr. Taylor and Mr. Jefferies regarding Motion in Limine regarding joint and several liability. Court reviewed the language of the order and noted the Motion in Limine No. 7 seeking to strike evidence or damages was granted, further stated it is not going to strike the evidence because it would properly apply what court thinks is applicable. Testimony and exhibits presented. (See worksheet). COURT excused counsel and parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 1/23/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

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

January 19, 2018 9:00 AM Motion to Stay

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

COURT CLERK: Elizabeth Vargas

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

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

JOURNAL ENTRIES

- Mr. Mounter stated the original motion was brought during a time when there were pending motions for reconsideration, and conceded the issue was moot, however the rule was still operative; further noted there were multiple parties and multiple claims, this was a large consolidation action Zitting was part of, requested a temporary stay pending the conclusion of trial, amongst all parties, with no bond; stated should the stay be granted, the bond would be in place to protect Zitting. Mr. Lai opposed the Motion; stated Zitting was trying to perfect the final judgment and once final judgment was entered can move forward with collection. Court noted there was no final judgment. Mr. Mounter stated it his position that there was no final judgment and did not believe collection efforts could start. Court reviewed Rule 62 and stated it believes Apco was seeking to stay execution on the judgment. Mr. Mounter requested if the motion was denied, it be stated in the order that there was no final judgment at that time. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE to renewal once there has been entry of final judgment or certification. Court noted it did not consider the Findings of Fact, Conclusions of Law Granting Zitting Brothers Construction Inc.'s Motion for Partial Summary Judgment Against Apco entered on January 2, 2018 to be a judgment subject to execution. Court directed Mr. Mounter to prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 23, 2018**

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

January 23, 2018 9:00 AM Bench Trial Day 4

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Bacon, Mary E.	Attorney
	Taylor, John B., ESQ	Attorney
	Truman, T. James	Attorney
		Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn, Apco Representative

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Ms. Bacon advised of an e-mail Mr. Jefferies received from Mr. Morris, which indicated that Mr. Morris is back in the country and back in the office today and that he intends to be here tomorrow. Colloquy between the Court and counsel as to how the trial would proceed, scheduling, closing arguments, calling witnesses, and the submission of the post trial briefs.

Testimony and exhibits presented. (See worksheets).

Mr. Zimbelman advised that there were no witnesses to present for Cactus Rose and SWPP. Additional colloquy between the Court and counsel regarding witnesses that will be called tomorrow, closing arguments, and the e-mail contact had with Mr. Morris. Following the discussion,

COURT excused counsel and the parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/24/2018 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 24, 2018**

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

January 24, 2018 9:00 AM Bench Trial Day 5

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

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Bacon, Mary E.	Attorney
	Jefferies, John R.	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Taylor, John B., ESQ	Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Brad Slighting, Attorney for United Subcontractors Inc

Colloquy between the Court and counsel with respect to the claims against Camco Pacific and Camco's defenses to those claims, the trial proceeding in Mr. Morris's absence, the claims presented, and witnesses being available by telephone for cross-examination.

Court referenced the letter sent to counsel and advised of its availability to hear Camco's case, which resulted in additional colloquy regarding the amount of time needed for argument followed by the submission of proposed findings of fact and conclusions of law. COURT ORDERED the tentative

date of January 31, 2018 for cross- examination of witnesses that were called regarding Camco; additional evidence will be presented on February 6, 2018.

Testimony and exhibits presented. (See worksheets)

APCO RESTS; Helix RESTS; and National Wood RESTS.

Closing arguments by Mr. Zimbleman on behalf of Helix; Mr. Taylor on behalf of National Wood, and Mr. Jefferies on behalf of APCO, which concluded the APCO portion of the trial.

COURT ORDERED submission of briefs and proposed findings of fact and conclusions of law DEFERRED until after the Camco portion of the trial is closed.

CONTINUED TO: 01/31/2018 (TENTATIVE DATE FOR CROSS EXAMINATION); 02/06/2018 9:00 A.M. (ADDITIONAL EVIDENCE)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 06, 2018**

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

February 06, 2018 9:00 AM Bench Trial Day 6

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

COURT CLERK: Marwanda Knight
 Kory Schlitz

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Morris, Steven L. Attorney
 Attorney
 Taylor, John B., ESQ Attorney
 Truman, T. James Attorney
 Attorney

JOURNAL ENTRIES

- APPEARANCES CONT'D: Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Benjamin Johnson, Attorney for United Subcontractors

Josef Rodarti, Attorney for Camco

Mr. Morris advised Camco reached a settlement with United Subcontractors and that the stipulation regarding dismissal would be forthcoming. At the request of counsel and there being no objection, COURT ORDERED, Mr. Johnson EXCUSED.

Further, Mr. Morris noted counsel entered into a stipulation regarding the cross examination of witnesses who testified in his absence; advised that stipulation would also be forthcoming.

Testimony and exhibits presented. (See worksheets)

Pltf E&E Fire RESTS.

Mr. Morris moved for a directed verdict as to claimants, SWPP, Cactus Rose, and Interstate Plumbing who have not presented their case; objections argued by Mr. Zimbelman. Following arguments by counsel, Court stated its FINDINGS, noting that once the evidence is closed it would be able to make a decision; however, relative to Interstate Plumbing, COURT ORDERED, Motion GRANTED.

Testimony and exhibits presented. (See worksheets)

(1:30 p.m. Kory Schlitz, Court Clerk) Minutes ...

Mr. Zimbelman indicated he did not offer Exhibit 718 during examination, however he has discussed it with Mr. Morris and the exhibit has been stipulated to. Closing arguments by Mr. Truman on behalf of E&E Fire; Mr. Zimbelman on behalf of Heinaman; and Mr. Morris on behalf of Camco. Mr. Zimbelman indicated he spoke with counsel and parties have agreed to submit their FFCL by February 28, 2017. Court advised parties have two weeks to file responding briefs. COURT ORDERED, Exhibits not admitted RETURNED to Counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 01, 2018

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

March 01, 2018 9:00 AM Hearing

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

COURT CLERK: Aja Brown

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Jefferies, John R. Attorney
 Lai, I-Che Attorney

JOURNAL ENTRIES

- Following arguments by counsel, COURT ORDERED, matter UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

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

June 04, 2018 9:00 AM All Pending Motions

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

COURT CLERK: Nancy Maldonado

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

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

JOURNAL ENTRIES

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

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

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

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

JOURNAL ENTRIES

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

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

July 02, 2018 9:00 AM All Pending Motions

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

COURT CLERK: Nicole McDevitt

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

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

JOURNAL ENTRIES

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

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

July 19, 2018 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Haly Pannullo**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

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

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

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

COURT ORDERED, Motion TAKEN UNDER ADVISEMENT.

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

COURT ORDERED, Motion TAKEN UNDER ADVISEMENT.

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

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

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

COURT ORDERED, Motion GRANTED.

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

COURT ORDERED, Motion for Leave to File Surreply GRANTED.

September 10, 2018

Helix001488

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 06, 2019**

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

June 06, 2019 9:00 AM Motion

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

COURT CLERK: Lauren Kidd

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT: Cawley, Reuben Attorney
 Lai, I-Che Attorney
 Ramirez, Jorge A. Attorney

JOURNAL ENTRIES

- Christopher Byrd, Esq. present for Apco Construction. Michael Dreitzer, Esq. also present in the courtroom.

Mr. Byrd indicated Fennemore Craig offered Mr. Dreitzer an opportunity for employment and Mr. Dreitzer will take the position subject to resolving the conflict. Mr. Byrd advised the motion was to determine whether or not Mr. Dreitzer's involvement with Zitting was substantial. Argument by Mr. Byrd that the case in question was 11 years old and Mr. Dreitzer's involvement amounted to 12 hours of time and was not substantial. Mr. Lai referenced the highlights of his motion. Mr. Lai argued everything before the Court had been resolved except what was pending appeal; therefore, the District Court did not have jurisdiction for this matter. Arguments by counsel regarding whether or not there was prejudice to Zitting. All things considered, given the history and complexity of the case, COURT ORDERED, Motion GRANTED. Court advised the Court does have jurisdiction over this matter, the matter is ripe and it would be expected that Mr. Dreitzer would be screened from any and all aspects of this case. Mr. Byrd confirmed they would implement the screening process outlined in the motion and provide written notice. Mr. Lai advised they would appeal the decision to the Supreme Court, including it in the pending case and file a motion to disqualify. Mr. Byrd to

prepare the proposed order; opposing counsel to review as to form and content.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 09, 2019

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

September 09, 2019 9:00 AM Motion

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

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Chris Byrd, Esq. present for Apco Construction. Eric Zimbelman, Esq. present for Helix Electric of Nevada LLC.

Following argument by Mr. Zimbelman and Mr. Byrd, COURT ORDERED, Helix Electric of Nevada, LLC's Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss all Unresolved Claims and/or, (III) in the Alternative, for a Rule 54(B) Certification as to Helix and APCO GRANTED as to the alternate Motion for 54(b) certification relative to Helix and Apco. Mr. Zimbelman to prepare the order and run it by Mr. Byrd for approval.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 19, 2019

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

**December 19, 2019 9:00 AM Motion to Amend
Judgment**

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

COURT CLERK: Madalyn Kearney

RECORDER: Lisa Lizotte

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Tracy O'Steen, Esq. present for Intervenor Plaintiff National Wood Products, Inc.

Court advised it has received no written opposition. Cause appearing and there being no opposition, COURT ORDERED, National Wood Products Inc.'s Motion to Amend Judgment as to the Claim of National Wood Products, Inc. Against Camco Pacific Construction Company, Inc. and Gemstone Development West, Inc. due to Clerical Error on an Order Shortening Time GRANTED. Second Amended Judgment (as to the Claim of National Wood Products, Inc. Against Camco Pacific Construction Company, Inc. and Gemstone Development West, Inc.) SIGNED IN OPEN COURT.

PLAINTIFF'S EXHIBITS 1-13 RE: EVIDENTIARY HEARING

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

CASE NO. 08A51228

Helix001494

Dept. No. XXIX

[illegible]

IN RE:

MANHATTAN WEST MECHANIC'S LIEN LITIGATION

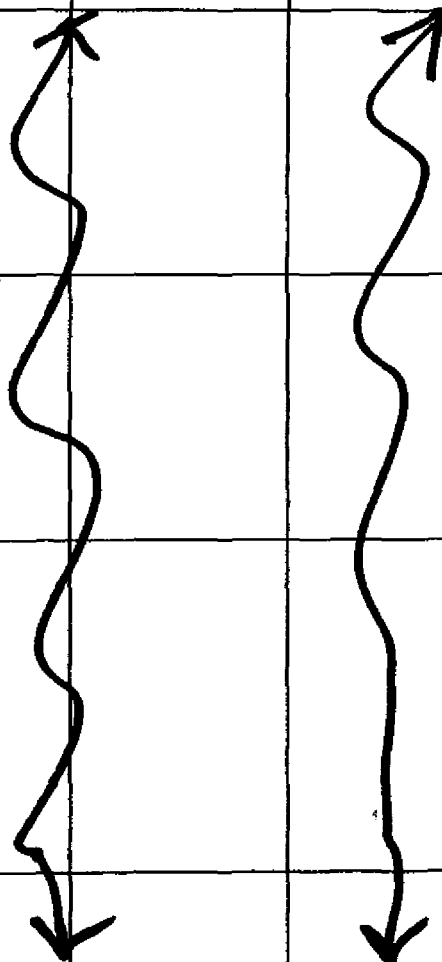
And All Related And Consolidated Claims

CASE NO.: A571228

DEPT. NO.: XXIX

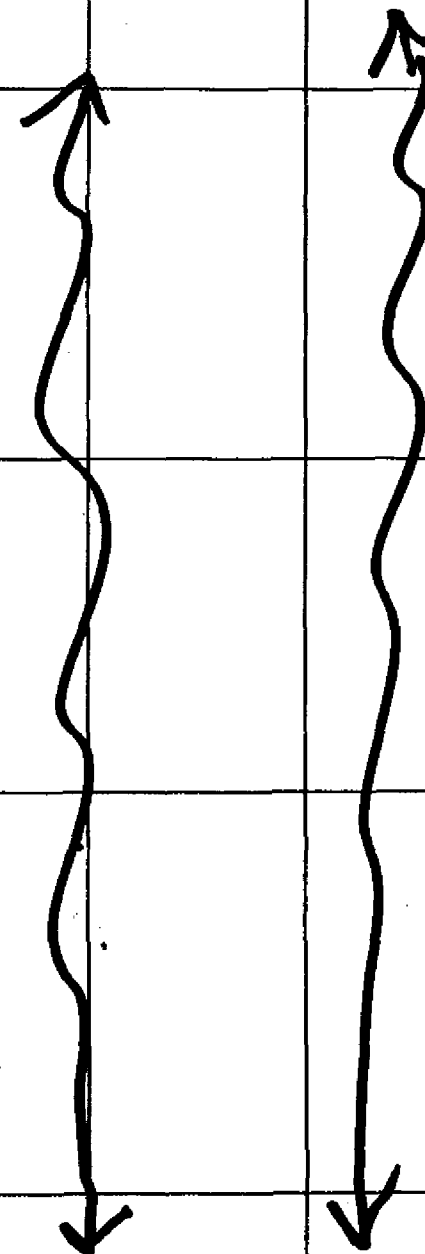
TRIAL EXHIBIT LIST

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

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

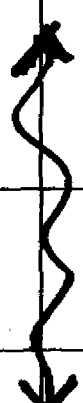

11	RMI's Notice of Right to Lien to and USPS certified mail # #7004 1350 0000 8094 7091 receipts - Camco Pacific Construction and Alex Edelstein - Bate Stamp Nos. RMI000021-RMI000022				
12	RMI's Notice of Right to Lien to and USPS certified mail # #7004 1350 0000 8094 7046 receipts - Camco Pacific Construction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



NOT USED







NOT USED



OFFERED ADMITTED DENIED DATE

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

23	RMI's Invoice NO. 101700 re: Manhattan West - Bates Stamp Nos. RMI000062- RMI000064			NOT	USED
24	RMI's Invoice NO. 101763 re: Manhattan West - Bates Stamp No. RMI000065				
25	RMI's Invoice NO. 1012217 re: Manhattan West 3 - Bates Stamp Nos. RMI000066-RMI000069				
26	RMI's Invoice NO. 102684 re: Manhattan West - Bates Stamp Nos. RMI000070- RMI000071				
27	RMI's Invoice NO. 103117 re: Manhattan West 7/3 - Bates Stamp Nos. RMI000071-RMI000073				
28	RMI's Invoice NO. 103119 re: Manhattan West Bldg. 2 - Bates Stamp Nos. RMI000074-RMI000076				
29	RMI's Invoice NO. 103121 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000077				
30	RMI's Invoice NO. 103184 re: Manhattan West - Bates Stamp No. RMI000078				
31	RMI's Invoice NO. 103215 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000079	NOT	USED		

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

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

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

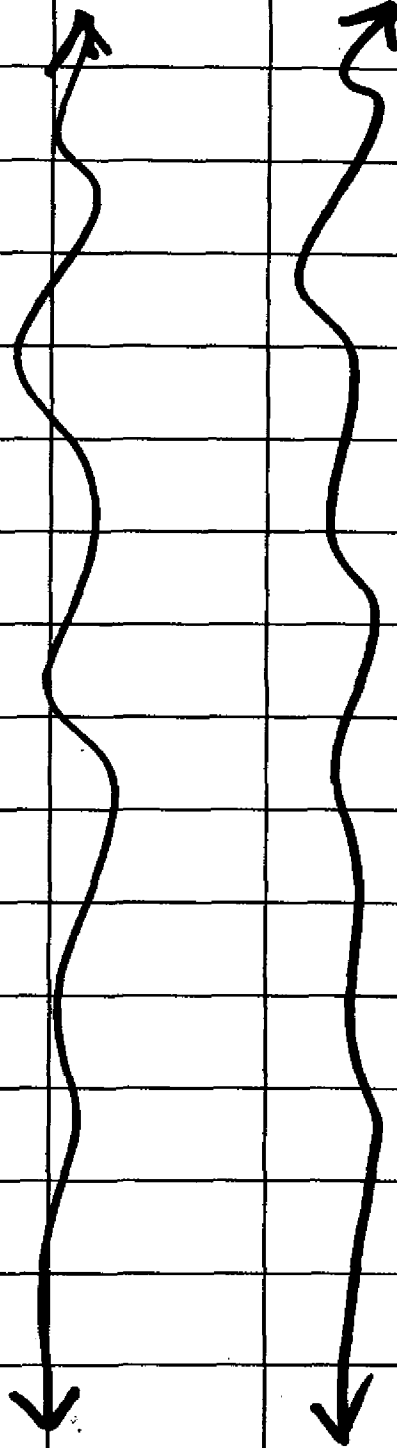
OFFERED ADMITTED DENIED DATE

59	RMI's Invoice NO. 105263 re: Manhattan West - Bates Stamp No. RMI000159		NOT	USED	
60	RMI's Invoice NO. 106389 re: Manhattan West - Bates Stamp Nos. RMI0001460		NOT	USED	
61	RMI's Invoice NO. 106390 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000161-RMI000163	10/30/12	✓		10/30/12
62	RMI's Statement of Account for Gemstone Development West, Inc. Dated 4/8/2010 - Bates Stamp No. RMI000164		NOT	USED	
63	RMI's Invoice NO. 115412 re: Manhattan West - Bates Stamp No. RMI000165				
64	RMI's Invoice NO. 115513 re: Manhattan West - Bates Stamp No. RMI000166				
65	RMI's Invoice NO. 115659 re: Manhattan West - Bates Stamp No. RMI000167				
66	RMI's Invoice NO. 117557 re: Manhattan West - Bates Stamp No. RMI0001618				
67	RMI's Invoice NO. 117812 re: Manhattan West - Bates Stamp No. RMI000169				
68	RMI's Invoice NO. 118116 re: Manhattan West - Bates Stamp Nos. RMI000170		NOT	USED	

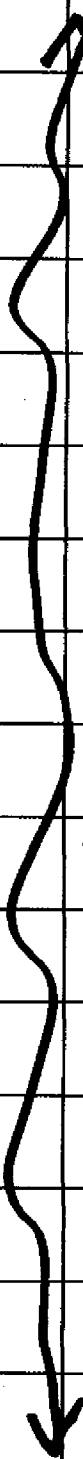

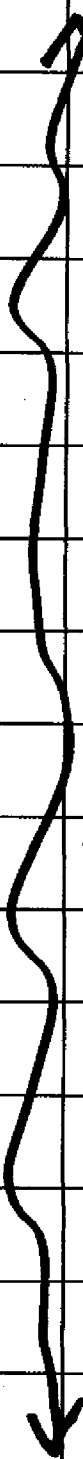

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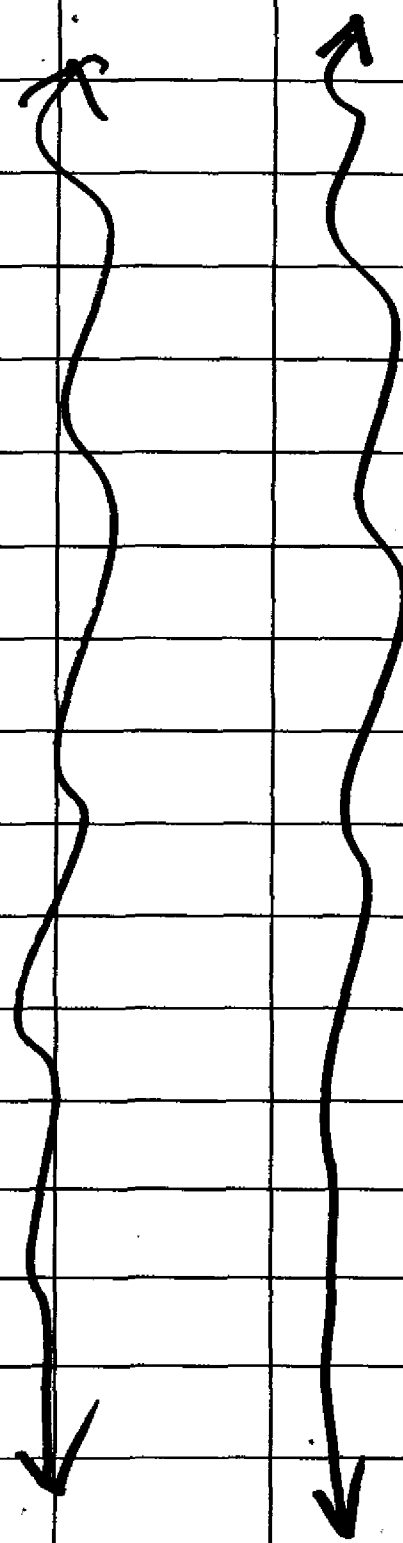
69	RMI's Invoice NO. 118369 re: Manhattan West - Bates Stamp Nos. RMI000171		NOT	USED	
70	RMI's Invoice NO. 119386 re: Manhattan West - Bates Stamp Nos. RMI000172		NOT	USED	
71	RMI's Invoice NO. 119640 re: Manhattan West - Bates Stamp Nos. RMI000173		NOT	USED	
72	AR Customer Receipt History for Gemstone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

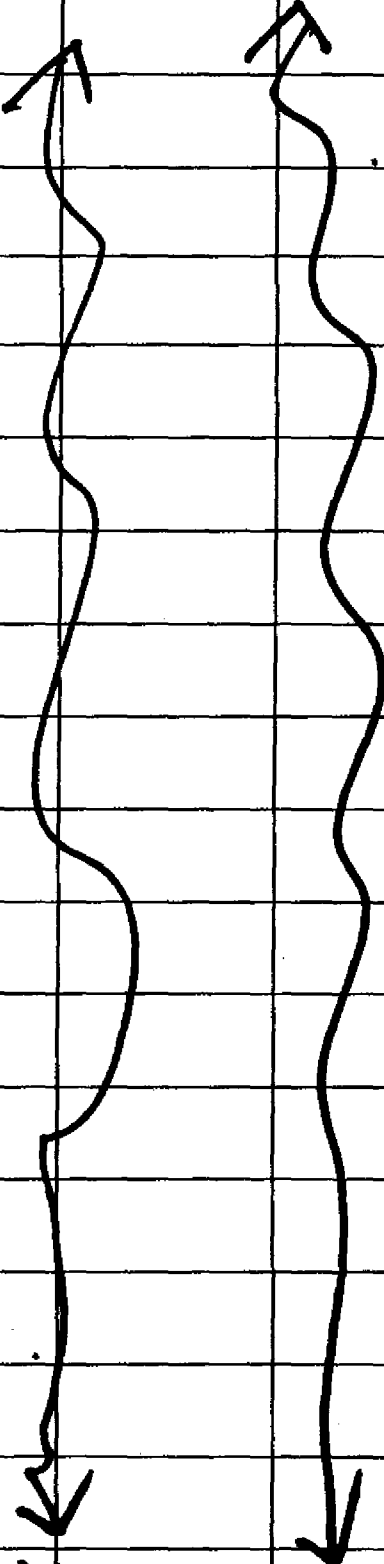
82	RMI Delivery Ticket 469556 - RMI000190	NOT USED	
83	RMI Delivery Ticket 469555 - RMI000191		
84	RMI Delivery Ticket 469553 - RMI000192		
85	RMI Delivery Ticket 469552 - RMI000193		
86	RMI Delivery Ticket 469544 - RMI000194		
87	RMI Delivery Ticket 469543 - RMI000195		
88	RMI Delivery Ticket 469542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

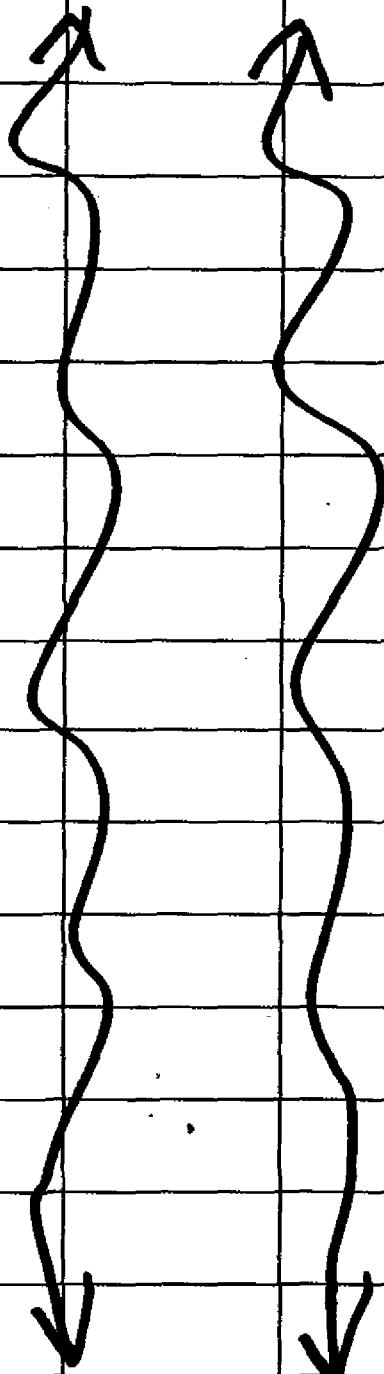
100	RMI Delivery Ticket 469530 - RMI000208	NOT USED	
101	RMI Delivery Ticket 469529 - RMI000209		
102	RMI Delivery Ticket 469528 - RMI000210		
103	RMI Delivery Ticket 469527 - RMI000211		
104	RMI Delivery Ticket 469526 - RMI000212		
105	RMI Delivery Ticket 469525 - RMI000213		
106	RMI Delivery Ticket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

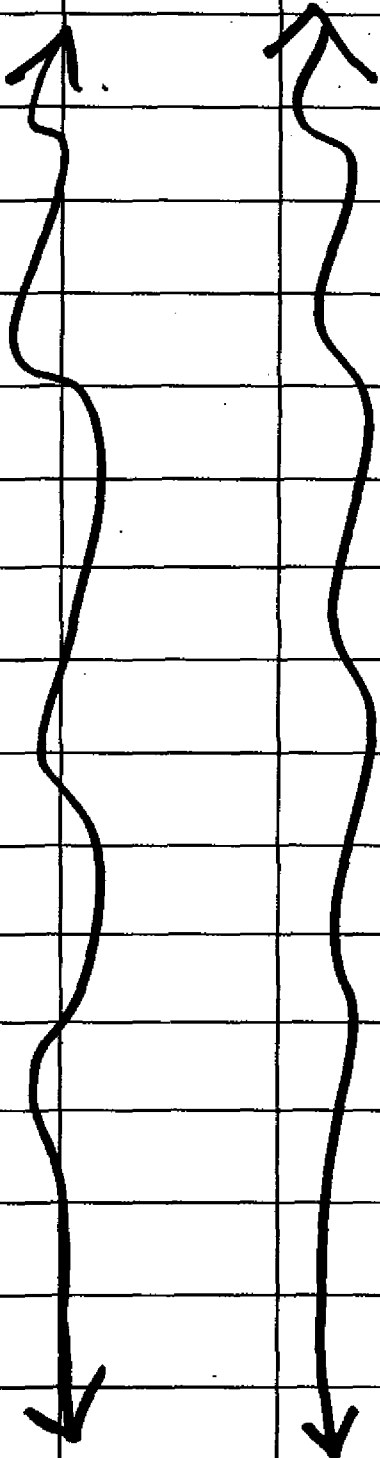
118	RMI Delivery Ticket 469512 - RMI000226	NOT USED	
119	RMI Delivery Ticket 469511 - RMI000227		
120	RMI Delivery Ticket 469510 - RMI000228	↓	↓
121	RMI Delivery Ticket 469509 - RMI000229		
122	RMI Delivery Ticket 469508 - RMI000230		
123	RMI Delivery Ticket 469507 - RMI000231		
124	RMI Delivery Ticket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

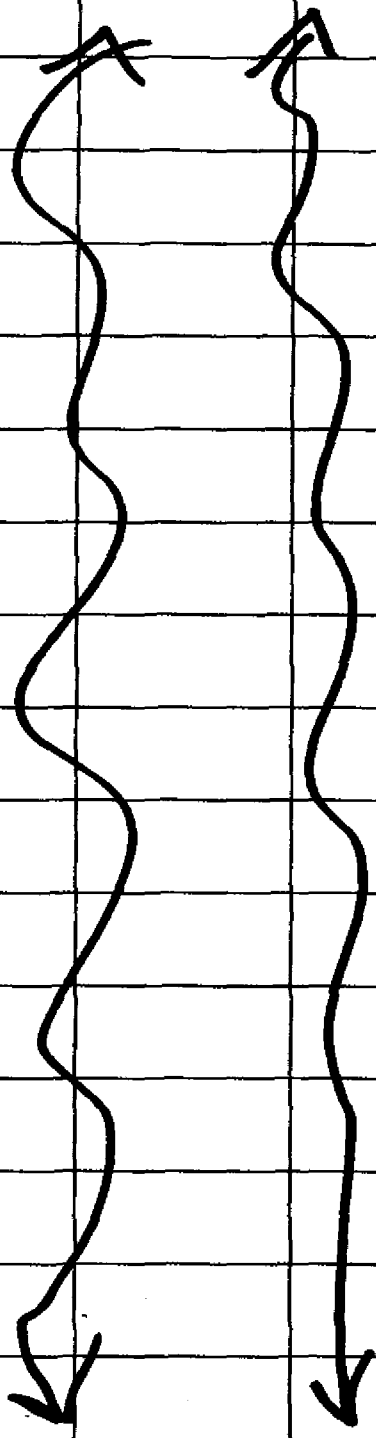
136	RMI Delivery Ticket 469494 - RMI000244	NOT USED	
137	RMI Delivery Ticket 469493 - RMI000245		
138	RMI Delivery Ticket 469492 - RMI000246		
139	RMI Delivery Ticket 469491 - RMI000247		
140	RMI Delivery Ticket 477490 - RMI000248		
141	RMI Delivery Ticket 477489 - RMI000249		
142	RMI Delivery Ticket 477488 - RMI000250		
143	RMI Delivery Ticket 477487 - RMI000251		
144	RMI Delivery Ticket 477486 - RMI000252		
145	RMI Delivery Ticket 477485 - RMI000253		
146	RMI Delivery Ticket 477484 - RMI000254		
147	RMI Delivery Ticket 477483 - RMI000255		
148	RMI Delivery Ticket 477482 - RMI000256		
149	RMI Delivery Ticket 477481 - RMI000257		
150	RMI Delivery Ticket 477480 - RMI000258		
151	RMI Delivery Ticket 477479 - RMI000259		
152	RMI Delivery Ticket 477478 - RMI000260		
153	RMI Delivery Ticket 477477 - RMI000261		
		NOT USED	

154	RMI Delivery Ticket 477476 - RMI000262	NOT USED	
155	RMI Delivery Ticket 477475 - RMI000263		
156	RMI Delivery Ticket 477474 - RMI000264		
157	RMI Delivery Ticket 477472 - RMI000265		
158	RMI Delivery Ticket 477471 - RMI000266		
159	RMI Delivery Ticket 477470 - RMI000267		
160	RMI Delivery Ticket 477469 - RMI000268		
161	RMI Delivery Ticket 469490 - RMI000269		
162	RMI Delivery Ticket 469489 - RMI000270		
163	RMI Delivery Ticket 469488 - RMI000271		
164	RMI Delivery Ticket 469487 - RMI000272		
165	RMI Delivery Ticket 469486 - RMI000273		
166	RMI Delivery Ticket 469485 - RMI000274		
167	RMI Delivery Ticket 469484 - RMI000275		
168	RMI Delivery Ticket 469483 - RMI000276		
169	RMI Delivery Ticket 469482 - RMI000277		
170	RMI Delivery Ticket 469481 - RMI000278		
171	RMI Delivery Ticket 469480 - RMI000279		
172	RMI Delivery Ticket 469479 - RMI000280	NOT USED	

173	RMI Delivery Ticket 469478 - RMI000281	NOT USED	
174	RMI Delivery Ticket 469477 - RMI000282		
175	RMI Delivery Ticket 469476 - RMI000283		
176	RMI Delivery Ticket 469475 - RMI000284		
177	RMI Delivery Ticket 469474 - RMI000285		
178	RMI Delivery Ticket 469473 - RMI000286		
179	RMI Delivery Ticket 469472 - RMI000287		
180	RMI Delivery Ticket 469471 - RMI000288		
181	RMI Delivery Ticket 469470 - RMI000289		
182	RMI Delivery Ticket 477468 - RMI000290		
183	RMI Delivery Ticket 477467 - RMI000291		
184	RMI Delivery Ticket 477466 - RMI000292		
185	RMI Delivery Ticket 477465 - RMI000293		
186	RMI Delivery Ticket 477464 - RMI000294		
187	RMI Delivery Ticket 477463 - RMI000295		
188	RMI Delivery Ticket 477462 - RMI000296		
189	RMI Delivery Ticket 477461 - RMI000297		
190	RMI Delivery Ticket 477460 - RMI000298		
191	RMI Delivery Ticket 477459 - RMI000299	NOT USED	

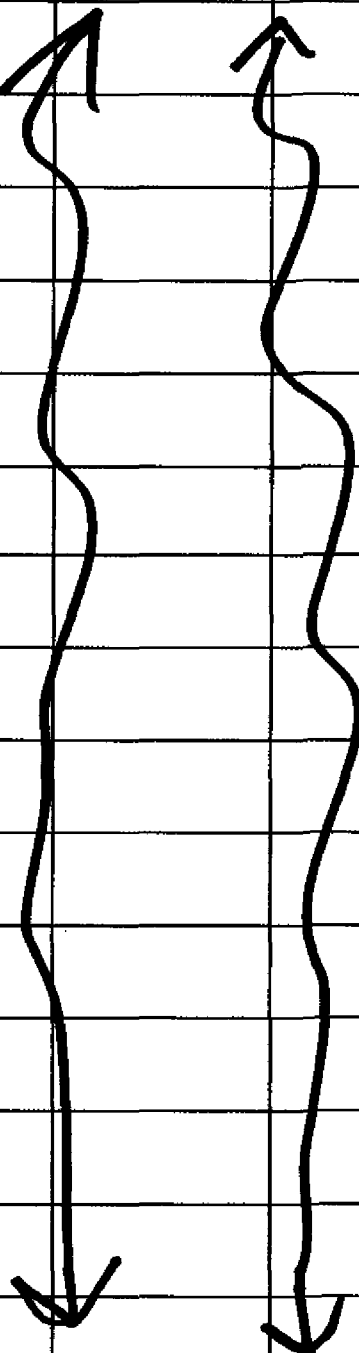
192	RMI Delivery Ticket 477458 - RMI000300	NOT USED	
193	RMI Delivery Ticket 477457 - RMI000301		
194	RMI Delivery Ticket 477456 - RMI000302		
195	RMI Delivery Ticket 477455 - RMI000303		
196	RMI Delivery Ticket 477454 - RMI000304		
197	RMI Delivery Ticket 477453 - RMI000305		
198	RMI Delivery Ticket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

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

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

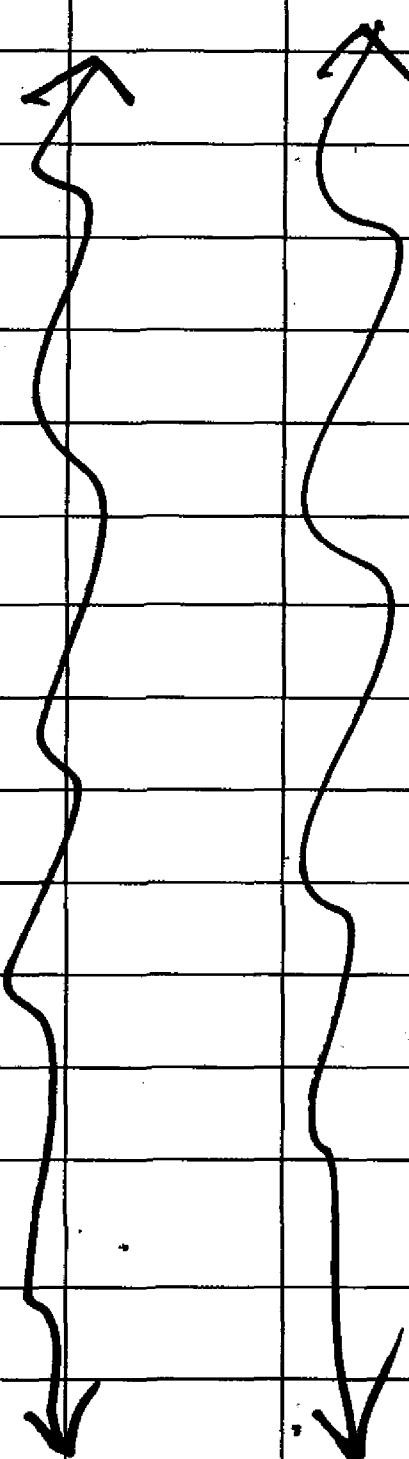
247	RMI Delivery Ticket 470070 - RMI000355	NOT USED		
248	RMI Delivery Ticket 470047 - RMI000356			
249	RMI Delivery Ticket 470046 - RMI000357			
250	RMI Delivery Ticket 470044 - RMI000358			
251	RMI Delivery Ticket 470043 - RMI000359			
252	RMI Delivery Ticket 470042 - RMI000360			
253	RMI Delivery Ticket 470041 - RMI000361			
254	RMI Delivery Ticket 470039 - RMI000362			
255	RMI Delivery Ticket 470038 - RMI000363			
256	RMI Delivery Ticket 470037 - RMI000364			
257	RMI Delivery Ticket 470036 - RMI000365			
258	RMI Delivery Ticket 470034 - RMI000366			
259	RMI Delivery Ticket 470033 - RMI000367			
260	RMI Delivery Ticket 470032 - RMI000368			
261	RMI Delivery Ticket 470029 - RMI000369			
262	RMI Delivery Ticket 470028 - RMI000370			
263	RMI Delivery Ticket 470027 - RMI000371			
264	RMI Delivery Ticket 470026 - RMI000372	NOT USED		

Hand-drawn arrows indicating a sequence: one arrow starts at row 247 and points down to row 264, and another arrow starts at row 264 and points up to row 248.

265	RMI Delivery Ticket 470025 - RMI000373	NOT USED	
266	RMI Delivery Ticket 470024 - RMI000374		
267	RMI Delivery Ticket 470023 - RMI000375		
268	RMI Delivery Ticket 470022 - RMI000376		
269	RMI Delivery Ticket 470021 - RMI000377		
270	RMI Delivery Ticket 470020 - RMI000378		
271	RMI Delivery Ticket 470019 - RMI000379		
272	RMI Delivery Ticket 470018 - RMI000380		
273	RMI Delivery Ticket 470017 - RMI000381		
274	RMI Delivery Ticket 470016 - RMI000382		
275	RMI Delivery Ticket 470015 - RMI000383		
276	RMI Delivery Ticket 470014 - RMI000384		
277	RMI Delivery Ticket 470013 - RMI000385		
278	RMI Delivery Ticket 470012 - RMI000386		
279	RMI Delivery Ticket 470011 - RMI000387		
280	RMI Delivery Ticket 470010 - RMI000388		
281	RMI Delivery Ticket 470009 - RMI000389		
282	RMI Delivery Ticket 470008 - RMI000390	NOT USED	

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

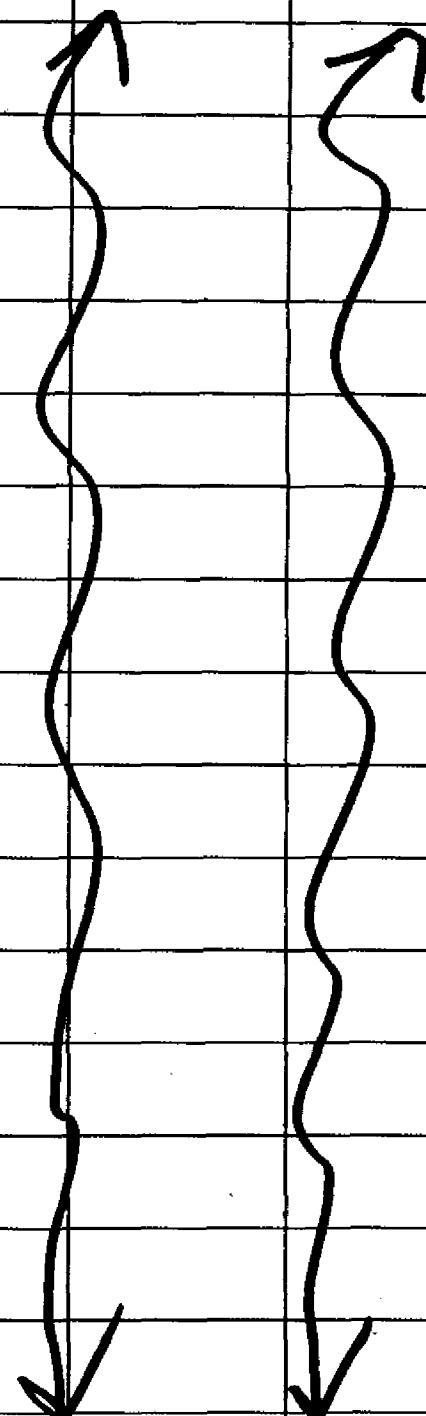
Hand-drawn arrows indicating a sequence: one arrow starts at row 283 and points down to row 299, and another arrow starts at row 299 and points up to row 284.

301	RMI Delivery Ticket 469989 - RMI000409	NOT USED	
302	RMI Delivery Ticket 469988 - RMI000410		
303	RMI Delivery Ticket 469987 - RMI000411		
304	RMI Delivery Ticket 469986 - RMI000412		
305	RMI Delivery Ticket 469985 - RMI000413		
306	RMI Delivery Ticket 469984 - RMI000414		
307	RMI Delivery Ticket 469983 - RMI000415		
308	RMI Delivery Ticket 469982 - RMI000416		
309	RMI Delivery Ticket 469981 - RMI000417		
310	RMI Delivery Ticket 469980 - RMI000418		
311	RMI Delivery Ticket 469979 - RMI000419		
312	RMI Delivery Ticket 469978 - RMI000420		
313	RMI Delivery Ticket 469977 - RMI000421		
314	RMI Delivery Ticket 469976 - RMI000422		
315	RMI Delivery Ticket 469975 - RMI000423		
316	RMI Delivery Ticket 469974 - RMI000424		
317	RMI Delivery Ticket 469973 - RMI000425		
318	RMI Delivery Ticket 469972 - RMI000426	NOT USED	

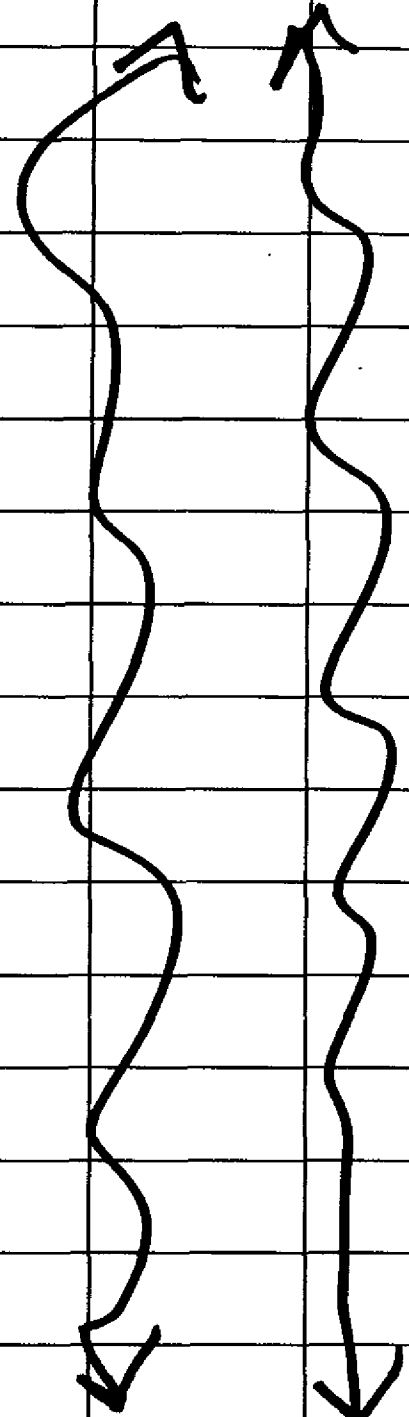
319	RMI Delivery Ticket 469971 - RMI000427				
320	RMI Delivery Ticket 469970 - RMI000428				
321	RMI Delivery Ticket 469969 - RMI000429				
322	RMI Delivery Ticket 469968 - RMI000430				
323	RMI Delivery Ticket 469967 - RMI000431				
324	RMI Delivery Ticket 469966 - RMI000432				
325	RMI Delivery Ticket 469965 - RMI000433				
326	RMI Delivery Ticket 469964 - RMI000434				
327	RMI Delivery Ticket 469963 - RMI000435				
328	RMI Delivery Ticket 469962 - RMI000436				
329	RMI Delivery Ticket 469961 - RMI000437				
330	RMI Delivery Ticket 469960 - RMI000438				
331	RMI Delivery Ticket 469959 - RMI000439				
332	RMI Delivery Ticket 469958 - RMI000440				
333	RMI Delivery Ticket 469957 - RMI000441				
334	RMI Delivery Ticket 469956 - RMI000442				
335	RMI Delivery Ticket 469955 - RMI000443				
336	RMI Delivery Ticket 469954 - RMI000444				

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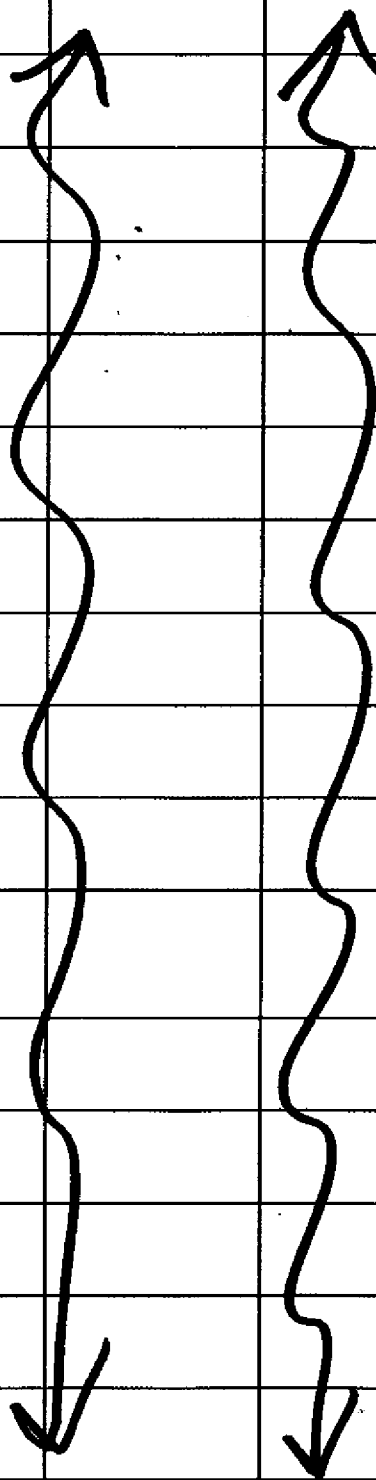
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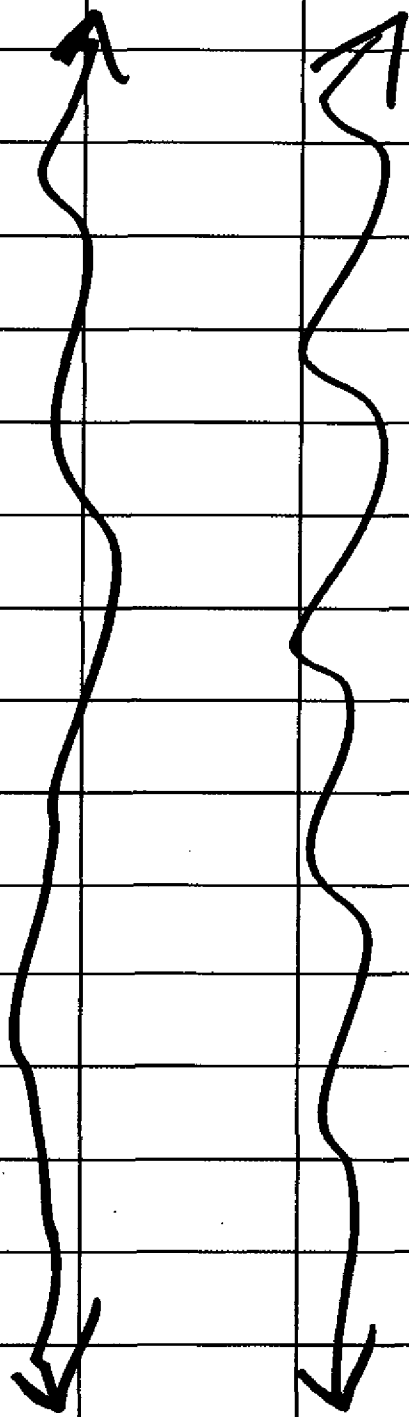
337	RMI Delivery Ticket 469953 - RMI000445	NOT USED		
338	RMI Delivery Ticket 469952 - RMI000446			
339	RMI Delivery Ticket 469951 - RMI000447			
340	RMI Delivery Ticket 469950 - RMI000448			
341	RMI Delivery Ticket 469949 - RMI000449			
342	RMI Delivery Ticket 469948 - RMI000450			
343	RMI Delivery Ticket 469947 - RMI000451			
344	RMI Delivery Ticket 469946 - RMI000452			
345	RMI Delivery Ticket 469945 - RMI000453			
346	RMI Delivery Ticket 469944 - RMI000454			
347	RMI Delivery Ticket 469943 - RMI000455			
348	RMI Delivery Ticket 469942 - RMI000456			
349	RMI Delivery Ticket 469941 - RMI000457			
350	RMI Delivery Ticket 469940 - RMI000458			
351	RMI Delivery Ticket 469939 - RMI000459			
352	RMI Delivery Ticket 469938 - RMI000460			
353	RMI Delivery Ticket 469937 - RMI000461			
354	RMI Delivery Ticket 469936 - RMI000462	NOT USED		

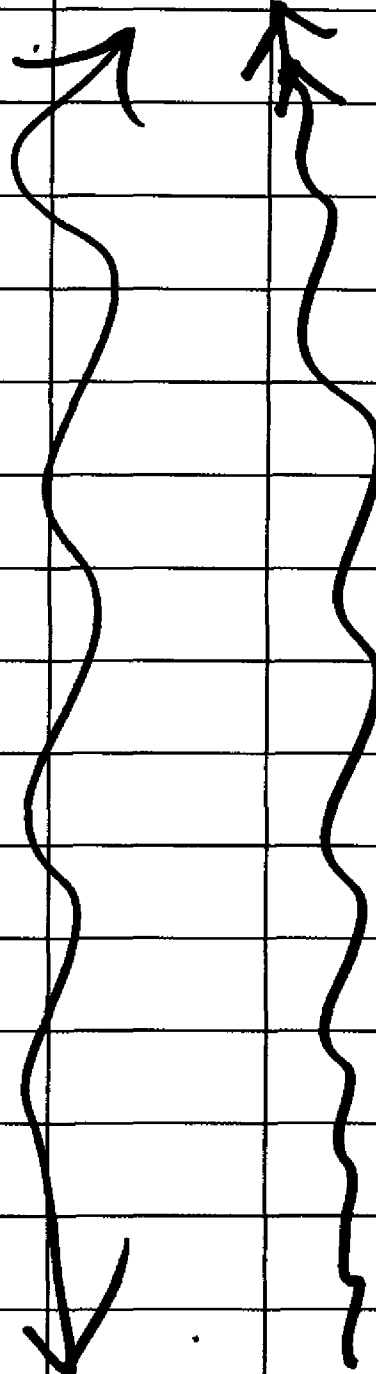
355	RMI Delivery Ticket 469935 - RMI000463	NOT USED	
356	RMI Delivery Ticket 469934 - RMI000464		
357	RMI Delivery Ticket 469933 - RMI000465		
358	RMI Delivery Ticket 472205 - RMI000466		
359	RMI Delivery Ticket 472200 - RMI000467		
360	RMI Delivery Ticket 472197 - RMI000468		
361	RMI Delivery Ticket 472165 - RMI000469		
362	RMI Delivery Ticket 472152 - RMI000470		
363	RMI Delivery Ticket 472151 - RMI000471		
364	RMI Delivery Ticket 472158 - RMI000472		
365	RMI Delivery Ticket 472160 - RMI000473		
366	RMI Delivery Ticket 472161 - RMI000474		
367	RMI Delivery Ticket 472162 - RMI000475		
368	RMI Delivery Ticket 472163 - RMI000476		
369	RMI Delivery Ticket 472168 - RMI000477		
370	RMI Delivery Ticket 472169 - RMI000478		
371	RMI Delivery Ticket 472170 - RMI000479		
372	RMI Delivery Ticket 472171 - RMI000480	NOT USED	

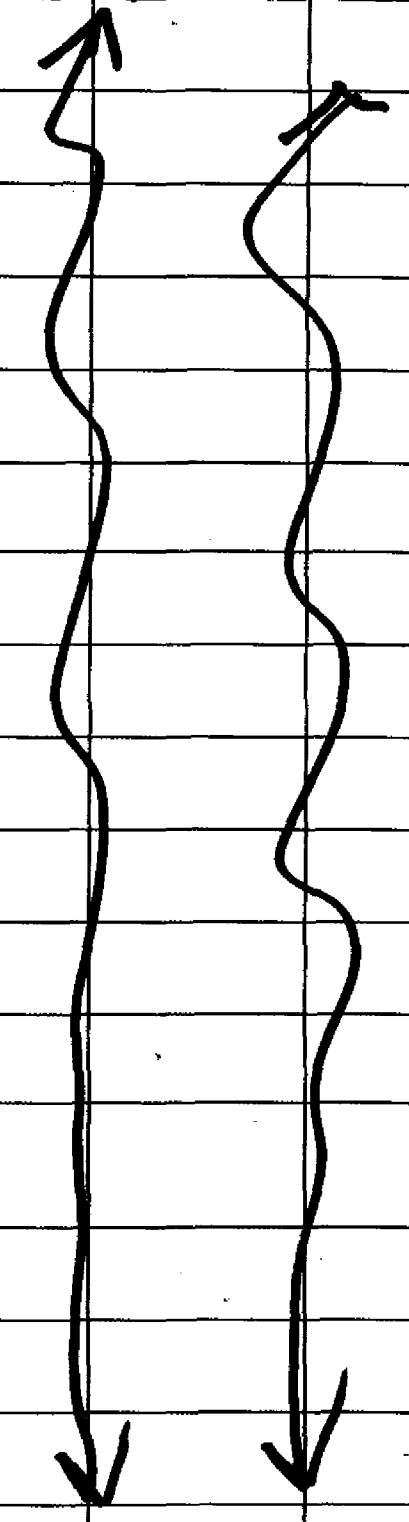


Hand-drawn arrows indicating a sequence from row 372 up to row 355 and back down to row 372.

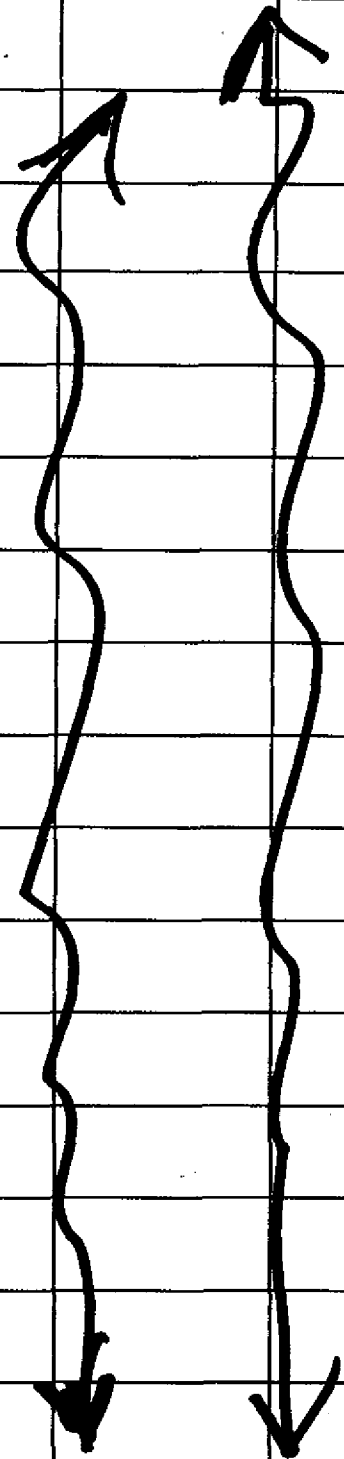
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374	RMI Delivery Ticket 472176 - RMI000482		
375	RMI Delivery Ticket 472179 - RMI000483		
376	RMI Delivery Ticket 472182 - RMI000484		
377	RMI Delivery Ticket 472183 - RMI000485		
378	RMI Delivery Ticket 472157 - RMI000486		
379	RMI Delivery Ticket 472156 - RMI000487		
380	RMI Delivery Ticket 472155 - RMI000488		
381	RMI Delivery Ticket 472154 - RMI000489		
382	RMI Delivery Ticket 472153 - RMI000490		
383	RMI Delivery Ticket 472150 - RMI000491		
384	RMI Delivery Ticket 472149 - RMI000492		
385	RMI Delivery Ticket 472148 - RMI000493		
386	RMI Delivery Ticket 472147 - RMI000494		
387	RMI Delivery Ticket 472146 - RMI000495		
388	RMI Delivery Ticket 472145 - RMI000496		
389	RMI Delivery Ticket 472144 - RMI000497		
390	RMI Delivery Ticket 472143 - RMI000498	NOT USED	

391	RMI Delivery Ticket 472142 - RMI000499	NOT USED	
392	RMI Delivery Ticket 472141 - RMI000500		
393	RMI Delivery Ticket 472140 - RMI000501		
394	RMI Delivery Ticket 480683 - RMI000502		
395	RMI Delivery Ticket 472282 - RMI000503		
396	RMI Delivery Ticket 472329 - RMI000504		
397	RMI Delivery Ticket 472326 - RMI000505		
398	RMI Delivery Ticket 472352 - RMI000506		
399	RMI Delivery Ticket 472424 - RMI000507		
400	RMI Delivery Ticket 472488 - RMI000508		
401	RMI Delivery Ticket 472484 - RMI000509		
402	RMI Delivery Ticket 472483 - RMI000510		
403	RMI Delivery Ticket 472480 - RMI000511		
404	RMI Delivery Ticket 472479 - RMI000512		
405	RMI Delivery Ticket 472477 - RMI000513		
406	RMI Delivery Ticket 472474 - RMI000514		
407	RMI Delivery Ticket 472473 - RMI000515		
408	RMI Delivery Ticket 472472 - RMI000516	NOT USED	

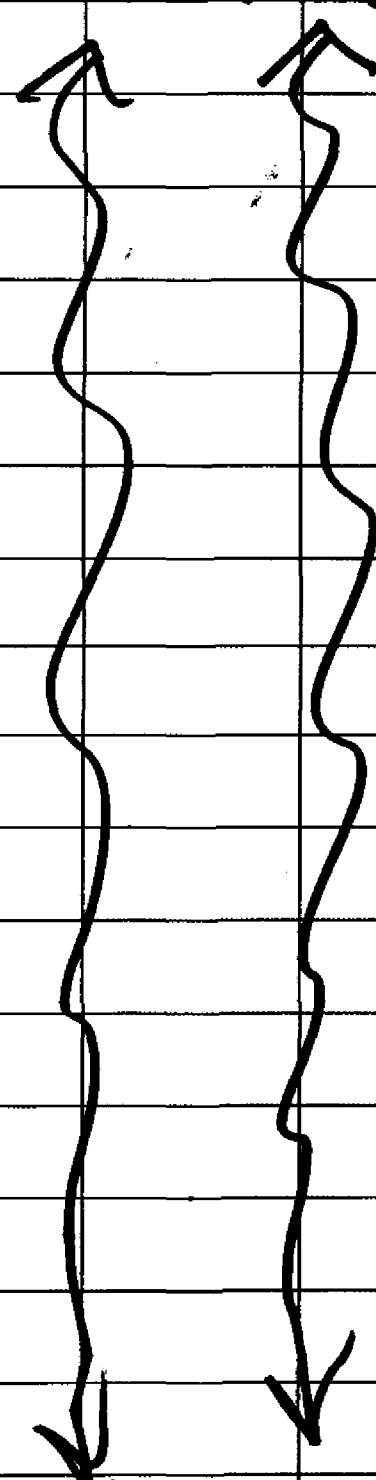
409	RMI Delivery Ticket 472461 - RMI000517	NOT USED		
410	RMI Delivery Ticket 472460 - RMI000518			
411	RMI Delivery Ticket 472458 - RMI000519			
412	RMI Delivery Ticket 472457 - RMI000520			
413	RMI Delivery Ticket 472456 - RMI000521			
414	RMI Delivery Ticket 472454 - RMI000522			
415	RMI Delivery Ticket 472453 - RMI000523			
416	RMI Delivery Ticket 472452 - RMI000524			
417	RMI Delivery Ticket 472451 - RMI000525			
418	RMI Delivery Ticket 472450 - RMI000526			
419	RMI Delivery Ticket 472449 - RMI000527			
420	RMI Delivery Ticket 472674 - RMI000528			
421	RMI Delivery Ticket 472672 - RMI000529			
422	RMI Delivery Ticket 471469 - RMI000530			
423	RMI Delivery Ticket 472468 - RMI000531			
424	RMI Delivery Ticket 471467 - RMI000532			
425	RMI Delivery Ticket 471466 - RMI000533			
426	RMI Delivery Ticket 471455 - RMI000534	NOT USED		

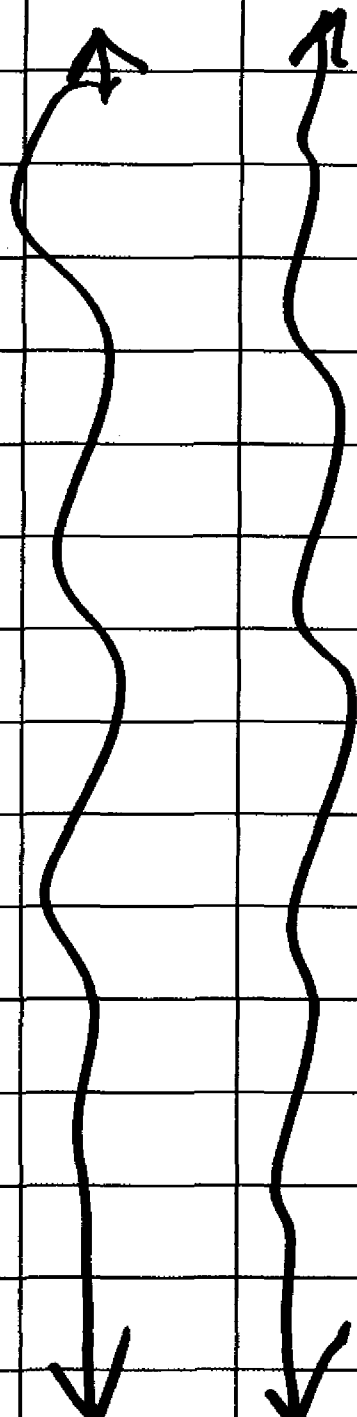
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428	RMI Delivery Ticket 471445 - RMI000536		
429	RMI Delivery Ticket 471443 - RMI000537		
430	RMI Delivery Ticket 471442 - RMI000538		
431	RMI Delivery Ticket 471440 - RMI000539		
432	RMI Delivery Ticket 471438 - RMI000540		
433	RMI Delivery Ticket 471437 - RMI000541		
434	RMI Delivery Ticket 471433 - RMI000542		
435	RMI Delivery Ticket 471431 - RMI000543		
436	RMI Delivery Ticket 471430 - RMI000544		
437	RMI Delivery Ticket 471429 - RMI000545		
438	RMI Delivery Ticket 471428 - RMI000546		
439	RMI Delivery Ticket 471427 - RMI000547		
440	RMI Delivery Ticket 471426 - RMI000548		
441	RMI Delivery Ticket 471425 - RMI000549		
442	RMI Delivery Ticket 471424 - RMI000550		
443	RMI Delivery Ticket 471481 - RMI000551		
444	RMI Delivery Ticket 471480 - RMI000552	NOT USED	

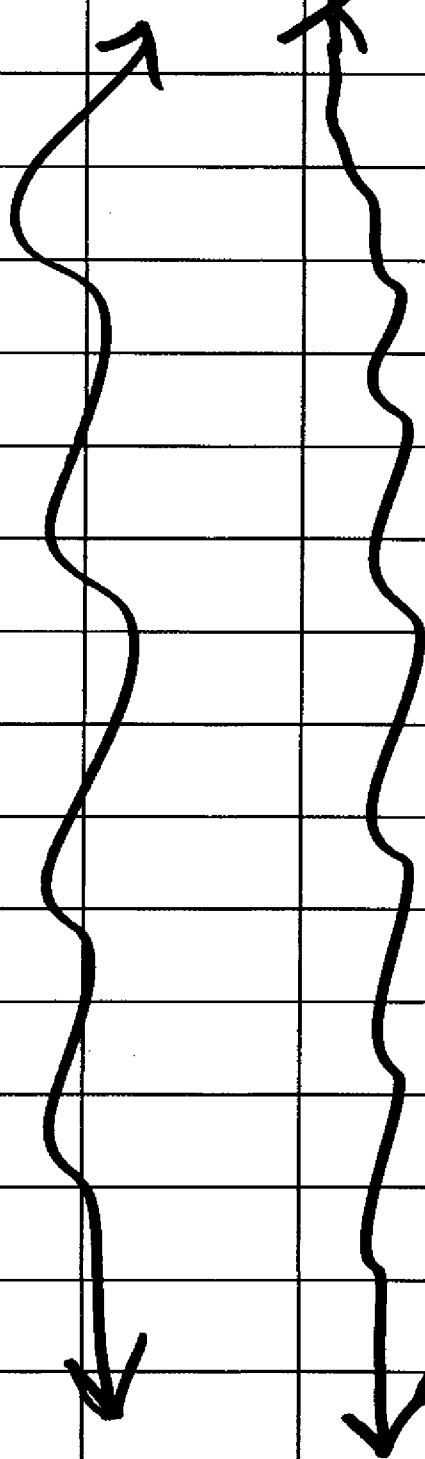
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446	RMI Delivery Ticket 471475 - RMI000554		
447	RMI Delivery Ticket 471587 - RMI000555		
448	RMI Delivery Ticket 471588 - RMI000556		
449	RMI Delivery Ticket 471589 - RMI000557		
450	RMI Delivery Ticket 471590 - RMI000558		
451	RMI Delivery Ticket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

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

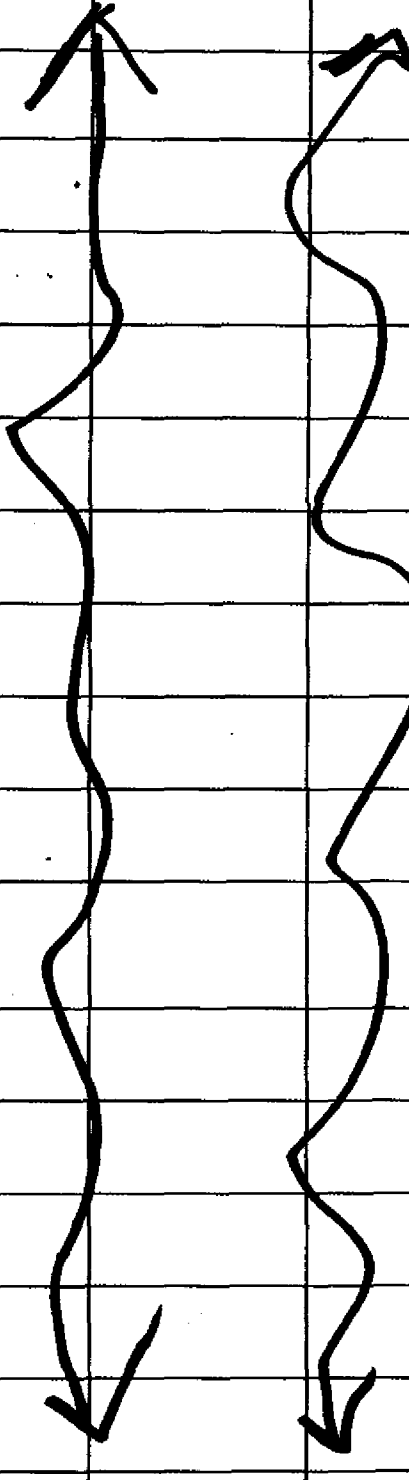
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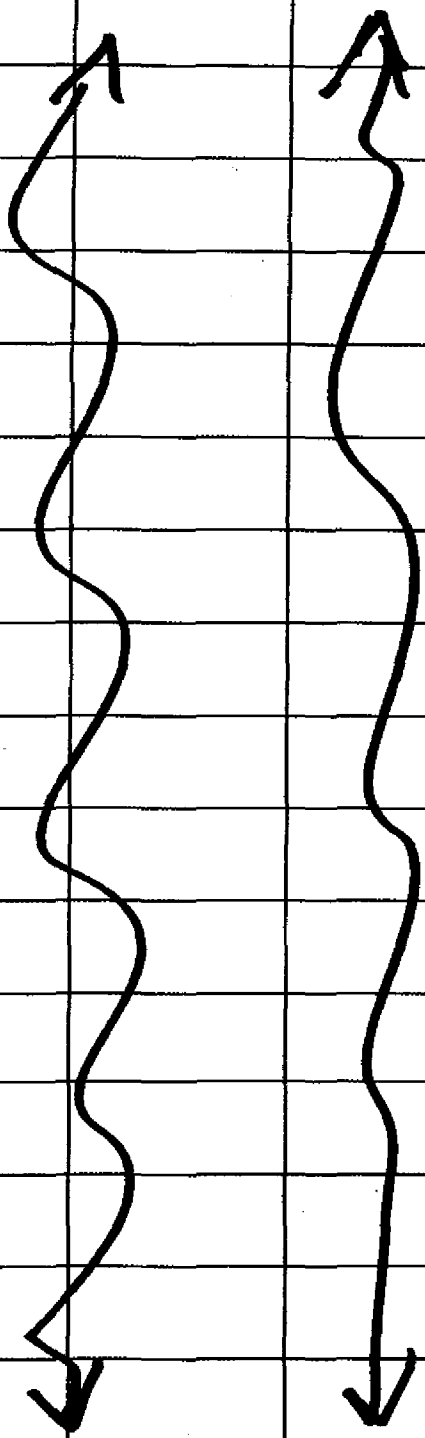
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483	RMI Delivery Ticket 471850 - RMI000591		
484	RMI Delivery Ticket 471845 - RMI000592		
485	RMI Delivery Ticket 471844 - RMI000593		
486	RMI Delivery Ticket 471837 - RMI000594		
487	RMI Delivery Ticket 471805 - RMI000595		
488	RMI Delivery Ticket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

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

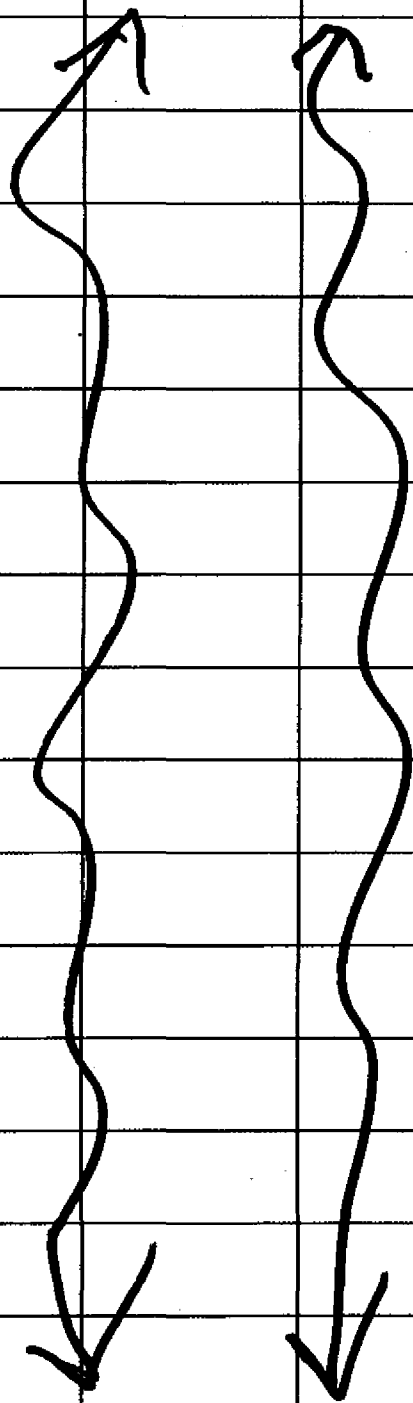
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519	RMI Delivery Ticket 472002 - RMI000627			
520	RMI Delivery Ticket 472000 - RMI000628			
521	RMI Delivery Ticket 471999 - RMI000629			
522	RMI Delivery Ticket 471998 - RMI000630			
523	RMI Delivery Ticket 471997 - RMI000631			
524	RMI Delivery Ticket 471995 - RMI000632			
525	RMI Delivery Ticket 472001 - RMI000633			
526	RMI Delivery Ticket 471994 - RMI000634			
527	RMI Delivery Ticket 472842 - RMI000635			
528	RMI Delivery Ticket 472814 - RMI000636			
529	RMI Delivery Ticket 472808 - RMI000637			
530	RMI Delivery Ticket 472913 - RMI000638			
531	RMI Delivery Ticket 472912 - RMI000639			
532	RMI Delivery Ticket 472911 - RMI000640			
533	RMI Delivery Ticket 472907 - RMI000641			
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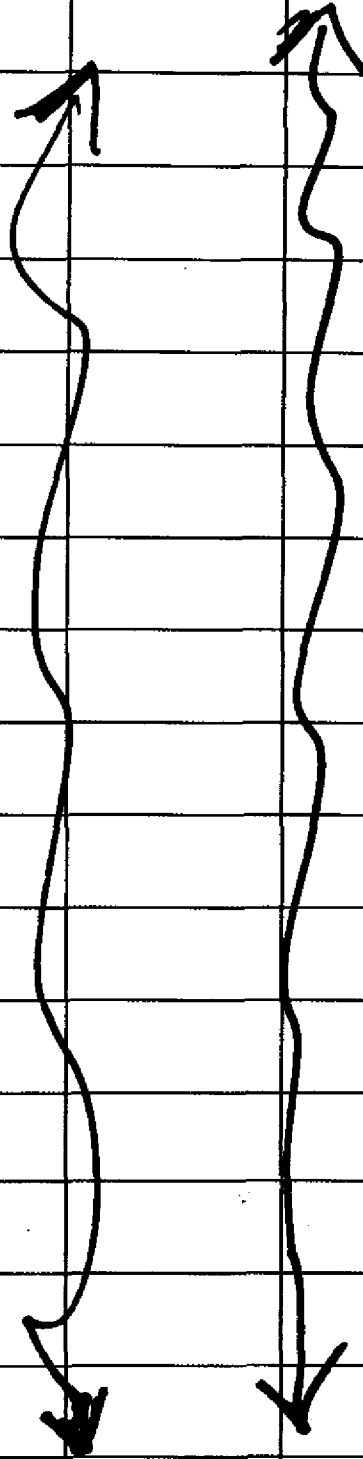
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543	RMI Delivery Ticket 472895 - RMI000651			
544	RMI Delivery Ticket 472894 - RMI000652			
545	RMI Delivery Ticket 472893 - RMI000653			
546	RMI Delivery Ticket 472892 - RMI000654			
547	RMI Delivery Ticket 472891 - RMI000655			
548	RMI Delivery Ticket 472890 - RMI000656			
549	RMI Delivery Ticket 472889 - RMI000657			
550	RMI Delivery Ticket 472975 - RMI000658			
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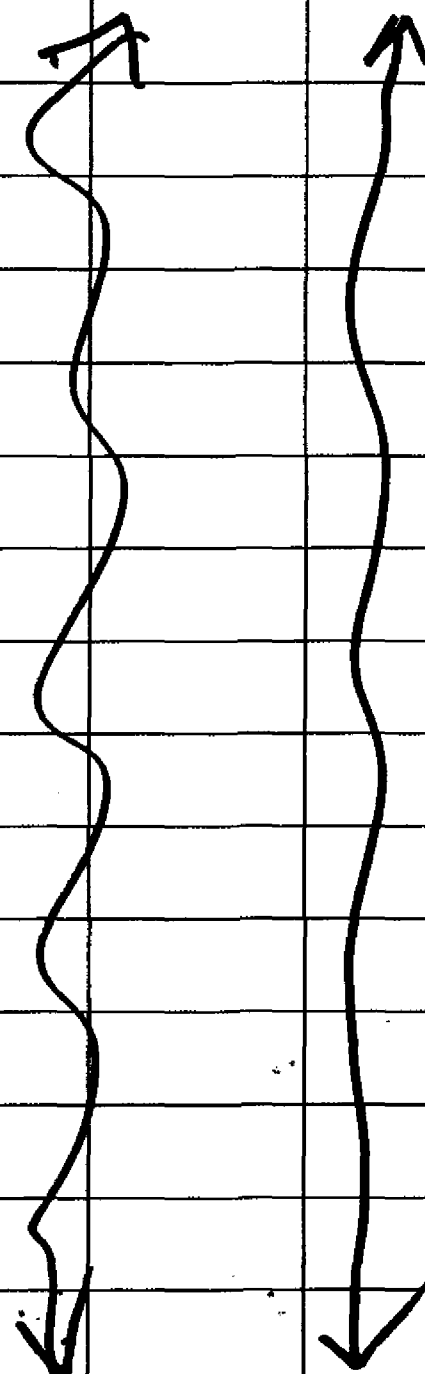
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557	RMI Delivery Ticket 472948 - RMI000665		
558	RMI Delivery Ticket 472947 - RMI000666		
559	RMI Delivery Ticket 472945 - RMI000667		
560	RMI Delivery Ticket 472938 - RMI000668		
561	RMI Delivery Ticket 472936 - RMI000669		
562	RMI Delivery Ticket 472931 - RMI000670		
563	RMI Delivery Ticket 472930 - RMI000671		
564	RMI Delivery Ticket 472928 - RMI000672		
565	RMI Delivery Ticket 472927 - RMI000673		
566	RMI Delivery Ticket 472925 - RMI000674		
567	RMI Delivery Ticket 472924 - RMI000675		
568	RMI Delivery Ticket 472922 - RMI000676		
569	RMI Delivery Ticket 472921 - RMI000677		
570	RMI Delivery Ticket 472920 - RMI000678		
571	RMI Delivery Ticket 472916 - RMI000679	NOT USED	

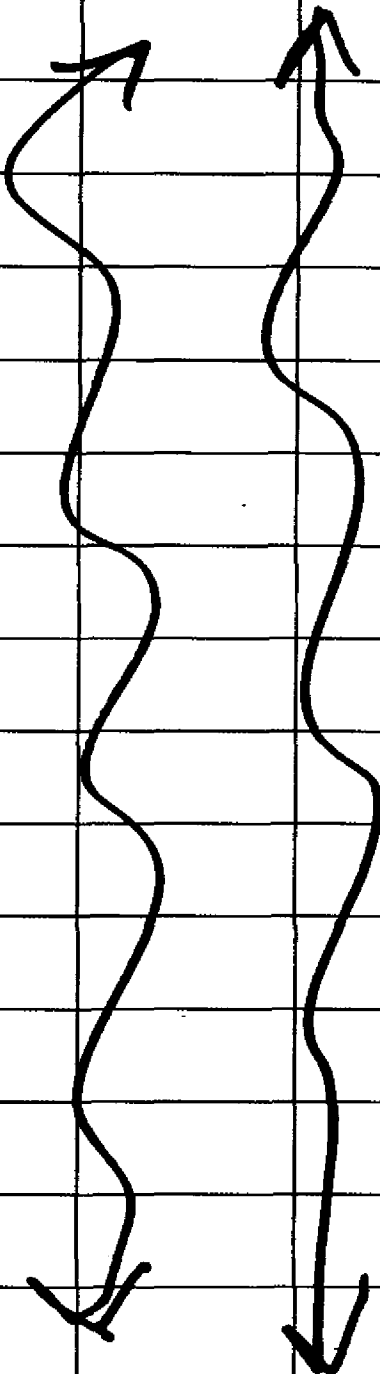
572	RMI Delivery Ticket 473267 - RMI000680	NOT USED		
573	RMI Delivery Ticket 473260 - RMI000681			
574	RMI Delivery Ticket 473259 - RMI000682			
575	RMI Delivery Ticket 473253 - RMI000683			
576	RMI Delivery Ticket 473227 - RMI000684			
577	RMI Delivery Ticket 473225 - RMI000685			
578	RMI Delivery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

590	RMI Delivery Ticket 473205 - RMI000698	NOT USED	
591	RMI Delivery Ticket 473316 - RMI000699		
592	RMI Delivery Ticket 473321 - RMI000700		
593	RMI Delivery Ticket 473320 - RMI000701		
594	RMI Delivery Ticket 473319 - RMI000702		
595	RMI Delivery Ticket 473318 - RMI000703		
596	RMI Delivery Ticket 473334 - RMI000704		
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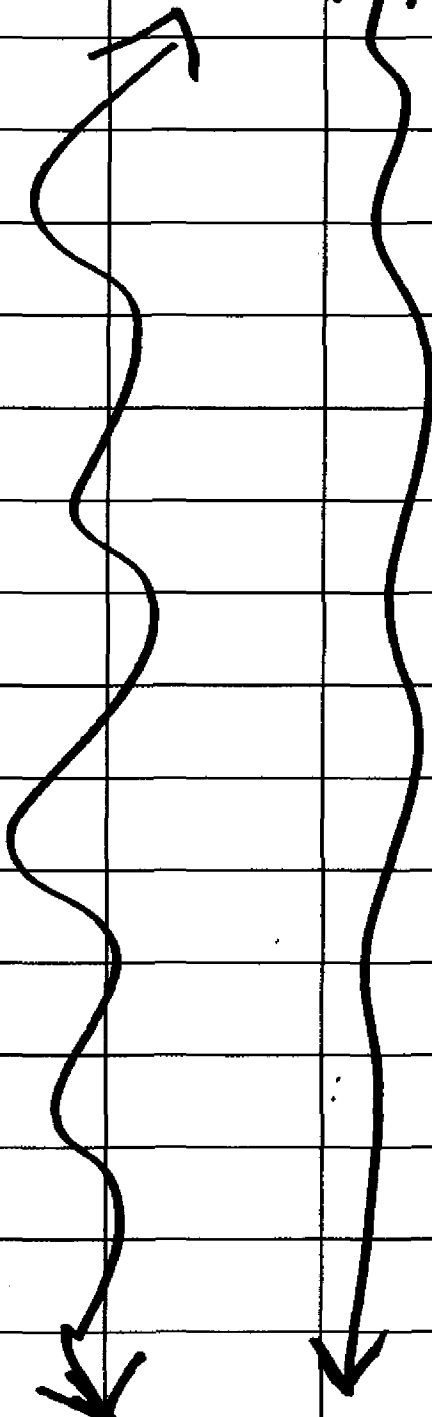
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613	RMI Delivery Ticket 473338 - RMI000721			
614	RMI Delivery Ticket 473336 - RMI000722			
615	RMI Delivery Ticket 473464 - RMI000723			
616	RMI Delivery Ticket 474092 - RMI000724			
617	RMI Delivery Ticket 474089 - RMI000725			
618	RMI Delivery Ticket 474074 - RMI000726			
619	RMI Delivery Ticket 474073 - RMI000727			
620	RMI Delivery Ticket 474071 - RMI000728			
621	RMI Delivery Ticket 474069 - RMI000729			
622	RMI Delivery Ticket 474066 - RMI000730			
623	RMI Delivery Ticket 474057 - RMI000731			
624	RMI Delivery Ticket 474055 - RMI000732			
625	RMI Delivery Ticket 474046 - RMI000733	NOT USED		

626	RMI Delivery Ticket 474032 - RMI000734	NOT USED	
627	RMI Delivery Ticket 474022 - RMI000735		
628	RMI Delivery Ticket 474019 - RMI000736		
629	RMI Delivery Ticket 474014 - RMI000737		
630	RMI Delivery Ticket 474013 - RMI000738		
631	RMI Delivery Ticket 474012 - RMI000739		
632	RMI Delivery Ticket 474011 - RMI000740		
633	RMI Delivery Ticket 474010 - RMI000741		
634	RMI Delivery Ticket 474003 - RMI000742		
635	RMI Delivery Ticket 474001 - RMI000743		
636	RMI Delivery Ticket 475239 - RMI000744		
637	RMI Delivery Ticket 474709 - RMI000745		
638	RMI Delivery Ticket 474707 - RMI000746		
639	RMI Delivery Ticket 474703 - RMI000747		
640	RMI Delivery Ticket 474702 - RMI000748		
641	RMI Delivery Ticket 474701 - RMI000749		
642	RMI Delivery Ticket 474698 - RMI000750		
643	RMI Delivery Ticket 474697 - RMI000751	NOT USED	

644	RMI Delivery Ticket 474696 - RMI000752	NOT USED		
645	RMI Delivery Ticket 474695 - RMI000753			
646	RMI Delivery Ticket 474694 - RMI000754			
647	RMI Delivery Ticket 474693 - RMI000755			
648	RMI Delivery Ticket 474692 - RMI000756			
649	RMI Delivery Ticket 474691 - RMI000757			
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651	RMI Delivery Ticket 474688 - RMI000759			
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658	RMI Delivery Ticket 474765 - RMI000766			
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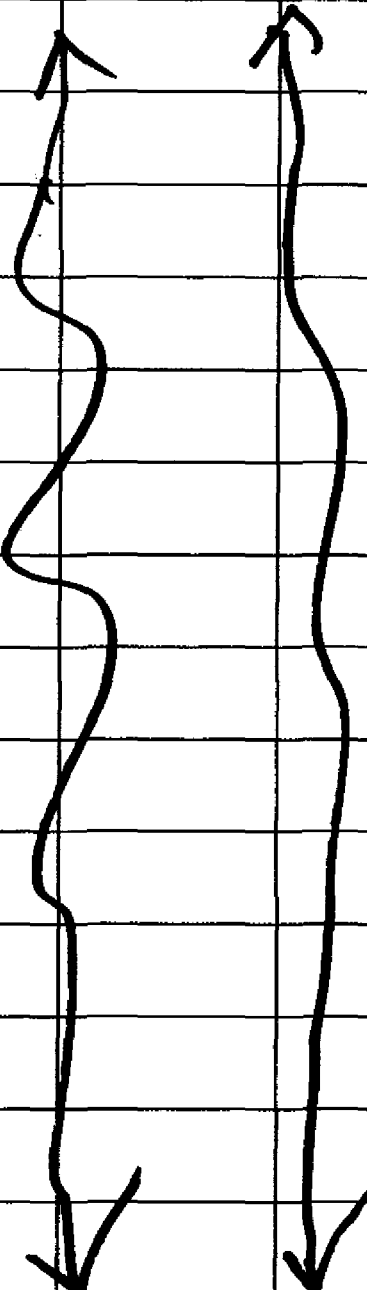
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666	RMI Delivery Ticket 484979 - RMI000774			
667	RMI Delivery Ticket 484977 - RMI000775			
668	RMI Delivery Ticket 484959 - RMI000776			
669	RMI Delivery Ticket 484950 - RMI000777			
670	RMI Delivery Ticket 484942 - RMI000778			
671	RMI Delivery Ticket 484940 - RMI000779			
672	RMI Delivery Ticket 484935 - RMI000780			
673	RMI Delivery Ticket 484934 - RMI000781			
674	RMI Delivery Ticket 475215 - RMI000782			
675	RMI Delivery Ticket 475214 - RMI000783			
676	RMI Delivery Ticket 475213 - RMI000784			
677	RMI Delivery Ticket 475212 - RMI000785			
678	RMI Delivery Ticket 475210 - RMI000786			
679	RMI Delivery Ticket 475207 - RMI000787	NOT USED		

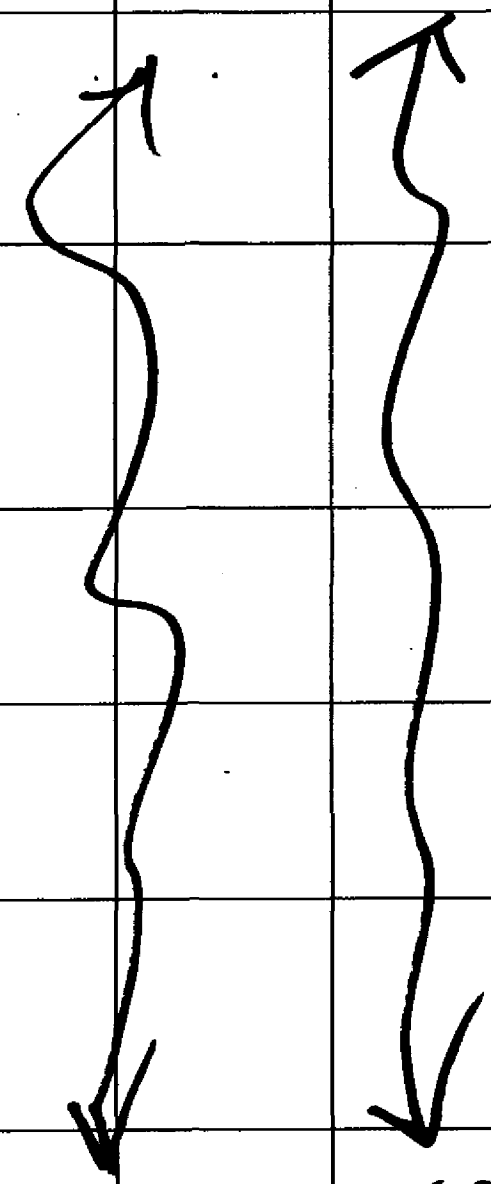
680	RMI Delivery Ticket 475206 - RMI000788	NOT USED	
681	RMI Delivery Ticket 475205 - RMI000789		
682	RMI Delivery Ticket 475204 - RMI000790		
683	RMI Delivery Ticket 475203 - RMI000791		
684	RMI Delivery Ticket 475202 - RMI000792		
685	RMI Delivery Ticket 475201 - RMI000793		
686	RMI Delivery Ticket 475200 - RMI000794		
687	RMI Delivery Ticket 475199 - RMI000795		
688	RMI Delivery Ticket 475197 - RMI000796		
689	RMI Delivery Ticket 475195 - RMI000797		
690	RMI Delivery Ticket 475194 - RMI000798		
691	RMI Delivery Ticket 475190 - RMI000799		
692	RMI Delivery Ticket 475189 - RMI000800		
693	RMI Delivery Ticket 475188 - RMI000801		
694	RMI Delivery Ticket 475187 - RMI000802		
695	RMI Delivery Ticket 475186 - RMI000803		
696	RMI Delivery Ticket 475182 - RMI000804		
697	RMI Delivery Ticket 475181 - RMI000805	NOT USED	

698	RMI Delivery Ticket 475173 - RMI000806	NOT USED		
699	RMI Delivery Ticket 475170 - RMI000807			
700	RMI Delivery Ticket 475167 - RMI000808			
701	RMI Delivery Ticket 475166 - RMI000809			
702	RMI Delivery Ticket 475162 - RMI000810			
703	RMI Delivery Ticket 475160 - RMI000811			
704	RMI Delivery Ticket 475159 - RMI000812			
705	RMI Delivery Ticket 475158 - RMI000813			
706	RMI Delivery Ticket 475317 - RMI000814			
707	RMI Delivery Ticket 475316 - RMI000815			
708	RMI Delivery Ticket 475315 - RMI000816			
709	RMI Delivery Ticket 475314 - RMI000817			
710	RMI Delivery Ticket 475313 - RMI000818			
711	RMI Delivery Ticket 475312 - RMI000819			
712	RMI Delivery Ticket 475363 - RMI000820			
713	RMI Delivery Ticket 475358 - RMI000821			
714	RMI Delivery Ticket 475355 - RMI000822			
715	RMI Delivery Ticket 475354 - RMI000823	NOT USED		

716	RMI Delivery Ticket 475349 - RMI000824	NOT USED		
717	RMI Delivery Ticket 475348 - RMI000825			
718	RMI Delivery Ticket 475347 - RMI000826			
719	RMI Delivery Ticket 475345 - RMI000827			
720	RMI Delivery Ticket 475344 - RMI000828			
721	RMI Delivery Ticket 475341 - RMI000829			
722	RMI Delivery Ticket 475340 - RMI000830			
723	RMI Delivery Ticket 475338 - RMI000831			
724	RMI Delivery Ticket 475337 - RMI000832			
725	RMI Delivery Ticket 475336 - RMI000833			
726	RMI Delivery Ticket 475334 - RMI000834			
727	RMI Delivery Ticket 475333 - RMI000835			
728	RMI Delivery Ticket 475332 - RMI000836			
729	RMI Delivery Ticket 475331 - RMI000837			
730	RMI Delivery Ticket 475330 - RMI000838			
731	RMI Delivery Ticket 475327 - RMI000839			
732	RMI Delivery Ticket 475328 - RMI000840			
733	RMI Delivery Ticket 475326 - RMI000841	NOT USED		

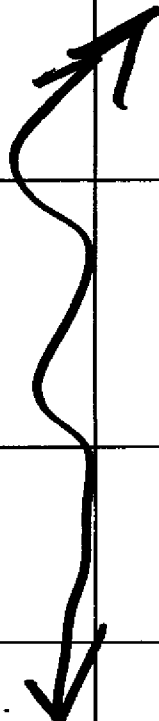
734	RMI Delivery Ticket 475325 - RMI000842	NOT USED		
735	RMI Delivery Ticket 475323 - RMI000843			
736	RMI Delivery Ticket 475322 - RMI000844			
737	RMI Delivery Ticket 475321 - RMI000845			
738	RMI Delivery Ticket 475320 - RMI000846			
739	RMI Delivery Ticket 475319 - RMI000847			
740	RMI Delivery Ticket 475318 - RMI000848			
741	RMI Delivery Ticket 475783 - RMI000849			
742	RMI Delivery Ticket 475782 - RMI000850			
743	RMI Delivery Ticket 475781 - RMI000851			
744	RMI Delivery Ticket 475780 - RMI000852			
745	RMI Delivery Ticket 475779 - RMI000853			
746	RMI Delivery Ticket 475778 - RMI000854			
747	RMI Delivery Ticket 475776 - RMI000855			
748	RMI Delivery Ticket 475774 - RMI000856			
749	RMI Delivery Ticket 475773 - RMI000857			
750	RMI Delivery Ticket 475772 - RMI000858			
751	RMI Delivery Ticket 475771 - RMI000859	NOT USED		

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

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

775	Nevada Power Company, White Cap Industries, HD Supply Waterworks Certified Mail Receipts - RMI000883				
776	WRG Design, Arch Aluminum & Glass, Dave Peterson Framing Certified Mail Receipts - RMI000884				
777	Zitting Brothers Construction, Atlas Construction Supply, Gale Building Products Certified Mail Receipts- RMI000885				
778	Northstar Concrete, Nedco Supply, Executive Plastering Certified Mail Receipts - RMI000886				
779	SelectBuild of Nevada, Eastridge Personnel, Tower Equipment Certified Mail Receipts - RMI000887				

NOT USED



NOT USED

PEEL BRIMLEY LIEN CLAIMANTS'

EXHIBIT LIST - A571228

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

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

Grubb & Ellis

Non-Party

VAULT EXHIBIT FORM

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

Date Offered Objection Date Admitted

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

EXHIBITS

CASE NO. 08A5/1228

OFFERED	ADMITTED
DATE	OBJ DATE

EXHIBIT LIST

CASE NO. A571228

TRIAL DATE: JANUARY 17, 2018

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

DEPT. NO.: XIII

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

Plaintiff: APCO Construction

vs.

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

Counsel: Cody S. Munteer;
J. Randall Jeffries

Counsel: Unrepresented.

Related Cases:

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

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

Defendant-in-Intervention: APCO Construction

Counsel: Cody Munteer; J. Randall Jeffries

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

Counsel: Steven L. Morris

Counter Claimant: Camco Pacific Construction
Company, Inc.

vs.

Counter Defendant: National Wood Products, Inc.

TRIAL BEFORE COURT

PLAINTIFF APCO CONSTRUCTION'S EXHIBITS¹

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Returned to Counsel

Returned to Counsel

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

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

Returned to Counsel

Returned to Counsel

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

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted
		Zitting's First Request for Interrogatories			use of discovery	
301	11/08/17	APCO's Supplemental Answers to National Wood's Request for Interrogatories	NONE		Improper use of discovery	
302	11/08/17	APCO's Supplemental Response to Helix's First Set of Requests for Admissions	NONE		Improper use of discovery	
303	11/08/17	APCO's Supplemental Response to National Wood's Requests for Admissions	NONE		Improper use of discovery	
304	11/08/17	APCO's Supplemental Response to Zitting's First Requests for Admissions	NONE		Improper use of discovery	
305	11/27/17	APCO's Eleventh Supplemental Disclosure Statement	NONE		Improper use of discovery	
306	01/02/18	APCO's Court Docket	NONE		Improper use of pleading	
307		Demonstrative: Helix Overpayments Documentation	VARIOUS	01.18.18	Stip	01.18.18
308		Zitting's Accounting Records	VARIOUS	"	"	"
309		Zitting's Conditional Waivers	VARIOUS	"	"	"
310	01/2008	Helix June 2008 Pay Application	07296; 07465-07476	"	"	"
311		Demonstrative: Helix Billings Submitted to Owner by APCO	VARIOUS	"	"	"
312	05/31/08	APCO/Owner Pay Application No. 8	04535-04548	"	"	"
313	08/06/08	Letter from A. Edlstein to R. Nickerl re: NRS 624 Notice	NONE	01.18.18	Stip	01.18.18
314	05/05/10	Declaration of Victor Fuchs in support of Helix's Motion for Partial Summary Judgement against Gemstone	NONE	1/19/18	Improper use of pleading Stip	1/19/18
315	12/10/13	Helix Bid Proposal re: The Gramercy Phase 1 Completion	MHC3512-MHC3516	01.18.18	Stip	01.18.18
316	02/10/14	Gramercy Project Documents List/Drawing Log	MCH342-MHC3435	"	"	"
317	04/10/14-10/20/14	Martin Harris Subcontractor Change Orders 00001-00013	MHC4892-MHC5000	"	"	"
318	12/09/14-04/29/15	Martin Harris Subcontractor Change Orders 00014-00052	MHC5001-MHC5382	"	"	"
319	12/09/14-04/29/15	Martin Harris Subcontractor Change Orders 00014-00052 continued	MHC5383-MHC3950	01.18.18	Stip	01.18.18

Returned to Counsel

Returned to Counsel

320

June-August 2008 Billings not paid to APCO

1/19/18 NO 1/19/18 WA

321

Overpayment made to Cabinet

1/19/18 NO 1/19/18 WA

EXHIBIT LIST

CASE NO. A571228

TRIAL DATE: JANUARY 9, 2018

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

DEPT. NO.: XIII

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

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

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

RELATED CASES:

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

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

Defendant-in-Intervention: APCO Construction

COUNSEL: Cody Munteer; J. Randall Jeffries

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

COUNSEL: Steven L. Morris

COUNTER CLAIMANT: Camco Pacific Construction
Company, Inc.

vs.

COUNTER DEFENDANT: National Wood Products, Inc.

TRIAL BEFORE COURT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED	
3156	11/20/08	Email from Alex Edelstein to Leo Duckstein and Janice Robbins cc: Craig Colligan Subject: Cabinetec Comfort Letter	01/18/18	Stip	01/18/18	th
3157	11/21/08	Email from Janice Robbins to Alex Edelstein and Leo Duckstein, cc: Craig Colligan and Yvonne Farren Subject: Cabinetec Comfort Letter				M
3158	11/21/08	Email from Alex Edelstein to Janice Robbins and Leo Duckstein cc: Craig Colligan and Yvonne Farren Subject: Cabinetec Comfort Letter				th
3159	11/21/08	Email from Leo Duckstein to Alex Edelstein Subject: Cabinetec Comfort Letter				th
3160	12/01/08	Email from Rob Trickett to Alex Edelstein cc: Leo Duckstein Subject: Cabinetec Dec 5th Payment				th
3161	12/01/08	Email from Alex Edelstein to Rob Trickett cc: Leo Duckstein Subject RE: Cabinetec DEC 5th Payment				th
3162	12/01/08	Letter from Brad J. Scott, President, Scott Financial Corporation to Leo Duckstein, Cabinetec, Inc.				th
3163	12/03/08	Nevada Construction Services Construction Progress Report for Manhattan West Condominiums				th
3164	12/08/08	Transmittal of one fully executed copy of Ratification and Amendment of Subcontract Agreement Cabinetec from Yvonne Farren of Camco to Laura Cox of Cabinetec	01/18/18	Stip	01/18/18	th

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED	
3165	12/15/08	Email from Alex Edelstein to Leo Duckstein Subject: RE: Cabinetec Comfort Letter	01/18/18	Stip	01/18/18	wh
3166	12/15/08	Email from Janice Robbins of Gemstone to subcontractors, Camco representatives and Gemstone representatives Subject: Building Department Remaining Red Tag Notices Lifted				wh
3167	12/15/08	Email from Kenner Costen, Camco Pacific Site Safety Director, Subject: Closure Manhattan West Project				wh
3168	12/15/08	Email from Brad Scott to Anne Dwyer and Jennifer Olivares, cc: Alex Edelstein, Peter Smith, Jim Horning, parry@camcopacific.com Subject: FW: Manhattan West				wh
3169	12/16/08	Email from Brad Scott to Jennifer Olivares, cc: Margo Scott, Jason Ulmer, Patricia Curtis, Tim James Subject: Manhattan West Status				wh
3170	12/18/08	Letter from Woodbury, Morris & Brown to Alexander Edelstein cc: Peter Smith and David Parry				wh
3171	01/12/09	Notice of Intent to Lien to Gemstone, APCO and Camco from Cabinetec				wh
3172	02/02/09	Notice of Lien Recorded with Clark County Recorder				wh
3173	02/06/09	Cabinetec, Inc.'s Statement of Facts Constituting Lien Claim and Complaint in Intervention				wh
3174	03/02/09	Letter from Woodbury, Morris & Brown to Alexander Edelstein cc: Gregory S. Gilbert, David Parry and Patricia Petersen	01/18/18	Stip	01/18/18	wh

3175	04/28/09	Letter from Brad Scott, President, Scott Financial Corporation to Nevada State Contractor's Board, with attachments	01/18/18	Stip	01/18/18	ms
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3176 11/6/08 Certified Notice of Lien 1/19/18 1/19/08 m

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

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

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

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

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Mounteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
v. Company, Inc.**Counsel:** Steven L. Morris**Counter-Defendant:** National Wood Products, Inc.**Counsel:** Richard L. Tobler, John B. Taylor
and S. Judy Hirahara**Counter-Defendants:** Fast Glass, Helix, Heinaman,
Cactus Rose, SWPPP**Counsel:** Eric B. Zimbelman**Counter-Defendants** United Subcontractors, Inc. dba
Skyline Insulation**Counsel:** Brad Slighting**Counter-Defendants** E&E Fire Protection**Counsel:** Tracy Truman**HEARING / TRIAL BEFORE THE COURT****CAMCO EXHIBITS**

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

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted	
5002	October 10, 2008 letter from Camco	CAMCO-MW 01892	020618	No	020618	KS
5003	October 28, 2008 email from Camco	CAMCO-MW 00588				KS
5004	December 15, 2008 email from Gemstone and associated correspondence	CAMCO-MW 00001 CAMCO-MW 00002 CAMCO-MW 02699				KS
5005	February 27, 2009 letter from Camco's counsel	CAMCO-MW 02060-02062				KS
5006	March 2, 2009 letter from Camco's counsel	CAMCO-MW 00003-00004				KS
5007	April 28, 2009 Scott Financial Letter	CAMCO-MW 00029-00037				KS
5008	June 2, 2009 letter from Gemstone's counsel	CAMCO-MW 00040				KS
5009	July 30, 2008 Scott Financial letter	CAMCO-MW 00042				KS
5010	August 11, 2009 letter from Camco's counsel to NCS	CAMCO-MW 00043	020618	No	020618	KS

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

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

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

vs.

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

Steven L. Morris

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

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

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted	
✓ HELIX-TR-EX-503	Change Order No. 1	HELIX00568 HELIX000569	01/18/18	Stip	01/18/18	WA
✓ HELIX-TR-EX-504	Electrical Design Proposal	HELIX00528 HELIX00530	"	"	"	WA
✓ HELIX-TR-EX-505 APCO's #5	Subcontract Agreement document (APCO)	APCO104915 APCO104940	01/18/18	Stip	01/18/18	WA
✓ HELIX-TR-EX-506	July 7, 2011 Email and Contract revisions	HELIX00579 HELIX00587	01/17/18	NO	01/17/18	WA
✓ HELIX-TR-EX-507	July 29, 2008 correspondence re: work suspension	HELIX00588 HELIX00589	01/18/18	Stip	01/18/18	WA
✓ HELIX-TR-EX-508	Payment Application and Payment Records - Camco	HELIX00596 HELIX00674				WA
✓ HELIX-TR-EX-509	Work Directives, Change Notices and Change Order Requests	HELIX00675 HELIX00791				WA
✓ HELIX-TR-EX-510	Contract documents - Camco	HELIX00792 HELIX00903				WA
✓ HELIX-TR-EX-511	Helix First Day/Last Day records	HELIX00904 HELIX00907				WA
✓ HELIX-TR-EX-512	Helix Lien Notice and Perfection Documents	HELIX00908 HELIX00983				WA
✓ HELIX-TR-EX-513	Payment Application Records	APCO00034154 APCO00035521				WA
✓ HELIX-TR-EX-514	Various Documents produced by APCO	APCO00039494 APCO39839				WA
✓ HELIX-TR-EX-515	Progress Photos produced by APCO	APCO104492 APCO104562				WA
✓ HELIX-TR-EX-516	Progress Photos and other documents produced by APCO	APCO106289 APCO106314				WA
✓ HELIX-TR-EX-517	December 15, 2008 email from Edelstein	CAMCO-MW 00001				WA
✓ HELIX-TR-EX-518	8 December 18, 2008 letter from Camco counsel	CAMCO-MW 00002	01/18/18	Stip	01/18/18	WA

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