

**The Powell Law Firm**

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Elizabeth A. Brown  
Clerk of Supreme Court

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

HELIX ELECTRIC OF NEVADA, LLC,

Appellant/Cross-Respondent,  
vs.

APCO CONSTRUCTION, INC., A  
NEVADA CORPORATION,

Respondent/Cross-Appellant.

HELIX ELECTRIC OF NEVADA, LLC,

Appellant/Cross-Respondent,  
vs.

APCO CONSTRUCTION, INC., A  
NEVADA CORPORATION,

Respondent/Cross-Appellant.

Docket No. 77320

Docket No. 80508

**MOTION TO WITHDRAW AND TO REMOVE FROM SERVICE LIST**

Pursuant to NRAP 46(e)(3), Tom W. Stewart, of The Powell Law Firm, moves to withdraw as counsel and to be removed from the service list in these consolidated matters. Pursuant to NRPC 1.16(b)(7), good cause for withdrawal exists because Mr. Stewart is no longer associated with Marquis Aurbach Coffing, attorneys for respondent/cross appellant APCO Construction, Inc., and is not counsel for any party in this matter. Further, pursuant to NRPC 1.16(b)(1) and (d), withdrawal can be accomplished without material effect on the interests of APCO, who are still represented by Fennemore Craig, P.C., and Marquis Aurbach

Coffing in this matter. Finally, APCO have noticed the change in counsel in other cases stemming from the matter underlying this appeal, which resulted in Mr. Stewart being removed from the service list. *See, e.g., APCO Constr., Inc. v. Zitting Bros. Constr., Inc.*, Docket No. 75197 (Notice of Appearance and Change of Counsel, April. 20, 2020) (“Tom W. Stewart, Esq. is no longer with Marquis Aurbach Coffing and no longer represents [APCO] in the instant case. As such, Mr. Stewart may be removed from the service list.”). Therefore, Mr. Stewart moves to withdraw and to be removed from the service list in this matter.

Dated this 9th day of October 2020.

THE POWELL LAW FIRM

/s/ Tom W. Stewart  
Tom W. Stewart, Esq.  
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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing **MOTION TO WITHDRAW  
AND TO REMOVE FROM SERVICE LIST** with the Nevada Supreme Court on the 9th day of October 2020. Electronic Service of the document shall be made in accordance with the Master Service List as follows:

Eric Zimbelman, Esq.  
Christopher Byrd, Esq.  
Mary Bacon, Esq.  
Cody Munteer, Esq.  
Jack Juan, Esq.  
John Jefferies, Esq.  
John Mowbray, Esq.  
Richard Peel, Esq.

/s/ Tom W. Stewart  
An Employee of THE POWELL LAW FIRM