

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320
Consolidated with 80508

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Elizabeth A. Brown
Clerk of Supreme Court

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

**JOINT APPENDIX
VOLUME 43 (Part 1)**

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CHRONOLOGICAL APPENDIX OF EXHIBITS

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04-26-10	CAMCO and Fidelity's Answer and CAMCO's Counterclaim	JA000031- JA000041	1
07-02-10	Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default	JA000042- JA000043	1
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¹ Filed January 31, 2018

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

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

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

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

² Filed January 31, 201879

³ Filed January 31, 2018

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

⁴ Filed January 31, 201883

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

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

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

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

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

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

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07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
07-19-18	Plaintiff-in-Intervention National Wood Products, Inc.'s Surreply to APCO Construction's Reply to Plaintiff-in-Intervention National Wood Products, Inc.'s Opposition to Motion for Attorney's Fees and Costs	JA007246- JA007261	100
08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
09-28-18	Notice of Entry of (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007313- JA007315	101

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

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

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

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

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

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

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

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Dismiss All Unresolved Claims and/or (III) In The Alternative for a Rule 54(B) Certification as to Helix and APCO		
01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119
01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA009137- JA009166	120
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
02-11-20	Case Appeal Statement	JA009157- JA009163	120
02-11-20	APCO's Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorney's Fees and Costs; (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA009168- JA009182	120

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

ALPHABETICAL APPENDIX OF EXHIBITS

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

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

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

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

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

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

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

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

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

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

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

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	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
	Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008602- JA008621	112
	Exhibit 10FF – Voluntary Dismissal of Fidelity and Deposit Company of Maryland Only from Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint Without Prejudice	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112

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

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

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

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

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

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	National Wood Products, Inc.'s Against APCO Construction, Inc.]		
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA006541 JA006550	90
09-28-18	Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001178- JA001186	22
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119

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

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		JA000435	
	Exhibit 2 – Amended Notices of 30(b)(6) Deposition of Camco Pacific Construction Company, Inc. from Cactus Rose Construction, Inc., Fast Glass, Inc.’s, Heinaman Contract Glazing, Inc. and Helix Electric of Nevada, LLC’s	JA000436- JA000472	7/8
	Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017	JA000473 JA000489	8
	Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000490 JA000500	8
	Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000501- JA000511	8
	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
09-28-17	Peel Brimley Lien Claimants’ Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000413- JA000418	7
01-09-18	Peel Brimley Lien Claimants’ Opposition to APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001552- JA001560	27
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition	JA007190- JA007192	99

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

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

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

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

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

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

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

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

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

⁵ Filed January 31, 2018

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

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

⁶ Filed January 31, 201879

⁷ Filed January 31, 2018

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

⁸ Filed January 31, 2018

0710114J0
SR10.04



Helix Electric
CONSTRUCTORS • ENGINEERS

\$279,166.65

*Hold
OK to
w/ 11/18/08*

INVOICE # 16713-011R1

CUSTOMER # 1611

INVOICE DATE: 20-Aug-08

PERIOD THRU: 8/31/2008

OUR JOB NO.: 16713

JOB NAME: Manhattan West

YOUR JOB NO.:

\$71,900.00 \$37,190.00

\$334,710.00

ORIGINAL CONTRACT

13,230,000.00

CHANGE ORDER THROUGH #

394,837.00

it goes to \$55,543.35

CONTRACT AMOUNT TO DATE

13,624,837.00

GROSS BILLING

38%

5,140,207.11

PREVIOUSLY BILLED

4,768,307.11

GROSS CURRENT PERIOD

371,900.00

RETENTION

10%

37,190.00

NET AMOUNT DUE THIS PERIOD

334,710.00

OUTSTANDING FROM PRIOR PERIOD

Inv #16713-010R2

510,255.00

TOTAL AMOUNT DUE

844,965

Penalty to BAPCO per day 1/100 of a percent of 2% per month of the amount owed, plus attorney's fees if required for collection, shall be assessed on this invoice for payments not received within 30 days of invoice of payment to BAPCO.

10/24/08
emailed Eddie

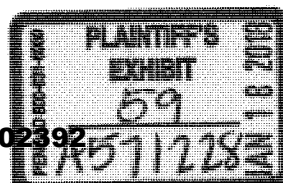
3076 AE Sunset Road, #9, Las Vegas, NV 89120 Tel (702) 732-1188 Fax (702) 732-4388
Nevada Contractor's License #0053810

*X Hold ✓ 279,166.65 OK to w/ 11/18/08
Punc. 279,166.65*

POSTED

00685

JA002392



APCO-TR-EX0059-0001
PLTF'S PROPOSED EXHIBIT
NO. 59
Case No. A571228

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

Page 1 of 2

TO (Owner): *Apco Construction* PROJECT: *Manhattan Condominiums* APPLICATION NUMBER: 16713-011R1 Distribution to:
3432 N. 5th Street 30 E. Serene
North Las Vegas, Nv. 89032 Las Vegas, NV 89123
 Atn: Shawn Bowne
 FROM: *Helix Electric* VIA (ARCHITECT): PERIOD TO: 8/31/2008
 (Contractor) *3078 E. Sunset Rd., Ste#9* CONTRACT DATE: Las Vegas, NV 89120

OWNER
 ARCHITECT
 CONTRACTOR

CONTRACT FOR

CONTRACTOR'S APPLICATION FOR PAYMENT

Applications made for Payment, as shown below, in connection with the Contract.
 Continuation Sheet, AIA Document G703, is attached.

1. PARTIAL CONTRACT SUM \$ 13,230,000.00
 2. Net change by Change Orders 394,837.00
 3. CONTRACT SUM TO DATE (Line 1+2) \$ 13,624,837.00
 4. TOTAL COMPLETED & STORED TO DATE \$ 6,140,207.11
 (Column G on G703)
 5. RETAINAGE:
 a. 10% of Completed Work \$ 514,020.71
 (Column D + E on G703)
 b. 10% of Stored Material \$ -
 (Column F on G703)
 Total Retainage (Line 5a + 5b or
 Total in Column I of G703) \$ 514,020.71
 6. TOTAL EARNED LESS RETAINAGE \$ 4,826,185.40
 (Line 4 less Line 5 Total)
 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 4,291,478.40
 (Line 6 from prior Certificate)
 8. CURRENT PAYMENT DUE \$ 334,710.00
 9. BALANCE TO FINISH, PLUS RETAINAGE \$ 8,998,650.60
 (Line 3 less Line 8)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total Changes approved in previous months by Owner		
Total Approved this Month		
TOTALS	-	-
NET CHANGES by Change Order	394,837.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By:

Date: 8/20/08

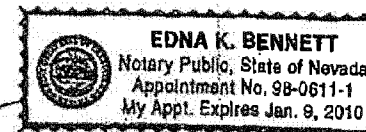
Robert D Johnson, Vice President

State Of: NEVADA
 County Of: CLARK

Subscribed and sworn to before
 me this 20th day of August, 2008

Edna K Bennett
 Notary Public

My Commission expires: 1/9/2010



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certified to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$334,710.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By:

Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

AIA DOCUMENT G703

Page 2 of 2

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing

APPLICATION NUMBER: 16713-011R1

Contractor's signed Certification is attached.

APPLICATION DATE: 8/20/2008

In tabulations below, amounts are stated to the nearest dollar.

PERIOD TO: 8/31/2008

Use Column 1 on Contracts where variable retainage for line items may apply.

ARCHITECT'S PROJECT NO:

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
1	ELECTRICAL ENGINEERING	165,000.00	83,700.00	10000	733	83,700.00	54%	71,300.00	8,370.00
2	MOBILIZATION	60,000.00	60,000.00	99	733	60,000.00	100%	-	6,000.00
3	Office Trailer/Admin. 24 months	120,000.00	55,000.00	5,000.00	18/100/414/979	60,000.00	50%	60,000.00	6,000.00
4	Project Engineer, CAD, Project Assistant	75,000.00	58,876.00	8900-7,500.00	7/107/415/980	67,375.00	90%	7,625.00	6,737.50
5	Electrical Permits	65,000.00	40,000.00	90	734	40,000.00	62%	25,000.00	4,000.00
6	Submittals	10,000.00	10,000.00	10000	90	10,000.00	100%	-	1,000.00
7	Supervision/Planning/Coordination	120,000.00	98,250.00	12,000.00	13/170/418/580	108,250.00	90%	11,750.00	10,825.00
8	BUILDING #1-TYPE V (52 units)			10800-	737				
9	Light Fixture Package	76,000.00	-			-		76,000.00	-
10	Distribution Package	70,000.00	-			-		70,000.00	-
11	Low Voltage Systems (FA, CCTV, CA, etc)	40,000.00	-			-		40,000.00	-
12	Underdash Branch Conduit & Wire	67,000.00	-			-		67,000.00	-
13	Garage & 1st floor deck-conduit/wire	278,000.00	-			-		278,000.00	-
14	1st Floor Rough Walls/Ceilings	65,000.00	-			-		65,000.00	-
15	1st Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
16	2nd Floor Rough Walls/Ceilings	65,000.00	-			-		65,000.00	-
17	2nd Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
18	3rd Floor Rough Walls/Ceilings	65,000.00	-			-		65,000.00	-
19	3rd Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
20	4th Floor Rough Walls/Ceilings	65,000.00	-			-		65,000.00	-
21	4th Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
22	BUILDING #2-TYPE II								
23	Light Fixture Package	65,500.00	58,950.00		95	58,950.00	90%	6,550.00	5,895.00
24	Distribution Package	25,000.00	22,500.00	2,500.00	96	25,000.00	100%	-	2,500.00
25	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	37,500.00	2,500.00	96	40,000.00	80%	10,000.00	4,000.00
26	2nd Sublevel Garage IG and Deck	200,000.00	190,000.00			190,000.00	95%	10,000.00	19,000.00
27	1st Sublevel Garage and Deck	255,000.00	242,500.00			242,500.00	95%	12,500.00	24,250.00
28	1st Floor Rough and Trim	25,000.00	17,500.00	5,000.00	99	22,500.00	90%	2,500.00	2,250.00
29	2nd Floor Rough and Trim	25,000.00	17,500.00	5,000.00	100	22,500.00	90%	2,500.00	2,250.00
30	3rd Floor Rough and Trim	25,000.00	17,500.00	5,000.00	101	22,500.00	90%	2,500.00	2,250.00
31	4th Floor Rough and Trim	25,000.00	17,500.00	5,000.00	102	22,500.00	90%	2,500.00	2,250.00
32	Roof Plan	2,500.00	-			-		2,500.00	-
33	BUILDING #3-TYPE II								
34	Light Fixture Package	65,500.00	58,950.00			58,950.00	90%	6,550.00	5,895.00
35	Distribution Package	25,000.00	22,500.00			22,500.00	90%	2,500.00	2,250.00
36	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	28,000.00	5,000.00	173	25,000.00	50%	25,000.00	2,500.00
37	2nd Sublevel Garage IG and Deck	200,000.00	190,000.00			190,000.00	95%	10,000.00	19,000.00
38	1st Sublevel Garage and Deck	255,000.00	242,500.00			242,500.00	95%	12,500.00	24,250.00
39	1st Floor Rough and Trim	25,000.00	6,000.00	5,000.00	176	10,000.00	40%	15,000.00	1,000.00
40	2nd Floor Rough and Trim	25,000.00	6,000.00	5,000.00	177	10,000.00	40%	15,000.00	1,000.00
41	3rd Floor Rough and Trim	25,000.00	6,000.00	5,000.00	178	10,000.00	40%	15,000.00	1,000.00
42	4th Floor Rough and Trim	25,000.00	6,000.00	5,000.00	179	10,000.00	40%	15,000.00	1,000.00
43	Roof Plan	2,500.00	-			-		2,500.00	-
44	BUILDING #4-TYPE V (52 units)								
45	Light Fixture Package	76,000.00	-			-		76,000.00	-

JA002394

00687

APCO-TR-EX0059-0003

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	%(G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
46	Distribution Package	70,000.00	-	-	-	-	-	70,000.00	-
47	Low Voltage Systems (FA, CCTV, CA, etc)	40,000.00	-	-	-	-	-	40,000.00	-
48	Underlab Branch Conduit & Wire	57,000.00	-	-	-	-	-	57,000.00	-
49	Garage & 1st floor deck-conduit/wire	275,000.00	-	-	-	-	-	275,000.00	-
50	1st Floor Rough Walls/Ceilings	65,000.00	-	-	-	-	-	65,000.00	-
51	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
52	2nd Floor Rough Walls/Ceilings	65,000.00	-	-	-	-	-	65,000.00	-
53	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
54	3rd Floor Rough Walls/Ceilings	65,000.00	-	-	-	-	-	65,000.00	-
55	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
56	4th Floor Rough Walls/Ceilings	65,000.00	-	-	-	-	-	65,000.00	-
57	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
58	BUILDING #5-TYPE I (76 units)	-	-	-	-	-	-	-	-
59	Light Fixture Package	106,000.00	-	-	-	-	-	106,000.00	-
60	Distribution Package	83,000.00	-	-	-	-	-	83,000.00	-
61	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	-	-	-	-	-	50,000.00	-
62	Underlab Branch Conduit & Wire	85,000.00	-	-	-	-	-	85,000.00	-
63	Garage & 1st floor deck-conduit/wire	400,000.00	-	-	-	-	-	400,000.00	-
64	1st Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
65	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
66	2nd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
67	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
68	3rd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
69	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
70	4th Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
71	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
72	BUILDING #6-TYPE I (76 units)	-	-	-	-	-	-	-	-
73	Light Fixture Package	106,000.00	-	-	-	-	-	106,000.00	-
74	Distribution Package	83,000.00	-	-	-	-	-	83,000.00	-
75	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	-	-	-	-	-	50,000.00	-
76	Underlab Branch Conduit & Wire	85,000.00	-	-	-	-	-	85,000.00	-
77	Garage & 1st floor deck-conduit/wire	400,000.00	-	-	-	-	-	400,000.00	-
78	1st Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
79	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
80	2nd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
81	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
82	3rd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
83	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
84	4th Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
85	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
86	BUILDING #7-TYPE III (76 units)	-	-	-	-	-	-	-	-
87	Light Fixture Package	141,000.00	92,250.00	-	-	92,250.00	65%	48,750.00	9,225.00
88	Distribution Package	225,000.00	158,000.00	34,000.00	420	192,000.00	85%	33,000.00	10,200.00
89	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	10,000.00	10,000.00	421	20,000.00	40%	30,000.00	2,000.00
90	Garage	100,000.00	65,000.00	-	-	65,000.00	65%	35,000.00	8,500.00
91	Underlab Branch Conduit & Wire	68,000.00	64,500.00	-	-	64,500.00	95%	3,500.00	8,450.00
92	Garage & 1st floor deck-conduit/wire	330,000.00	313,500.00	-	-	313,500.00	95%	16,500.00	31,350.00
93	1st Floor Rough Deck/Walls/Ceilings	95,500.00	47,750.00	-	-	47,750.00	50%	47,750.00	4,775.00
94	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
95	2nd Floor Rough Deck/Walls/Ceilings	85,500.00	76,750.00	4,500.00	427	81,250.00	85%	14,250.00	8,125.00
96	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
97	3rd Floor Rough Deck/Walls/Ceilings	85,500.00	78,750.00	4,500.00	429	81,250.00	85%	14,250.00	8,125.00

414-1000 -
415-1500 -
418-2400 -
420-34000 -
421-10000 -

00688

APCO-TR-EX0059-0004

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
98	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
99	4th Floor Rough Deck/Walls/Ceilings	85,500.00	68,850.00	14,400.00	431	81,250.00	85%	14,250.00	8,125.00
100	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
101	5th Floor Rough Deck/Walls/Ceilings	85,500.00	47,750.00	33,500.00	433	81,250.00	85%	14,250.00	8,125.00
102	5th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
103	6th Floor Rough Deck/Walls/Ceilings	85,500.00	47,750.00	-	-	47,750.00	50%	47,750.00	4,775.00
104	6th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
105	7th Floor Rough Deck/Walls/Ceilings	85,500.00	47,750.00	-	-	47,750.00	50%	47,750.00	4,775.00
106	7th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
107	8th Floor Rough Deck/Walls/Ceilings	85,500.00	28,000.00	18,750.00	439	47,750.00	50%	47,750.00	4,775.00
108	8th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
109	9th Floor Rough Deck/Walls/Ceilings	85,500.00	29,000.00	18,750.00	441	47,750.00	50%	47,750.00	4,775.00
110	9th Floor Device and Fixture Trim	5,000.00	-	-	-	-	-	5,000.00	-
111	BUILDING #8-TYPE I (76 units)	-	-	-	-	-	-	-	-
112	Light Fixture Package	108,000.00	84,500.00	11,000.00	(584) ?	95,500.00	90%	10,500.00	9,550.00
113	Distribution Package	83,000.00	78,500.00	-	-	78,500.00	95%	4,500.00	7,850.00
114	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	35,000.00	10,000.00	586	45,000.00	90%	5,000.00	4,500.00
115	Underdash Branch Conduit & Wire	85,000.00	78,500.00	-	-	78,500.00	90%	8,500.00	7,550.00
116	Garage & 1st floor deck-conduit/wire	400,000.00	380,000.00	-	-	380,000.00	95%	20,000.00	38,000.00
117	1st Floor Rough Walls/Ceilings	75,000.00	71,250.00	-	-	71,250.00	95%	3,750.00	7,125.00
118	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
119	2nd Floor Rough Walls/Ceilings	75,000.00	71,250.00	-	-	71,250.00	95%	3,750.00	7,125.00
120	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
121	3rd Floor Rough Walls/Ceilings	75,000.00	67,750.00	3,500.00	593	71,250.00	95%	3,750.00	7,125.00
122	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
123	4th Floor Rough Walls/Ceilings	75,000.00	67,750.00	3,500.00	595	71,250.00	95%	3,750.00	7,125.00
124	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
125	BUILDING #9-TYPE I (76 units)	-	-	-	-	-	-	-	-
126	Light Fixture Package	108,000.00	84,500.00	11,000.00	(138) ?	95,500.00	90%	10,500.00	9,550.00
127	Distribution Package	83,000.00	79,000.00	-	-	79,000.00	95%	4,000.00	7,800.00
128	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	35,000.00	10,000.00	740	45,000.00	90%	5,000.00	4,500.00
129	Underdash Branch Conduit & Wire	85,000.00	78,500.00	-	-	78,500.00	90%	8,500.00	7,850.00
130	Garage & 1st floor deck-conduit/wire	400,000.00	380,000.00	-	-	380,000.00	95%	20,000.00	38,000.00
131	1st Floor Rough Walls/Ceilings	75,000.00	71,250.00	-	-	71,250.00	95%	3,750.00	7,125.00
132	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
133	2nd Floor Rough Walls/Ceilings	75,000.00	71,250.00	-	-	71,250.00	95%	3,750.00	7,125.00
134	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
135	3rd Floor Rough Walls/Ceilings	75,000.00	67,750.00	3,500.00	747	71,250.00	95%	3,750.00	7,125.00
136	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
137	4th Floor Rough Walls/Ceilings	75,000.00	67,750.00	3,500.00	749	71,250.00	95%	3,750.00	7,125.00
138	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
139	BUILDING #10-TYPE I (76 units)	-	-	-	-	-	-	-	-
140	Light Fixture Package	108,000.00	-	-	-	-	-	108,000.00	-
141	Distribution Package	83,000.00	-	-	-	-	-	83,000.00	-
142	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	-	-	-	-	-	50,000.00	-
143	Underdash Branch Conduit & Wire	85,000.00	-	-	-	-	-	85,000.00	-
144	Garage & 1st floor deck-conduit/wire	400,000.00	-	-	-	-	-	400,000.00	-
145	1st Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
146	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
147	2nd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
148	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
149	3rd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-

579-1000-
 580-1000-
 583-2400-
 584-7564-
 133-1000-
 134-1500-
 137-1200-
 138-7564-

00689

APCO-TR-EX0059-0005

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	H % (G / C)	I BALANCE TO FINISH (C - G)	J RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
150	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
151	4th Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
152	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
153	BUILDING #11-TYPE I (76 units)	-	-	-	-	-	-	-	-
154	Light Fixture Package	106,000.00	-	-	-	-	-	106,000.00	-
155	Distribution Package	83,000.00	-	-	-	-	-	83,000.00	-
156	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	-	-	-	-	-	50,000.00	-
157	Underlab Branch Conduit & Wire	85,000.00	-	-	-	-	-	85,000.00	-
158	Garage & 1st floor deck-conduit/wire	400,000.00	-	-	-	-	-	400,000.00	-
159	1st Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
160	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
161	2nd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
162	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
163	3rd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
164	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
165	4th Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
166	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
167	BUILDING #12-TYPE IV (66 units)	-	-	-	-	-	-	-	-
168	Light Fixture Package	98,000.00	-	-	-	-	-	98,000.00	-
169	Distribution Package	77,500.00	-	-	-	-	-	77,500.00	-
170	Low Voltage Systems (FA, CCTV, CA, etc)	45,000.00	-	-	-	-	-	45,000.00	-
171	Underlab Branch Conduit & Wire	76,000.00	-	-	-	-	-	76,000.00	-
172	Garage & 1st floor deck-conduit/wire	350,000.00	-	-	-	-	-	350,000.00	-
173	1st Floor Rough Walls/Ceilings	70,000.00	-	-	-	-	-	70,000.00	-
174	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
175	2nd Floor Rough Walls/Ceilings	70,000.00	-	-	-	-	-	70,000.00	-
176	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
177	3rd Floor Rough Walls/Ceilings	70,000.00	-	-	-	-	-	70,000.00	-
178	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
179	4th Floor Rough Walls/Ceilings	70,000.00	-	-	-	-	-	70,000.00	-
180	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
181	SITE LIGHTING	-	-	-	-	-	-	-	-
182	Furnish Landscape Lighting	257,000.00	-	-	-	-	-	257,000.00	-
183	Furnish Courtyard Lighting	59,000.00	-	-	-	-	-	59,000.00	-
184	Furnish Sports Lighting	8,000.00	-	-	-	-	-	8,000.00	-
185	Furnish Parking Lot Pole Lighting	64,000.00	-	-	-	-	-	64,000.00	-
186									
187									
188									
189									
190									
191									
192									
193									
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195									
196									
197									
198									
199									
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201									
202									
203									
204									
205									
Original Contract Totals		13,230,000.00	4,648,325.00	268,900.00		4,917,225.00	37%	8,312,775.00	491,722.50

00690

APCO-TR-EX0059-0006

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	H % (G / C)	I BALANCE TO FINISH (C - G)	J RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	CHANGE ORDERS								
206	CO#1-Contract Adjustment (inc. above)								
207	CO#2-Apex Trailer Hookup	1,622.00	1,622.00	-		1,622.00	100%		162.20
208	CO#3-Options (voided change order #)		-						
209	CO#4-Overtime B8 & B9	10,000.00	10,000.00	-		10,000.00	100%		1,000.00
210	CO#5-Delete Utility Stubs Phase I	(15,000.00)	(15,000.00)	-		(15,000.00)	100%		(1,500.00)
211	CO#6-Delete Site Conduits-Phase I & II	(13,000.00)	(13,000.00)	-		(13,000.00)	100%		(1,300.00)
212	CO#7-Building #9 Options	54,543.00	26,281.98	794 13,500.00	16936	39,781.96	73%	14,761.04	3,078.20
213	CO#8a-Building #8 Options	62,053.00	27,088.00	793 12,500.00	17136	39,596.00	64%	22,457.00	3,959.80
214	CO#8b-Additional B8 & B9 Options	53,758.00	33,868.40	6,000.00		39,868.40	74%	13,889.60	3,988.84
215	C2 Split Delta 6	63,758.00	-	802 28,000.00	49000	28,000.00	48%	27,758.00	2,600.00
216	Delta 3 Changes	92,117.00	24,180.75	801 22,000.00		46,180.75	50%	45,936.25	4,618.08
217	Delta 5 Changes	94,980.00	24,935.00	802 23,000.00		47,935.00	50%	47,045.00	4,793.50
218			-						
219			-						
220			-						
221			-						
222			-						
223			-						
224			-						
225			-						
226			-						
227			-						
228			-						
229			-						
230	Delta 2 Changes \$354,780.00								
231	Add Dumpers Exhaust Fans \$69,900.00								
232									
233									
234									
235									
236									
237									
	Total Change Orders	394,837.00	119,982.11	103,000.00		222,982.11	59%	171,854.89	22,298.21
	Total Revised Contract	13,624,837.00	4,768,307.11	371,900.00		5,140,207.11	38%	8,484,629.89	514,020.71

00691

APCO-TR-EX0059-0007

MANHATTAN WEST

PERIOD: Aug-08

HELIX LINE NUMBER	PREVIOUSLY BILLED MATERIAL STORED	MATERIAL STORED THIS PERIOD	MATERIAL REMOVED FROM STORAGE & INSTALLED THIS PERIOD	ACCUMULATIVE TOTAL OF MATERIAL STORED TO DATE
23	\$ 28,000.00		\$ 28,000.00	\$ -
24	\$ 15,000.00		\$ 15,000.00	\$ -
34	\$ 28,000.00		\$ 28,000.00	\$ -
35	\$ 15,000.00		\$ 15,000.00	\$ -
87	\$ 48,250.00		\$ 48,250.00	\$ -
88	\$ 38,000.00		\$ 38,000.00	\$ -
93	\$ 20,000.00		\$ 20,000.00	\$ -
95	\$ 20,000.00		\$ 20,000.00	\$ -
97	\$ 20,000.00		\$ 20,000.00	\$ -
99	\$ 20,000.00		\$ 20,000.00	\$ -
101	\$ 20,000.00		\$ 20,000.00	\$ -
103	\$ 20,000.00		\$ 20,000.00	\$ -
105	\$ 20,000.00		\$ 20,000.00	\$ -
107	\$ 20,000.00		\$ 20,000.00	\$ -
109	\$ 20,000.00		\$ 20,000.00	\$ -
112	\$ 39,500.00		\$ 39,500.00	\$ -
113	\$ 63,000.00		\$ 63,000.00	\$ -
117	\$ 7,500.00		\$ 7,500.00	\$ -
119	\$ 7,500.00		\$ 7,500.00	\$ -
121	\$ 7,500.00		\$ 7,500.00	\$ -
123	\$ 7,500.00		\$ 7,500.00	\$ -
126	\$ 39,500.00		\$ 39,500.00	\$ -
127	\$ 68,000.00		\$ 68,000.00	\$ -
131	\$ 7,500.00		\$ 7,500.00	\$ -
133	\$ 7,500.00		\$ 7,500.00	\$ -
135	\$ 7,500.00		\$ 7,500.00	\$ -
137	\$ 7,500.00		\$ 7,500.00	\$ -
TOTALS	\$ 618,250.00	\$ -	\$ 618,250.00	\$ -



3432 N. 5th Street • North Las Vegas, NV 89032
Phone: (702) 734-0198 • Fax: (702) 734-0396
E-mail: apcoconstruction.com • NGL: 14568

**CONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT**

Property Name:	Manhattan West
Property Location:	9255 W Russell Road Las Vegas, NV 89148
Undersigned's Customer:	APCO Construction
Inv./Pmt Application No:	16713-011R1
Payment Amount:	\$334,710.00

Upon receipt by the undersigned of a check in the above referenced Payment Amount payable to the undersigned, and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release and the undersigned shall be deemed to waive any notice of lien, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to payment rights that the undersigned has on the above described Property to the following extent:

This release covers a progress payment for the work, materials or equipment furnished by the undersigned to the Property or to the Undersigned's Customer which are the subject of the Invoice or Payment Application, but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any items, modifications or changes pending approval, disputed items and claims, or items furnished that are not paid. Before any recipient of the document relies on it, he should verify evidence of payment to the undersigned. The undersigned warrants that he either has already paid or will use the money he receives from this progress payment promptly to pay in full all laborers, subcontractors, materialmen and suppliers for all work, materials or equipment that are the subject of the waiver and release.

Dated: August 20, 2008

Helix Electric

By:

Its: Robert D Johnson, Vice President

00693

JA002400

APCO-TR-EX0059-0009

**UNCONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT**

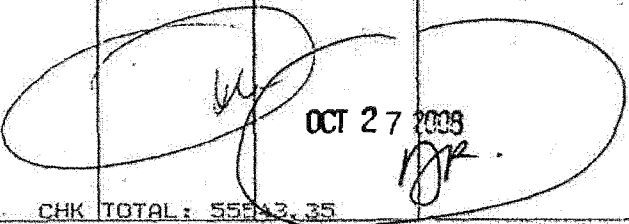
Property Name Mansueti West
Property Location Buena Vista Road Rocky Hill Street
Undersigned's Customer Apco Construction/Carico Pacific Construction Co.
Invoice/Payment Application Number 1673-01182
Payment Amount \$ 55,543.05

The undersigned has been paid and has received a progress payment in the above referenced Payment Amount for all work, materials and equipment the undersigned furnished to the Customer for the above described Property and does hereby waive and release any notice of lien, any right to bond right, any claim for payment and any rights under any similar ordinance, rule or statute, related to payment rights that the undersigned has on the above described Property in the following extent:

This release covers a progress payment for the work, materials and equipment furnished by the undersigned to the Property or to the Undersigned's Customer which are the subject of the Invoice or Payment Application but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any debts, modifications or changes pending approval, disputed items and claims, or items awarded that are not paid. The undersigned warrants that he either has already paid or will use the money he receives from his progress payment promptly to pay to full all his laborers, subcontractors, materialmen and suppliers for all the work, materials or equipment that are the subject of this waiver and release.

Date October 27, 2008 How Signed _____
(Company Name)
By 
Title Robert D. Johnson, Vice President

Notice: This document waives rights unconditionally and states that you have been paid for giving up those rights. This document is enforceable against you if you sign it to the extent of the Payment Amount or the amount received. If you have not been paid, use a conditional release form.

NEVADA CONSTRUCTION SERVICES - TRUST ACCOUNT (B)				MANHATTAN WEST PHASE I		CHECK NO. 530668
INVOICE	CAT. NO.	INV. DT.	AMOUNT	RETN.	NET AMOUNT	DESCRIPTION
15713011 R1	10/24/08	55543.35	55543.35		55543.35	CONDOS ON BHLF OF APCO/CAMCO VOUCHER# SR10.04-01
 OCT 27 2008 CHK TOTAL: 55543.35						

DETACH AND RETAIN FOR YOUR RECORDS

NEVADA CONSTRUCTION SERVICES
2500 N. BUFFALO DRIVE, SUITE 140
LAS VEGAS, NEVADA 89128
(702) 251-1150
TRUST ACCOUNT (B)

BANK OF AMERICA
CHARLESTON HEIGHTS BRANCH
4601 W. CHARLESTON BLVD.
LAS VEGAS, NEVADA 89102
94-721224

530668
CONTROL NO.
CHECK NUMBER 530668
CHECK DATE 10/24/08

THIS CHECK WILL NOT BE HONORED IF PRESENTED 6 MONTHS AFTER THE ISSUE DATE.

PAY ****55,543*DOLLARS*AND*35*CENTS

TO THE ORDER OF HELIX ELECTRIC AND GEXPRO

AMOUNT
****55,543.35*

NON NEGOTIABLE

⑈530668⑈ ⑆122400724⑆ 048372999⑈

00684

**UNCONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT**

Property Name Manhattan West
Property Location Russell Road/Rocky Hill Street
Undersigned's Customer Apco Construction/Camco Pacific Construction Co.
Invoice/Payment Application Number 16713-011R1
Payment Amount \$ 279,166.85

The undersigned has been paid and has received a progress payment in the above referenced Payment Amount for all work, materials and equipment the undersigned furnished to his Customer for the above described Property and does hereby waive and release any notice of lien, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to payment rights that the undersigned has on the above described Property to the following extent:

This release covers a progress payment for the work, materials and equipment furnished by the undersigned to the Property or to the Undersigned's Customer which are the subject of the Invoice or Payment Application, but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any items, modifications or changes pending approval, disputed items and claims, or items furnished that are not paid. The undersigned warrants that he either has already paid or will use the money he receives from this progress payment promptly to pay in full all his laborers, subcontractors, materialmen and suppliers for all the work, materials or equipment that are the subject of this waiver and release.

Dated October 27, 2008

Helix Electric

(Company Name)

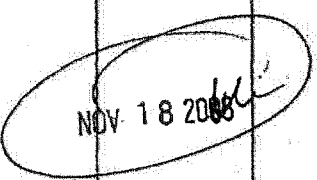
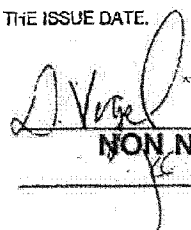
By

Title

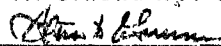
Robert D. Johnson
Robert D Johnson, Vice President

Notice: This document waives rights unconditionally and states that you have been paid for giving up those rights. This document is enforceable against you if you sign it to the extent of the Payment Amount or the amount received. If you have not been paid, use a conditional release form.

00714

NEVADA CONSTRUCTION SERVICES - TRUST ACCOUNT (B) 1011YJG				MANHATTAN WEST PHASE I		CHECK NO. 531552
INVOICE	CAT. NO.	INV. DT.	AMOUNT	RETN.	NET AMOUNT	DESCRIPTION
16713011 R1	CONDOS	11/18/08	36356.65	37190.00	279166.65	CONDOS ON BHLF OF APCO/CAMCO. VOUCHER# SR10.04-00
						
DETACH AND RETAIN FOR YOUR RECORDS						CHK TOTAL 279166.65
NEVADA CONSTRUCTION SERVICES 2500 N. BUFFALO DRIVE, SUITE 140 LAS VEGAS, NEVADA 89128 (702) 251-1150 TRUST ACCOUNT (B)			BANK OF AMERICA CHARLESTON HEIGHTS BRANCH 4801 W. CHARLESTON BLVD LAS VEGAS, NEVADA 89102 84-7271224			CONTROL NO. 531552 CHECK NUMBER: 31552 CHECK DATE 11/18/08
THIS CHECK WILL NOT BE HONORED IF PRESENTED 6 MONTHS AFTER THE ISSUE DATE.						
PAY. ***279,166*DOLLARS*AND*65*CENTS			AMOUNT ***279,166.65*			
TO THE ORDER OF HELIX ELECTRIC OF NEVADA DBA: HELIX ELECTRIC 3078 E. SUNSET ROAD, STE. 9 LAS VEGAS NV 89120			 NON NEGOTIABLE			
#531552# 01224007240 048372999#						

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002405



Helix Electric
CONSTRUCTORS - ENGINEERS

Apco Construction
3432 N. 5th Street
North Las Vegas, Nv. 89032
Attn: Shawn Bowne

ATTACHMENT 3

INVOICE # 16713-011R1
CUSTOMER # 1611

JOB # 16713
FILE # 1
OTHER Apco for
lin

INVOICE DATE: 20-Aug-08

PERIOD THRU: 8/31/2008

OUR JOB NO.: 16713

JOB NAME: Manhattan West

YOUR JOB NO.:

ORIGINAL CONTRACT

13,230,000.00

CHANGE ORDER THROUGH #

341,081.00

CONTRACT AMOUNT TO DATE

13,571,081.00

GROSS BILLING

38%

5,131,207.11

ADDITIONAL CO
BILLED TO OWNER PAID BY OWNER FOR AUG
9,000.00 = \$5,140,207.11 (#1)

PREVIOUSLY BILLED

4,768,307.11

GROSS CURRENT PERIOD

362,900.00 + 9,000.00 = \$371,900.00

RETENTION

10%

36,290.00 + 900.00 = 37,190.00

NET AMOUNT DUE THIS PERIOD

326,610.00 + 9,000.00 = \$334,710.00

OUTSTANDING FROM PRIOR PERIOD

TOTAL AMOUNT DUE

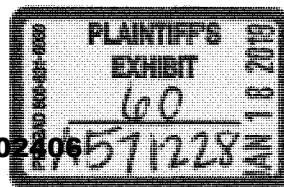
326,610

Pursuant to B&P code section 7108.5 a penalty of 2% per month of the amount owed, plus attorney's fees if required for collection, shall be assessed to this invoice for payments not received within 10 days of receipt of progress payments from owner.

3078 AE. Sunset Road, #9, Las Vegas, NV 89120 Tel (702) 732-1188 Fax (702) 732-4386
Nevada Contractor's License #0053810

HELIX00377

JA002806



APCO-TR-EX0060-0001
PLTF'S PROPOSED EXHIBIT
NO. 60
Case No. A571228

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

Page 1 of 2

TO (Owner): **Apco Construction**
3432 N. 5th Street
North Las Vegas, Nv. 89032
Attn: Shawn Bowne

PROJECT: **Manhattan Condominiums**
30 E. Serene
Las Vegas, NV 89123

FROM: **Helix Electric**
(Contractor) 3078 E. Sunset Rd., Ste#9
Las Vegas, NV 89120

VIA (ARCHITECT):

APPLICATION NUMBER: 16713-011R1
PERIOD TO: 8/31/2008
PROJECT NOS
CONTRACT DATE:

<input type="checkbox"/>	OWNER
<input type="checkbox"/>	ARCHITECT
<input type="checkbox"/>	CONTRACTOR

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Applications made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. PARTIAL CONTRACT SUM	\$ 13,230,000.00
2. Net change by Change Orders	341,081.00
3. CONTRACT SUM TO DATE (Line 1+2)	\$ 13,571,081.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 5,131,207.11
5. RETAINAGE:	
a. 10% of Completed Work (Column D + E on G703)	\$ 513,120.71
b. 10% of Stored Material (Column F on G703)	\$ -
Total Retainage (Line 5a + 5b or Total in Column I of G703)	\$ 513,120.71
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$ 4,618,086.40
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ 4,291,475.40
8. CURRENT PAYMENT DUE	\$ 326,610.00
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6)	\$ 8,952,994.60

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total Changes approved in previous months by Owner		
Total Approved this Month		
TOTALS		
NET CHANGES by Change Order	341,081.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By:

Robert D Johnson, Vice President

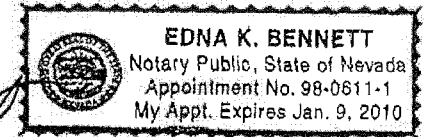
Date: 8/20/08

State Of: NEVADA
County Of: CLARK

Subscribed and sworn to before me this 20th day of August, 2008

Notary Public:

My Commission expires: 1/9/2010



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certified to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$326,610.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By:

Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the prejudice to any rights of the Owner or Contractor under this Contract.

APCO-TR-EX0060-0002

JA002407

I X00378



Helix Electric
CONSTRUCTORS • ENGINEERS

Camco Pacific
2925 E Patrick Lane Suite G
Las Vegas, NV 89120
Attn: Yvonne Farren

\$148,340.45

INVOICE # 16713-012
CUSTOMER # 1611

ATTACHMENT 8

RECEIVED
SEP 1 2008
CAMCO PACIFIC CONST

INVOICE DATE: 19-Sep-08
PERIOD THRU: 9/30/2008
OUR JOB NO.: 16713

0710117JO
SR11.08

JOB NAME: Manhattan West

condro	\$360,132.50	YOUR JOB NO.:	
	\$36013.25		\$324,119.25
ORIGINAL CONTRACT			13,230,000.00
CHANGE ORDER THROUGH #			480,689.01
CONTRACT AMOUNT TO DATE			13,710,689.01
GROSS BILLING	40%		5,534,048.11
PREVIOUSLY BILLED			5,140,207.11
GROSS CURRENT PERIOD			393,841.00
RETENTION	10%		39,384.10
NET AMOUNT DUE THIS PERIOD			354,456.90
OUTSTANDING FROM PRIOR PERIOD		Inv #16713-010R2	510,255.00
		Inv #16713-011	334,710.00
TOTAL AMOUNT DUE			1,199,422

approved to pay 11/1/08

Graybar Electric \$71,373.03
Penhall Company \$10655.10
GXP \$78,742.28
QED, Inc. \$7008.39

NACO #3 signed

- # ?

labor 9/30/08

Crescent - due \$604.20?

RAW 9/30/08

Tomarco all inv.
+ inv 9/30/08

Penhall all inv.
+ inv 9/30/08

Graybar all inv
+ inv 9/30/08

POSTED

Payment to B&P code section 7102.5 a penalty of 2% per month of the amount owed, plus attorney's fees if required for collection, shall be assessed to this invoice for payments not received within 10 days of receipt of progress payments from owner.

unc.

X ✓ yellow highlights
X log ?? > lines off!

3078 AE Sunset Road, #9, Las Vegas, NV 89120 Tel (702) 732-1188 Fax (702) 732-4386
Nevada Contractor's License #0053810

01933

JA002408

APCO-TR-EX0060-0003

12/15/08
bal to lender

11/15/08
Eddie emailed

11/18/08 emailed Eddie

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

Page 1 of 2

TO (Owner):	Camco Pacific 2925 E Patrick Lane Suite G Las Vegas, NV 89120 Attn: Yvonne Farren	PROJECT:	Manhattan Condominiums 30 E. Serene Las Vegas, NV 89123	APPLICATION NUMBER:	16713-012	Distribution to: <input type="checkbox"/> OWNER <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR
FROM:	Helix Electric 3078 E. Sunset Rd., Ste#9 Las Vegas, NV 89120	VIA (ARCHITECT):		PERIOD TO:	9/30/2008	
(Contractor)				PROJECT NOS		
				CONTRACT DATE:		

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Applications made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. PARTIAL CONTRACT SUM	\$ 13,230,000.00
2. Net change by Change Orders	480,689.01
3. CONTRACT SUM TO DATE (Line 1+2)	\$ 13,710,689.01
4. TOTAL COMPLETED & STORED TO DATE	\$ 5,534,048.11
(Column G on G703)	
5. RETAINAGE:	
a. 10% of Completed Work	\$ 553,404.81
(Column D + E on G703)	
b. 10% of Stored Material	\$ -
(Column F on G703)	
Total Retainage (Line 5a + 5b or	
Total in Column I of G703)	\$ 553,404.81
6. TOTAL EARNED LESS RETAINAGE	\$ 4,980,643.30
(Line 4 less Line 5 Total)	
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ 4,626,186.40
(Line 6 from prior Certificate)	
8. CURRENT PAYMENT DUE	\$ 354,456.90
9. BALANCE TO FINISH, PLUS RETAINAGE	\$ 8,730,045.71
(Line 3 less Line 6)	

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total Changes approved in previous months by Owner		
Total Approved this Month		
TOTALS	-	-
NET CHANGES by Change Order	480,689.01	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

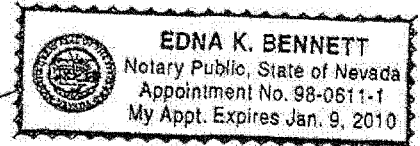
CONTRACTOR: Robert D. Johnson Date: 9/19/08
Robert D. Johnson, Vice President

State Of: NEVADA
County Of: CLARK

Subscribed and sworn to before me this 19th day of September, 2008

Edna K. Bennett
Notary Public:

My Commission expires: 1/9/2010



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certified to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$354,456.90

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the prejudice to any rights of the Owner or Contractor under this Contract.

E 100664

JA002409

APCO-TR-EX0060-0004



Helix Electric
CONSTRUCTORS • ENGINEERS

Cameo Pacific
2925 E Patrick Lane Suite G
Las Vegas, NV 89120
Attn: Yvonne Farron

ATTACHMENT 9

INVOICE # 16713-013
CUSTOMER # 1611

INVOICE DATE: 20-Oct-08
PERIOD THRU: 10/31/2008
OUR JOB NO.: 16713

JOB NAME: Manhattan West

YOUR JOB NO.:

ORIGINAL CONTRACT		13,230,000.00
CHANGE ORDER THROUGH #		480,689.01
CONTRACT AMOUNT TO DATE		13,710,689.01
GROSS BILLING	43%	5,935,289.71 (43)
PREVIOUSLY BILLED		5,534,048.11 (42)
GROSS CURRENT PERIOD		401,241.60
RETENTION	10%	40,124.16
NET AMOUNT DUE THIS PERIOD		361,117.44
OUTSTANDING FROM PRIOR PERIOD	Inv #16713-011 Inv #16713-012	334,710.00 354,456.90
TOTAL AMOUNT DUE		1,050,284

Penalty in B&B code section 7108.5 a penalty of 2% per month of the amount owed, plus attorney's fees if required for collection, shall be assessed to this invoice for payments not received within 30 days of receipt of progress payments from owner.

3078 AE. Sunset Road, #9, Las Vegas, NV 89120 Tel (702) 732-1188 Fax (702) 732-4388
Nevada Contractor's License #0053810

16 = 1666.67
87 = 1666.67
164 = 1666.67
412 = 1666.67
577 = 1666.67
731 = 1666.67

19 = 2000.00
20 = 2600.00
91 = 425.00
168 = 425.00
416 = 1710
581 = 2420
735 = 2420
22 = 2500
94 = 3550

Approved
\$189,435.58
gross
\$170,492.03

01391

JA002410

APCO-TR-EX0060-0005

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

Page 1 of 2

TO (Owner): **Camco Pacific**
 2925 E Patrick Lane Suite G
 Las Vegas, NV 89120
 Attn: Yvonne Farren

PROJECT: **Manhattan Condominiums**
 30 E. Serene
 Las Vegas, NV 89123

FROM: **Helix Electric**
 (Contractor) 3078 E. Sunset Rd., Ste#9
 Las Vegas, NV 89120

VIA (ARCHITECT):

APPLICATION NUMBER: 16713-013
 PERIOD TO: 10/31/2008
 PROJECT NOS

CONTRACT DATE:

Distribution to:	OWNER
	ARCHITECT
	CONTRACTOR

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Applications made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. PARTIAL CONTRACT SUM \$ 13,230,000.00
 2. Net change by Change Orders 480,689.01
 3. CONTRACT SUM TO DATE (Line 1+2) \$ 13,710,689.01
 4. TOTAL COMPLETED & STORED TO DATE \$ 5,935,289.97 (83)
 (Column G on G703)
 5. RETAINAGE:
 a. 10% of Completed Work \$ 593,528.97
 (Column D + E on G703)
 b. 10% of Stored Material \$ -
 (Column F on G703)
 Total Retainage (Line 5a + 5b or
 Total in Column I of G703) \$ 593,528.97
 6. TOTAL EARNED LESS RETAINAGE \$ 6,341,760.74
 (Line 4 less Line 5 Total)
 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 4,980,643.30
 (Line 6 from prior Certificate)
 8. CURRENT PAYMENT DUE \$ 361,117.44
 9. BALANCE TO FINISH, PLUS RETAINAGE \$ 8,368,928.27
 (Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total Changes approved in previous months by Owner		
Total Approved this Month		
TOTALS		
NET CHANGES by Change Order	480,689.01	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By:

Robert D. Johnson, Vice President

Date: 10/20/08

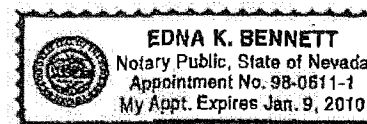
State Of: NEVADA

County Of: CLARK

Subscribed and sworn to before
 me this 20th day of October, 2008

Notary Public:

My Commission expires: 1/9/2010.



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certified to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$361,117.44

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By:

Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the prejudice to any rights of the Owner or Contractor under this Contract.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002412

NEVADA CONSTRUCTION SERVICES - TRUST ACCOUNT (B) 528387 PHASE I CHECK NO. 528387

INVOICE	CAT. NO.	INV. DT.	AMOUNT	RETN.	NET AMOUNT	DESCRIPTION
CONDOS		08/28/08	235485.1123549.00	211936.11	CONDOS	ON BHLF OF GEMSTONE
			16713 andy Kwon June			VOUCHER# SR8.18-01
						JOB # 16713 FILE # 1 OTHER June
					CHK TOTAL: 211936.11	

TACH AND RETAIN FOR YOUR RECORDS

NEVADA CONSTRUCTION SERVICES
2500 N. BUFFALO DRIVE, SUITE 140
LAS VEGAS, NEVADA 89128
(702) 251-1150

TRUST ACCOUNT (B)

CONTROL NO. 528387
CHECK NUMBER 528387
CHECK DATE 08/28/08

THIS CHECK WILL NOT BE HONORED IF PRESENTED 6 MONTHS AFTER THE ISSUE DATE

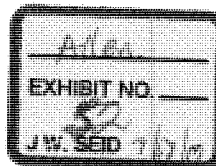
PAY ***211,936*DOLLARS*AND*11*CENTS

APCO CONSTRUCTION AND
HELIX ELECTRIC

AMOUNT ***211,936.11*

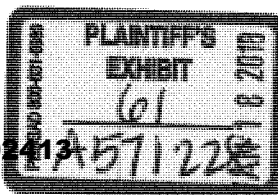
528387 122400724 048372999

THE ORIGINAL DOCUMENT HAS A WHITE REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO SEE THE MARK WHEN CHECKING THE ENDORSEMENTS.



HELIX00282

JA002413



APCO-TR-EX0061-0001
PLTF'S PROPOSED EXHIBIT
NO. 61
Case No. A571228

**UNCONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT**

Property Name Manhattan West

Property Location Russell Road/Rocky Hill Street

Undersigned's Customer Apco Construction

Invoice/Payment Application Number All invoices through 6/30/08

Payment Amount \$211,936.11

The undersigned has been paid and has received a progress payment in the above referenced Payment Amount for all work, materials and equipment the undersigned furnished to his Customer for the above described Property and does hereby waive and release any notice of lien, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to payment rights that the undersigned has on the above described Property to the following extent:

This release covers a progress payment for the work, materials and equipment furnished by the undersigned to the Property or to the Undersigned's Customer which are the subject of the Invoice or Payment Application, but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any items, modifications or changes pending approval, disputed items and claims, or items furnished that are not paid. The undersigned warrants that he either has already paid or will use the money he receives from this progress payment promptly to pay in full all his laborers, subcontractors, materialmen and suppliers for all the work, materials or equipment that are the subject of this waiver and release.

Dated September 3, 2008

Helix Electric

(Company Name)

By

Robert D. Johnson

Title

Robert D. Johnson, Vice President

Notice: This document waives rights unconditionally and states that you have been paid for giving up those rights. This document is enforceable against you if you sign it to the extent of the Payment Amount or the amount received. If you have not been paid, use a conditional release form.

HELIX00283

JA002414

APCO-TR-EX0061-0002



Helix Electric
CONSTRUCTORS • ENGINEERS

INVOICE # 16713-009R5

CUSTOMER # 1611

Apco Construction
3432 N. 5th Street
North Las Vegas, Nv. 89032
Attn: Shawn Bowne

INVOICE DATE: 20-Jun-08

PERIOD THRU: 6/30/2008

OUR JOB NO.: 16713

JOB NAME: Manhattan West

YOUR JOB NO.:

ORIGINAL CONTRACT		13,230,000.00
CHANGE ORDER THROUGH #		394,837.00
CONTRACT AMOUNT TO DATE		13,624,837.00
GROSS BILLING	31%	4,201,357.11
PREVIOUSLY BILLED		3,965,872.00
GROSS CURRENT PERIOD		235,485.11
RETENTION	10%	23,548.51
NET AMOUNT DUE THIS PERIOD		211,936.60
OUTSTANDING FROM PRIOR PERIOD		

TOTAL AMOUNT DUE 211,937

Pursuant to NRS code section 7108.5 a penalty of 2% per month of the amount owed, plus attorney's fees if required for collection, shall be assessed to this invoice for payments not received within 10 days of receipt of progress payments from owner.

3078 AE. Sunset Road, #9, Las Vegas, NV 89120 Tel (702) 732-1188 Fax (702) 732-4386
Nevada Contractor's License #0053810

HELIX00284

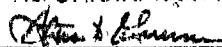
JA002415

APCO-TR-EX0061-0003



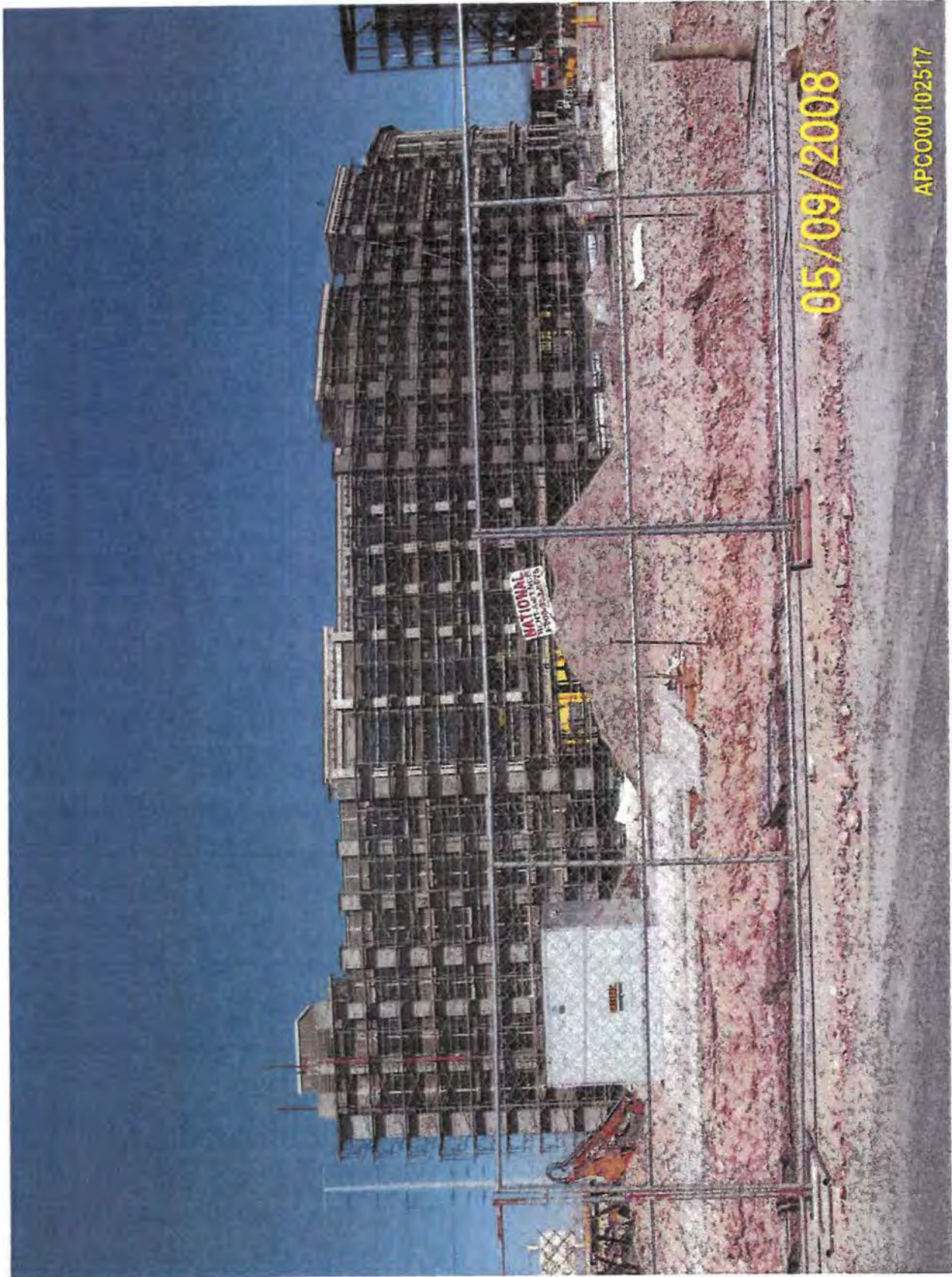
APCO-TR-EX0062-0001
PLTF'S PROPOSED EXHIBIT
NO. 62
Case No. A571228

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002417

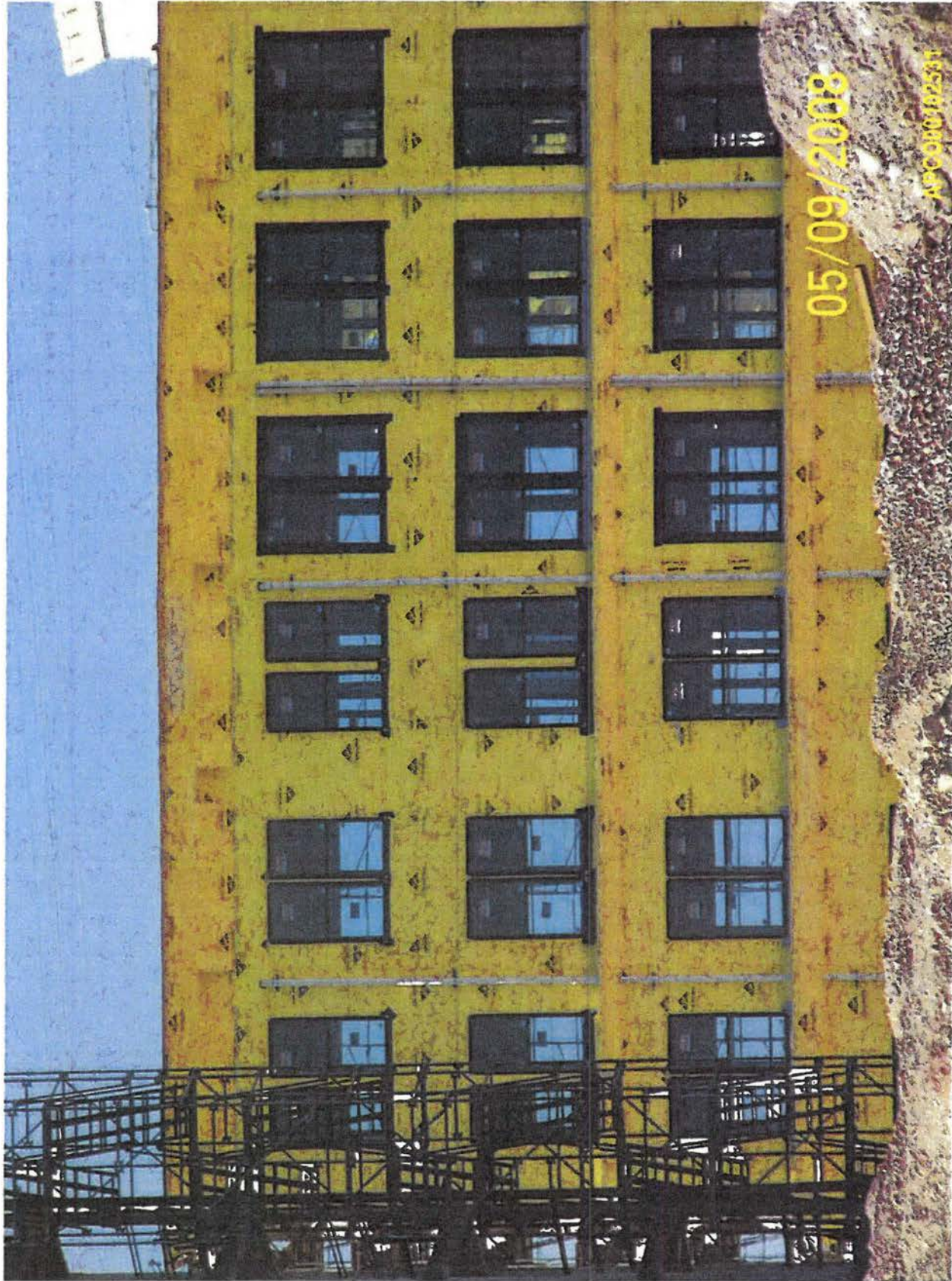


APCO-TR-EX0063-0001
PLTF'S PROPOSED EXHIBIT
NO. 63
Case No. A571228

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

[Signature]
CLERK OF THE COURT

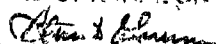
JA002419



PLAINTIFFS
EXHIBIT
64
A571228
PENGAD 800-631-6989
18 2018

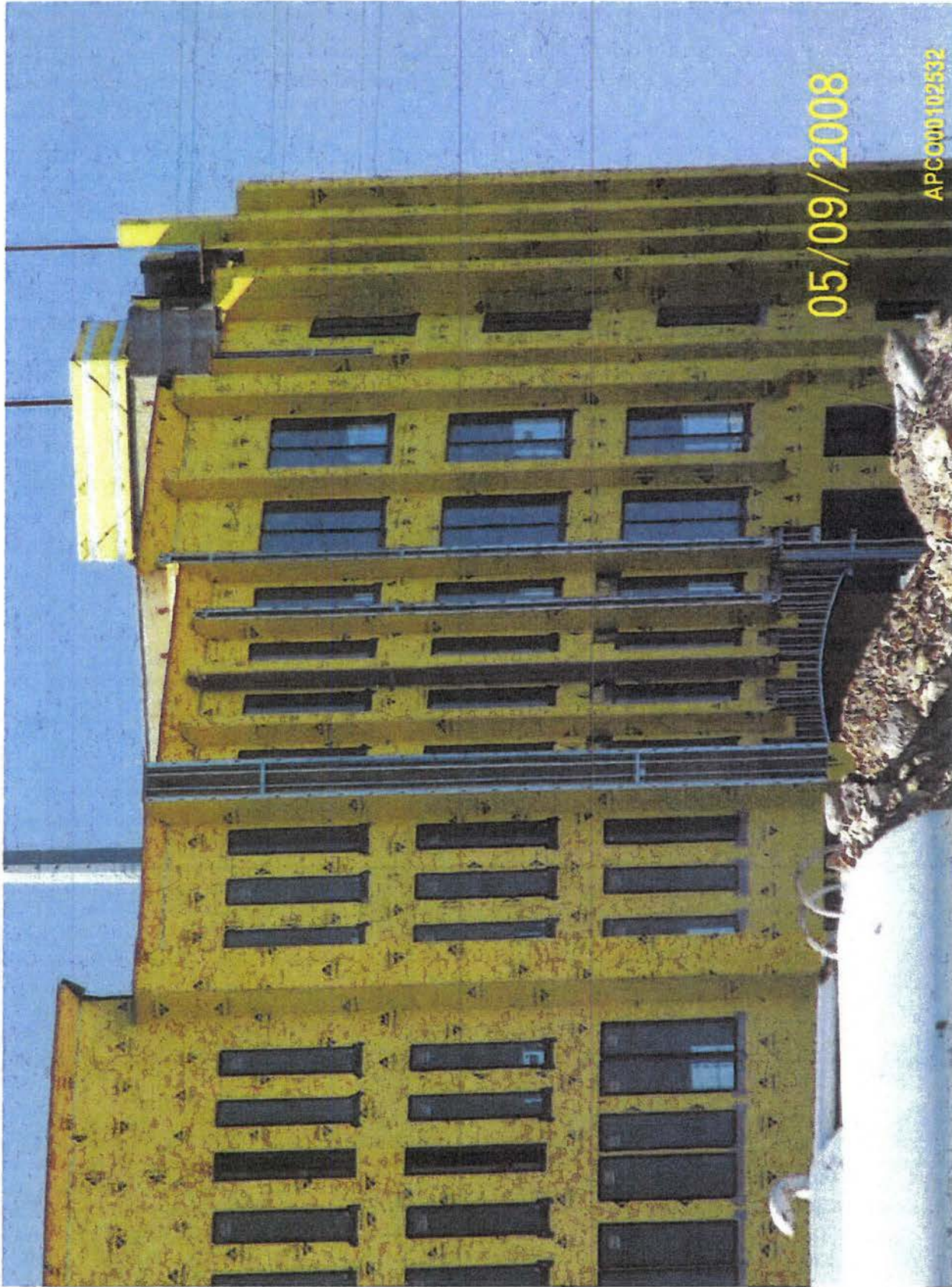
APCO-TR-EX0064-0001
PLTF'S PROPOSED EXHIBIT
NO. 64
Case No. A571228

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



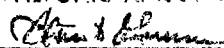
CLERK OF THE COURT

JA002421



APCO-TR-EX0065-0001
PLTF'S PROPOSED EXHIBIT
NO. 65
Case No. A571228

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002423



LETTER OF TRANSMITTAL

TO: Apco Construction
3432 N. 5th Street
North Las Vegas, Nv. 89032

ATTN: Attn: Shawn Bowne

DATE:	9/29/2008	JOB NO.	16713
RE:	Manhattan West		
PWP#:			

WE ARE SENDING YOU ☐ Attached ☐ Under separate cover via _____ the following items

☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of Letter ☐ Change Order ☐ _____ ☐ Submittals

[illegible]

THESE ARE TRANSMITTED as checked below:

☐ For approval
☐ For your use
☐ As requested
☐ For review and comment
☐ FOR BIDS DUE _____ 20____

☐ Approved as submitted
☐ Approved as noted
☐ Returned for corrections
☐ _____

☐ Resubmit _____ copies for approval
☐ Submit _____ copies for distribution
☐ Return _____ corrected prints
☐ _____

☐ PRINTS RETURNED AFTER LOAN TO US

[illegible]

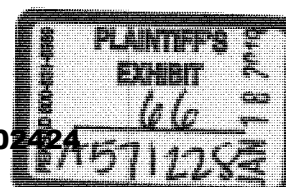
Name: Edna K Bennett
Title: Project Assistant

PO#
FX# (702) 450-8227

Received by: EC/07
Printed Name: EC/07
Date: 9/29/08

HELIX00376

JA002424



APCO-TR-EX0066-0001
PLTF'S PROPOSED EXHIBIT
NO. 66
Case No. A571228



Helix Electric
CONSTRUCTORS • ENGINEERS

Apco Construction
3432 N. 5th Street
North Las Vegas, Nv. 89032
Attn: Shawn Bowne

INVOICE # 16713-011R1
CUSTOMER # 1611

JOB # 16713
FILE # 1
OTHER Apco for
lien

INVOICE DATE: 20-Aug-08

PERIOD THRU: 8/31/2008

OUR JOB NO.: 16713

JOB NAME: Manhattan West

YOUR JOB NO.:

ORIGINAL CONTRACT		13,230,000.00
CHANGE ORDER THROUGH #		341,081.00
CONTRACT AMOUNT TO DATE		13,571,081.00
GROSS BILLING	38%	5,131,207.11
PREVIOUSLY BILLED		4,768,307.11
GROSS CURRENT PERIOD		362,900.00
RETENTION	10%	36,290.00
NET AMOUNT DUE THIS PERIOD		326,610.00
OUTSTANDING FROM PRIOR PERIOD		
 TOTAL AMOUNT DUE		 326,610

Pursuant to B&P code section 7108.5 a penalty of 2% per month of the amount owed, plus attorney's fees if required for collection, shall be assessed to this invoice for payments not received within 10 days of receipt of progress payments from owner.

3078 AE. Sunset Road, #9, Las Vegas, NV 89120 Tel (702) 732-1188 Fax (702) 732-4386
Nevada Contractor's License #0053810

HELIX00377

JA002425

APCO-TR-EX0066-0002

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

Page 1 of 2

TO (Owner): **Apco Construction**
 3432 N. 5th Street
 North Las Vegas, Nv. 89032
 Attn: Shawn Bowne

PROJECT: **Manhattan Condominiums**
 30 E. Sereha
 Las Vegas, NV 89123

FROM: **Helix Electric**
 (Contractor) 3078 E. Sunset Rd., Ste#9
 Las Vegas, NV 89120

VIA (ARCHITECT):

APPLICATION NUMBER: 16713-011R1
 PERIOD TO: 8/31/2008
 PROJECT NOS
 CONTRACT DATE:

Distribution to:
☐ OWNER
☐ ARCHITECT
☐ CONTRACTOR

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Applications made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. PARTIAL CONTRACT SUM \$ 13,230,000.00
 2. Net change by Change Orders 341,081.00
 3. CONTRACT SUM TO DATE (Line 1+2) \$ 13,571,081.00
 4. TOTAL COMPLETED & STORED TO DATE \$ 5,131,207.11
 (Column G on G703)

5. RETAINAGE:
 a. 10% of Completed Work \$ 513,120.71
 (Column D + E on G703)
 b. 10% of Stored Material \$
 (Column F on G703)
 Total Retainage (Line 5a + 5b or
 Total in Column I of G703) \$ 513,120.71

6. TOTAL EARNED LESS RETAINAGE \$ 4,618,086.40
 (Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 4,291,475.40
 (Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE \$ 328,610.00
 9. BALANCE TO FINISH, PLUS RETAINAGE \$ 8,952,994.60
 (Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total Changes approved in previous months by Owner		
Total Approved this Month		
TOTALS	-	-
NET CHANGES by Change Order	341,081.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Robert D. Johnson
 By: Robert D. Johnson Date: 8/20/08
 Robert D. Johnson, Vice President

State Of: NEVADA
 County Of: CLARK

Subscribed and sworn to before me this 20th day of August, 2008

Edna K. Bennett
 Notary Public:

My Commission expires: 1/9/2010



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certified to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$328,610.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the prejudice to any rights of the Owner or Contractor under this Contract.

APCO-TR-EX0066-0003

I X00378

JA002426

CONTINUATION SHEET

AIA DOCUMENT G703

Page 2 of 2

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column 1 on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER: 16713-011R1
APPLICATION DATE: 8/20/2008
PERIOD TO: 8/31/2008
ARCHITECT'S PROJECT NO:

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D O R E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
1	ELECTRICAL ENGINEERING	155,000.00	83,700.00			83,700.00	54%	71,300.00	8,370.00
2	MOBILIZATION	60,000.00	60,000.00			60,000.00	100%	-	6,000.00
3	Office Trailer/Admin. 24 months	120,000.00	55,000.00	5,000.00		60,000.00	50%	60,000.00	6,000.00
4	Project Engineer, CAD, Project Assistant	75,000.00	59,875.00	7,500.00		67,375.00	90%	7,625.00	8,737.50
5	Electrical Permits	65,000.00	40,000.00			40,000.00	62%	25,000.00	4,000.00
6	Submittals	10,000.00	10,000.00			10,000.00	100%	-	1,000.00
7	Supervision/Planning/Coordination	120,000.00	98,250.00	12,000.00		108,250.00	90%	11,750.00	10,825.00
8	BUILDING #1-TYPE V (32 units)								
9	Light Fixture Package	76,000.00	-			-		76,000.00	-
10	Distribution Package	70,000.00	-			-		70,000.00	-
11	Low Voltage Systems (FA, CCTV, CA, etc)	40,000.00	-			-		40,000.00	-
12	Underlab Branch Conduit & Wire	57,000.00	-			-		57,000.00	-
13	Garage & 1st floor deck-conduit/wire	275,000.00	-			-		275,000.00	-
14	1st Floor Rough Walls/Ceilings	65,000.00	-			-		65,000.00	-
15	1st Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
16	2nd Floor Rough Walls/Ceilings	65,000.00	-			-		65,000.00	-
17	2nd Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
18	3rd Floor Rough Walls/Ceilings	65,000.00	-			-		65,000.00	-
19	3rd Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
20	4th Floor Rough Walls/Ceilings	65,000.00	-			-		65,000.00	-
21	4th Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
22	BUILDING #2-TYPE II								
23	Light Fixture Package	65,500.00	58,950.00			58,950.00	90%	6,550.00	5,895.00
24	Distribution Package	25,000.00	22,500.00	2,500.00		25,000.00	100%	-	2,500.00
25	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	37,500.00	2,500.00		40,000.00	80%	10,000.00	4,000.00
26	2nd Sublevel Garage UG and Deck	200,000.00	190,000.00			190,000.00	95%	10,000.00	19,000.00
27	1st Sublevel Garage and Deck	255,000.00	242,500.00			242,500.00	95%	12,500.00	24,250.00
28	1st Floor Rough and Trim	25,000.00	17,500.00	5,000.00		22,500.00	90%	2,500.00	2,250.00
29	2nd Floor Rough and Trim	25,000.00	17,500.00	5,000.00		22,500.00	90%	2,500.00	2,250.00
30	3rd Floor Rough and Trim	25,000.00	17,500.00	5,000.00		22,500.00	90%	2,500.00	2,250.00
31	4th Floor Rough and Trim	25,000.00	17,500.00	5,000.00		22,500.00	90%	2,500.00	2,250.00
32	Roof Plan	2,500.00	-			-		2,500.00	-
33	BUILDING #3-TYPE II								
34	Light Fixture Package	65,500.00	58,950.00			58,950.00	90%	6,550.00	5,895.00
35	Distribution Package	25,000.00	22,500.00			22,500.00	90%	2,500.00	2,250.00
36	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	20,000.00	5,000.00		25,000.00	50%	25,000.00	2,500.00
37	2nd Sublevel Garage UG and Deck	200,000.00	190,000.00			190,000.00	95%	10,000.00	19,000.00
38	1st Sublevel Garage and Deck	255,000.00	242,500.00			242,500.00	95%	12,500.00	24,250.00
39	1st Floor Rough and Trim	25,000.00	5,000.00	5,000.00		10,000.00	40%	15,000.00	1,000.00
40	2nd Floor Rough and Trim	25,000.00	5,000.00	5,000.00		10,000.00	40%	15,000.00	1,000.00
41	3rd Floor Rough and Trim	25,000.00	5,000.00	5,000.00		10,000.00	40%	15,000.00	1,000.00
42	4th Floor Rough and Trim	25,000.00	5,000.00	5,000.00		10,000.00	40%	15,000.00	1,000.00
43	Roof Plan	2,500.00	-			-		2,500.00	-
44	BUILDING #4-TYPE V (52 units)								
45	Light Fixture Package	76,000.00	-			-		76,000.00	-

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APCO-TR-EX0066-0004

A	B	C	D		F	G	H	I	
			WORK COMPLETED						
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
46	Distribution Package	70,000.00	-	-	-	-	-	70,000.00	-
47	Low Voltage Systems (FA, CCTV, CA, etc)	40,000.00	-	-	-	-	-	40,000.00	-
48	Underslab Branch Conduit & Wire	57,000.00	-	-	-	-	-	57,000.00	-
49	Garage & 1st floor deck-conduit/wire	275,000.00	-	-	-	-	-	275,000.00	-
50	1st Floor Rough Walls/Ceilings	65,000.00	-	-	-	-	-	65,000.00	-
51	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
52	2nd Floor Rough Walls/Ceilings	65,000.00	-	-	-	-	-	65,000.00	-
53	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
54	3rd Floor Rough Walls/Ceilings	65,000.00	-	-	-	-	-	65,000.00	-
55	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
56	4th Floor Rough Walls/Ceilings	65,000.00	-	-	-	-	-	65,000.00	-
57	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
58	BUILDING #5-TYPE I (76 units)	-	-	-	-	-	-	-	-
59	Light Fixture Package	106,000.00	-	-	-	-	-	106,000.00	-
60	Distribution Package	83,000.00	-	-	-	-	-	83,000.00	-
61	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	-	-	-	-	-	50,000.00	-
62	Underslab Branch Conduit & Wire	85,000.00	-	-	-	-	-	85,000.00	-
63	Garage & 1st floor deck-conduit/wire	400,000.00	-	-	-	-	-	400,000.00	-
64	1st Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
65	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
66	2nd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
67	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
68	3rd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
69	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
70	4th Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
71	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
72	BUILDING #6-TYPE I (76 units)	-	-	-	-	-	-	-	-
73	Light Fixture Package	106,000.00	-	-	-	-	-	106,000.00	-
74	Distribution Package	83,000.00	-	-	-	-	-	83,000.00	-
75	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	-	-	-	-	-	50,000.00	-
76	Underslab Branch Conduit & Wire	85,000.00	-	-	-	-	-	85,000.00	-
77	Garage & 1st floor deck-conduit/wire	400,000.00	-	-	-	-	-	400,000.00	-
78	1st Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
79	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
80	2nd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
81	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
82	3rd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
83	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
84	4th Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
85	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
86	BUILDING #7-TYPE III (76 units)	-	-	-	-	-	-	-	-
87	Light Fixture Package	141,000.00	92,250.00	-	-	92,250.00	65%	48,750.00	9,225.00
88	Distribution Package	225,000.00	158,000.00	34,000.00	-	192,000.00	85%	33,000.00	19,200.00
89	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	10,000.00	10,000.00	-	20,000.00	40%	30,000.00	2,000.00
90	Generator	100,000.00	95,000.00	-	-	95,000.00	95%	5,000.00	9,500.00
91	Underslab Branch Conduit & Wire	68,000.00	64,500.00	-	-	64,500.00	95%	3,500.00	6,450.00
92	Garage & 1st floor deck-conduit/wire	330,000.00	313,500.00	-	-	313,500.00	95%	16,500.00	31,350.00
93	1st Floor Rough Deck/Walls/Ceilings	95,500.00	47,750.00	-	-	47,750.00	50%	47,750.00	4,775.00
94	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
95	2nd Floor Rough Deck/Walls/Ceilings	95,500.00	76,750.00	4,500.00	-	81,250.00	85%	14,250.00	8,125.00
96	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
97	3rd Floor Rough Deck/Walls/Ceilings	95,500.00	76,750.00	4,500.00	-	81,250.00	85%	14,250.00	8,125.00

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APCO-TR-EX0066-0005

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	H % (G / C)	I BALANCE TO FINISH (C - G)	J RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
98	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
99	4th Floor Rough Deck/Walls/Ceilings	95,500.00	86,850.00	14,400.00	-	81,250.00	85%	14,250.00	8,125.00
100	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
101	5th Floor Rough Deck/Walls/Ceilings	95,500.00	47,750.00	33,500.00	-	81,250.00	85%	14,250.00	8,125.00
102	5th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
103	6th Floor Rough Deck/Walls/Ceilings	95,500.00	47,750.00	-	-	47,750.00	50%	47,750.00	4,775.00
104	6th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
105	7th Floor Rough Deck/Walls/Ceilings	95,500.00	47,750.00	-	-	47,750.00	50%	47,750.00	4,775.00
106	7th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
107	8th Floor Rough Deck/Walls/Ceilings	95,500.00	29,000.00	18,750.00	-	47,750.00	50%	47,750.00	4,775.00
108	8th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
109	9th Floor Rough Deck/Walls/Ceilings	95,500.00	29,000.00	18,750.00	-	47,750.00	50%	47,750.00	4,775.00
110	9th Floor Device and Fixture Trim	5,000.00	-	-	-	-	-	5,000.00	-
111	BUILDING #8-TYPE I (75 units)	-	-	-	-	-	-	-	-
112	Light Fixture Package	106,000.00	84,500.00	11,000.00	-	95,500.00	90%	10,500.00	9,550.00
113	Distribution Package	83,000.00	79,500.00	-	-	79,500.00	95%	4,500.00	7,850.00
114	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	35,000.00	10,000.00	-	45,000.00	90%	5,000.00	4,500.00
115	Underslab Branch Conduit & Wire	85,000.00	76,500.00	-	-	76,500.00	90%	8,500.00	7,650.00
116	Garage & 1st floor deck-conduit/wire	400,000.00	380,000.00	-	-	380,000.00	95%	20,000.00	38,000.00
117	1st Floor Rough Walls/Ceilings	75,000.00	71,250.00	-	-	71,250.00	95%	3,750.00	7,125.00
118	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
119	2nd Floor Rough Walls/Ceilings	75,000.00	71,250.00	-	-	71,250.00	95%	3,750.00	7,125.00
120	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
121	3rd Floor Rough Walls/Ceilings	75,000.00	67,750.00	3,500.00	-	71,250.00	95%	3,750.00	7,125.00
122	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
123	4th Floor Rough Walls/Ceilings	75,000.00	67,750.00	3,500.00	-	71,250.00	95%	3,750.00	7,125.00
124	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
125	BUILDING #9-TYPE I (76 units)	-	-	-	-	-	-	-	-
126	Light Fixture Package	106,000.00	84,500.00	11,000.00	-	95,500.00	90%	10,500.00	9,550.00
127	Distribution Package	83,000.00	79,000.00	-	-	79,000.00	95%	4,000.00	7,900.00
128	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	35,000.00	10,000.00	-	45,000.00	90%	5,000.00	4,500.00
129	Underslab Branch Conduit & Wire	85,000.00	76,500.00	-	-	76,500.00	90%	8,500.00	7,650.00
130	Garage & 1st floor deck-conduit/wire	400,000.00	380,000.00	-	-	380,000.00	95%	20,000.00	38,000.00
131	1st Floor Rough Walls/Ceilings	75,000.00	71,250.00	-	-	71,250.00	95%	3,750.00	7,125.00
132	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
133	2nd Floor Rough Walls/Ceilings	75,000.00	71,250.00	-	-	71,250.00	95%	3,750.00	7,125.00
134	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
135	3rd Floor Rough Walls/Ceilings	75,000.00	67,750.00	3,500.00	-	71,250.00	95%	3,750.00	7,125.00
136	3rd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
137	4th Floor Rough Walls/Ceilings	75,000.00	67,750.00	3,500.00	-	71,250.00	95%	3,750.00	7,125.00
138	4th Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
139	BUILDING #10-TYPE I (76 units)	-	-	-	-	-	-	-	-
140	Light Fixture Package	106,000.00	-	-	-	-	-	106,000.00	-
141	Distribution Package	83,000.00	-	-	-	-	-	83,000.00	-
142	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	-	-	-	-	-	50,000.00	-
143	Underslab Branch Conduit & Wire	85,000.00	-	-	-	-	-	85,000.00	-
144	Garage & 1st floor deck-conduit/wire	400,000.00	-	-	-	-	-	400,000.00	-
145	1st Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
146	1st Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
147	2nd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-
148	2nd Floor Device and Fixture Trim	10,000.00	-	-	-	-	-	10,000.00	-
149	3rd Floor Rough Walls/Ceilings	75,000.00	-	-	-	-	-	75,000.00	-

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A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	H % (G / C)	I BALANCE TO FINISH (C - G)	J RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
150	3rd Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
151	4th Floor Rough Walls/Ceilings	75,000.00	-			-		75,000.00	-
152	4th Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
153	BUILDING #11-TYPE I (76 units)		-			-		-	-
154	Light Fixture Package	106,000.00	-			-		106,000.00	-
155	Distribution Package	83,000.00	-			-		83,000.00	-
156	Low Voltage Systems (FA, CCTV, CA, etc)	50,000.00	-			-		50,000.00	-
157	Underlab Branch Conduit & Wire	85,000.00	-			-		85,000.00	-
158	Garage & 1st floor deck-conduit/wire	400,000.00	-			-		400,000.00	-
159	1st Floor Rough Walls/Ceilings	75,000.00	-			-		75,000.00	-
160	1st Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
161	2nd Floor Rough Walls/Ceilings	75,000.00	-			-		75,000.00	-
162	2nd Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
163	3rd Floor Rough Walls/Ceilings	75,000.00	-			-		75,000.00	-
164	3rd Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
165	4th Floor Rough Walls/Ceilings	75,000.00	-			-		75,000.00	-
166	4th Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
167	BUILDING #12-TYPE IV (66 units)		-			-		-	-
168	Light Fixture Package	96,000.00	-			-		96,000.00	-
169	Distribution Package	77,500.00	-			-		77,500.00	-
170	Low Voltage Systems (FA, CCTV, CA, etc)	45,000.00	-			-		45,000.00	-
171	Underlab Branch Conduit & Wire	76,000.00	-			-		76,000.00	-
172	Garage & 1st floor deck-conduit/wire	350,000.00	-			-		350,000.00	-
173	1st Floor Rough Walls/Ceilings	70,000.00	-			-		70,000.00	-
174	1st Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
175	2nd Floor Rough Walls/Ceilings	70,000.00	-			-		70,000.00	-
176	2nd Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
177	3rd Floor Rough Walls/Ceilings	70,000.00	-			-		70,000.00	-
178	3rd Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
179	4th Floor Rough Walls/Ceilings	70,000.00	-			-		70,000.00	-
180	4th Floor Device and Fixture Trim	10,000.00	-			-		10,000.00	-
181	SITE LIGHTING		-			-		-	-
182	Furnish Landscape Lighting	257,000.00	-			-		257,000.00	-
183	Furnish Courtyard Lighting	59,000.00	-			-		59,000.00	-
184	Furnish Sports Lighting	6,000.00	-			-		6,000.00	-
185	Furnish Parking Lot Pole Lighting	84,000.00	-			-		84,000.00	-
186			-			-		-	-
187			-			-		-	-
188			-			-		-	-
189			-			-		-	-
190			-			-		-	-
191			-			-		-	-
192			-			-		-	-
193			-			-		-	-
194			-			-		-	-
195			-			-		-	-
196			-			-		-	-
197			-			-		-	-
198			-			-		-	-
199			-			-		-	-
200			-			-		-	-
201			-			-		-	-
202			-			-		-	-
203			-			-		-	-
204			-			-		-	-
205			-			-		-	-
Original Contract Totals		13,230,000.00	4,648,325.00	268,900.00		4,917,225.00	37%	8,312,775.00	491,722.50

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JA002430

APCO-TR-EX0066-0007

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	H % (G / C)	I BALANCE TO FINISH (C - G)	J RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	CHANGE ORDERS								
206	CO#1-Contract Adjustment (inc. above)								
207	CO#2-Apco Trailer Hookup	1,622.00	1,622.00	-		1,622.00	100%	-	162.20
208	CO#3-Options (voided change order #)								
209	CO#4-Overtime B8 & B9	10,000.00	10,000.00	-		10,000.00	100%	-	1,000.00
210	CO#5-Delete Utility Stubs Phase I	(15,000.00)	(15,000.00)	-		(15,000.00)	100%	-	(1,500.00)
211	CO#6-Delete Site Conduits-Phase I & II	(13,000.00)	(13,000.00)	-		(13,000.00)	100%	-	(1,300.00)
212	CO#7-Building #9 Options	54,643.00	26,261.96	17,500.00		43,781.96	80%	10,761.04	4,378.20
213	CO#8a-Building #8 Options	62,053.00	27,096.00	22,500.00		49,596.00	80%	12,457.00	4,959.60
214	CO#9-Split Delta 5	53,756.00	33,866.40	9,000.00		42,866.40	80%	10,889.60	4,286.64
215	Delta 3 Changes	92,117.00	24,180.75	22,000.00		46,180.75	50%	45,936.25	4,818.08
216	Delta 5 Changes	94,990.00	24,935.00	23,000.00		47,935.00	50%	47,055.00	4,793.50
217									
218									
219									
220									
221									
222									
223									
224									
225									
226									
227									
228									
229	Delta 2 Changes \$354,780.00								
230	Add Dampers Exhaust Fans \$69,900.00								
231									
232									
233									
234									
235									
236									
	Total Change Orders	341,081.00	119,982.11	94,000.00		213,982.11	63%	127,098.89	21,398.21
	Total Revised Contract	13,571,081.00	4,768,307.11	362,900.00		5,131,207.11	38%	8,439,873.89	513,120.71

MANHATTAN WEST

PERIOD: Aug-08

HELIX LINE NUMBER	PREVIOUSLY BILLED MATERIAL STORED	MATERIAL STORED THIS PERIOD	MATERIAL REMOVED FROM STORAGE & INSTALLED THIS PERIOD	ACCUMULATIVE TOTAL OF MATERIAL STORED TO DATE
23	\$ 26,000.00		\$ 26,000.00	\$ -
24	\$ 15,000.00		\$ 15,000.00	\$ -
34	\$ 26,000.00		\$ 26,000.00	\$ -
35	\$ 15,000.00		\$ 15,000.00	\$ -
87	\$ 48,250.00		\$ 48,250.00	\$ -
88	\$ 38,000.00		\$ 38,000.00	\$ -
93	\$ 20,000.00		\$ 20,000.00	\$ -
95	\$ 20,000.00		\$ 20,000.00	\$ -
97	\$ 20,000.00		\$ 20,000.00	\$ -
99	\$ 20,000.00		\$ 20,000.00	\$ -
101	\$ 20,000.00		\$ 20,000.00	\$ -
103	\$ 20,000.00		\$ 20,000.00	\$ -
105	\$ 20,000.00		\$ 20,000.00	\$ -
107	\$ 20,000.00		\$ 20,000.00	\$ -
109	\$ 20,000.00		\$ 20,000.00	\$ -
112	\$ 39,500.00		\$ 39,500.00	\$ -
113	\$ 63,000.00		\$ 63,000.00	\$ -
117	\$ 7,500.00		\$ 7,500.00	\$ -
119	\$ 7,500.00		\$ 7,500.00	\$ -
121	\$ 7,500.00		\$ 7,500.00	\$ -
123	\$ 7,500.00		\$ 7,500.00	\$ -
126	\$ 39,500.00		\$ 39,500.00	\$ -
127	\$ 68,000.00		\$ 68,000.00	\$ -
131	\$ 7,500.00		\$ 7,500.00	\$ -
133	\$ 7,500.00		\$ 7,500.00	\$ -
135	\$ 7,500.00		\$ 7,500.00	\$ -
137	\$ 7,500.00		\$ 7,500.00	\$ -
TOTALS	\$ 618,250.00	\$ -	\$ 618,250.00	\$ -

APCO-TR-EX0066-0009



3432 N. 5th Street • North Las Vegas, NV 89032
Phone: (702) 734-0198 • Fax: (702) 734-0396
E-mail: apcoconstruction.com • NCL: 14563

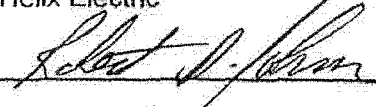
CONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT

Property Name:	Manhattan West
Property Location:	9255 W Russell Road Las Vegas, NV 89148
Undersigned's Customer:	APCO Construction
Inv./Pmt Application No:	16713-011R1
Payment Amount:	\$326,610.00

Upon receipt by the undersigned of a check in the above referenced Payment Amount payable to the undersigned, and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release and the undersigned shall be deemed to waive any notice of lien, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to payment rights that the undersigned has on the above described Property to the following extent:

This release covers a progress payment for the work, materials or equipment furnished by the undersigned to the Property or to the Undersigned's Customer which are the subject of the Invoice or Payment Application, but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any items, modifications or changes pending approval, disputed items and claims, or items furnished that are not paid. Before any recipient of the document relies on it, he should verify evidence of payment to the undersigned. The undersigned warrants that he either has already paid or will use the money he receives from this progress payment promptly to pay in full all laborers, subcontractors, materialmen and suppliers for all work, materials or equipment that are the subject of the waiver and release.

Dated: August 20, 2008

Helix Electric
By: 
Its: Robert D Johnson, Vice President

HELIX00385

JA002433

APCO-TR-EX0066-0010



APCO-000100578

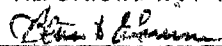
01/10/2008

NATIONAL
FENCE & FENCE
1-800-350-5475

PENGAD 800-631-6989
PLAINTIFF'S
EXHIBIT
67
A571 2288
18 2018

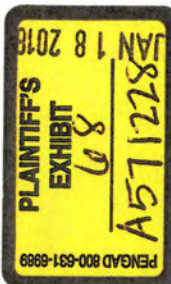
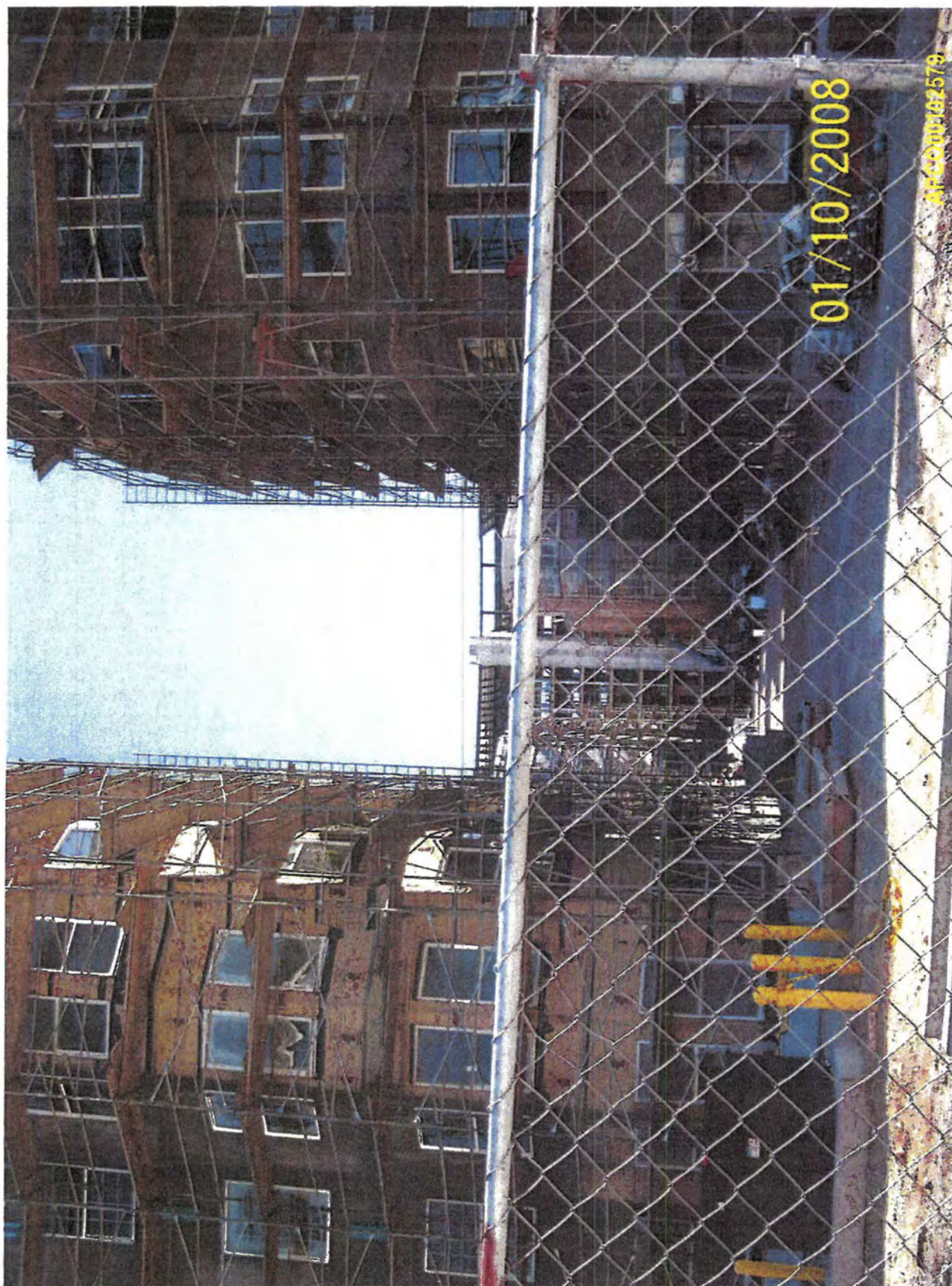
APCO-TR-EX0067-0001
PLTF'S PROPOSED EXHIBIT
NO. 67
Case No. A571228

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002435



APCO-TR-EX0068-0001
PLTF'S PROPOSED EXHIBIT
NO. 68
Case No. A571228

JA002436

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

JA002487 *[Signature]*
CLERK OF THE COURT

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320
Consolidated with 80508

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

JOINT APPENDIX
VOLUME 43 (Part 2)

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cbyrd@fclaw.com
Attorneys for Respondent

CHRONOLOGICAL APPENDIX OF EXHIBITS

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

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

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

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

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

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

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

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

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

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

¹ Filed January 31, 2018

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

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

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

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

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

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

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

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	Trial Exhibit 110 - Photo of Video (Construction Project)	JA002534- JA002535	44
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	Trial Exhibit 113 -Photo of Video (Construction Project)	JA002550- JA002541	44
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	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
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	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
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	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
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	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - Letter from J. Griffith to Victor Fuchs Re: Gemstone's intention to continue retention of Helix w/copy of Ratification and Amendment of Subcontract Agreement	JA002719- JA002730	48

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 173 - Helix Pay Application No. 16713-012 to Camco with proof of payment	JA002731- JA002745	48
	Trial Exhibit 174 - Helix Change Order Request No. 28	JA002746- JA002747	48
	Trial Exhibit 175 - Change Notice No. 41	JA002748- JA002751	48
	Trial Exhibit 176 - Helix Pay Application No. 16713-013 to Camco	JA002752- JA002771	48/49
	Trial Exhibit 177 - Helix Pay Application No. 16713-014 to Camco	JA002772- JA002782	49
	Trial Exhibit 178 - Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	JA002783 JA002797	49
	National Wood/Cabinetec Related Exhibits:		
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	General Related Exhibits:		
	Trial Exhibit 218 - Camco/Owner Pay Application No. 11 w/Backup	JA002826- JA003028	50/51/52
	Trial Exhibit 220 - Camco/Owner Pay Application No. 12 w/Backup	JA003029- JA003333	52/53/54/55
	Trial Exhibit 313 - Letter from A. Edelstein to R. Nickerl re: NRS 624 Notice	JA003334- JA003338	55
	Helix Trial Exhibits:		
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	Trial Exhibit 510 - Unsigned Subcontract	JA003814- JA003927	61/62
	Trial Exhibit 512 - Helix's Lien Notice	JA003928- JA004034	62/63
	Trial Exhibit 522 - Camco Billing	JA004035- JA005281	63/64/65 /66/67/ 68/69/70/ 71/72 /73/74/75 /76/77
01-19-18	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA005282- JA005283	78
01-18-18	Transcript – Bench Trial (Day 2)²	JA005284- JA005370	78
	Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) (<i>Admitted</i>)	JA005371- JA005623	78/79/80
01-19-18	Transcript – Bench Trial (Day 3)³	JA005624- JA005785	80
	Trial Exhibit 231 – Helix Electric's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint (<i>Admitted</i>)	JA005786- JA005801	80
	Trial Exhibit 314 - Declaration of Victor Fuchs in support of Helix's Motion for Partial Summary Judgment against Gemstone (<i>Admitted</i>)	JA005802- JA005804	80

² Filed January 31, 201879

³ Filed January 31, 2018

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

⁴ Filed January 31, 201883

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

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

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

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

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
06-29-18	Helix Electric of Nevada, LLC's Reply Re: Motion to Retax	JA007225- JA007237	100
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
07-19-18	Plaintiff-in-Intervention National Wood Products, Inc.'s Surreply to APCO Construction's Reply to Plaintiff-in-Intervention National Wood Products, Inc.'s Opposition to Motion for Attorney's Fees and Costs	JA007246- JA007261	100
08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
09-28-18	Notice of Entry of (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007313- JA007315	101

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
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	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts	JA008323- JA008338	110

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	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110
	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenetec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc.'s Counterclaim	JA008484- JA008504	111

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	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111
	Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing's Motion for Attorneys's Fees, Interest and Costs	JA008552- JA008579	111/112
	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
	Exhibit 10CC – Heinaman Contract Glazing's Answer to Camco Pacific Construction Company's Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party	JA008602- JA008621	112

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	Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112
	Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008665- JA008681	112
	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
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<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
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	Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment	JA008762- JA008788	113
	Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal	JA008789- JA008798	113

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	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company, Inc.’s Counterclaim	JA008925- JA008947	116/117
	Exhibit 7 – Answer to Cactus Rose’s Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008966- JA008986	117/118

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	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
	Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond	JA009114- JA009116	119
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01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119
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	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
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02-11-20	APCO's Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorney's Fees and Costs; (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA009168- JA009182	120

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply		
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada's Motion for Rule 54(b) Certification	JA009183- JA00991	120
11-06-17	APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting's Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
	Exhibit 6 – Subcontract Agreement dated April 17, 2007	JA000809- JA000826	11/12
	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
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	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008925- JA008947	116/117

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

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	Exhibit 1-B – Declaration of Cody Mounteer in Support of APCO's Supplement to its Motion for Attorney's Fees	JA006639- JA006916	91/92/93 94/95/96
11-14-17	APCO Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in Limine Nos. 1-4	JA000929- JA000940	13/14
	Exhibit 1 – Excerpts from the Deposition Transcript of Mary Jo Allen taken July 18, 2017	JA000941- JA000966	14/15/16
	Exhibit 2 – Helix Electric's Manhattan West Billing/Payment Status through August 2008	JA000967- JA000969	16/17
	Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Rivera taken July 20, 2017	JA000970- JA000993	17/18/19
08-21-17	APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000393- JA000409	6/7
	Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017	JA000410- JA000412	7
03-08-18	APCO Construction Inc.'s Post-Trial Brief	JA006059- JA006124	82/83
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	Exhibit 1 – Special Master Report Regarding Discovery Status	JA001149- JA001151	21
	Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA001152- JA001160	21
06-29-18	APCO Construction, Inc.’s Reply in Support of its Motion for Attorney’s Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99
04-26-10	CAMCO and Fidelity’s Answer and CAMCO’s Counterclaim	JA000031- JA000041	1
11-14-17	Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6	JA000898- JA000905	12
	Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement	JA000906- JA000907	12
	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
	Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs	JA000916- JA000917	13
	Exhibit D – Camco Pacific’s letter dated December 22, 2008	JA000918- JA000920	13
	Exhibit E – Order Approving Sale of Property	JA000921- JA000928	13
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06-15-18	Declaration of S. Judy Hirahara in support of National Woods's Opposition to APCO Construction's Motion for Attorneys' Fees and Costs	JA007121- JA007189	98
06-13-13	Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone	JA000327	6
04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85
11-06-17	Helix Electric of Nevada's Motion <i>in Limine</i> Nos. 1-4	JA000534- JA000542	8
	Exhibit 1 – Notice of Entry of Order	JA000543- JA000549	8
	Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
06-01-18	Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA006551- JA006563	90
	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90
	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
	Exhibit 3 – Prime Interest Rate	JA006581- JA006601	90

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss	JA008171- JA008177	109
	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
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	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008323- JA008338	110
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs	JA008339 JA008347	110
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	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenotec Against APCO	JA008379- JA008450	110/111
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	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc's Counterclaim	JA008484- JA008504	111
	Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal	JA008505- JA008512	111
	Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim	JA008513 JA008517	111
	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
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	Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008602- JA008621	112
	Exhibit 10FF – Voluntary Dismissal of Fidelity and Deposit Company of Maryland Only from Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint Without Prejudice	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
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	Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice	JA008686- JA008693	112
	Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008694- JA008717	112/113
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	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
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	Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017	JA001065 JA001132	20/21
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03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
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	Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001386- JA001392	26
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09-28-18	Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
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	Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000501- JA000511	8
	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
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01-09-18	Peel Brimley Lien Claimants’ Opposition to APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001552- JA001560	27
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07-19-18	Plaintiff-in-Intervention National Wood Products, Inc.'s Surreply to APCO Construction's Reply to Plaintiff-in-Intervention National Wood Products, Inc.'s Opposition to Motion for Attorney's Fees and Costs	JA007246- JA007261	100
01-10-18	Reply in Support of Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimants' Partial Motion for Summary Judgment to Preclude Defenses Based on Pay-if-Paid Provisions on an Order Shortening Time	JA001561- JA001573	27
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	Trial Exhibit 72 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002445- JA002446	43
	Trial Exhibit 73 - Photo re: Building 8 & 9, West (No exterior fixtures installed. Helix billed out 90%)	JA002447- JA002448	43
	Trial Exhibit 74 - Photo re: Building 2 & 3, East (No exterior fixtures installed. Helix billed out 90%)	JA002448- JA002449	43
	Trial Exhibit 75 - Unconditional Release re: Pay Application No. 16713-011R1 with Proof of Payment	JA002450- JA002456	43
	Exhibit 77 - Helix Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA002457- JA002494	43
	Zitting Brothers Related Exhibits:		
	Trial Exhibit 100 - Check No. 14392 payable to Zitting (\$27,973.80); Progress Payment No. 7	JA002495- JA002497	44
	Trial Exhibit 101 - Email from R. Nickerl to R. Zitting re: Change Orders	JA002498- JA002500	44
	Trial Exhibit 102 -Email from L. Lynn to J. Griffith, et al. re: Change Order No. 00011 “pending”	JA002501- JA002503	44

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

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

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

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

⁵ Filed January 31, 2018

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

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

⁶ Filed January 31, 201879

⁷ Filed January 31, 2018

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

⁸ Filed January 31, 2018



APCO-TR-EX0069-0001
PLTF'S PROPOSED EXHIBIT
NO. 69
Case No. A571228

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DOCUMENT ATTACHED IS A
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John S. [Signature]
CLERK OF THE COURT



PLAINTIFFS
EXHIBIT
76
A571228
PENGAD 800-631-6989
18 2018

APCO-TR-EX0070-0001
PLTF'S PROPOSED EXHIBIT
NO. 70
Case No. A571228

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[Signature]

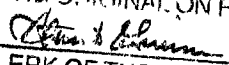
CLERK OF THE COURT

JA002441



APCO-TR-EX0071-0001
PLTF'S PROPOSED EXHIBIT
NO. 71
Case No. A571228

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APC000102642

10/10/2008



APCO-TR-EX0072-0001
PLTF'S PROPOSED EXHIBIT
NO. 72
Case No. A571228

JA002444

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JA002445



NATIONAL
RENT-A-FENCE
1-800-352-5675

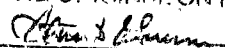
17/10/2008

APC000102655

PLAINTIFFS
EXHIBIT
73
A571228
PENGAD 800-631-6989
18 2018

APCO-TR-EX0073-0001
PLTF'S PROPOSED EXHIBIT
NO. 73
Case No. A571228

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JA002447

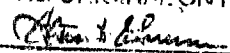


PENGAD 800-631-6989
PLAINTIFF'S
EXHIBIT
74
A571228

APCO-TR-EX0074-0001
PLTF'S PROPOSED EXHIBIT
NO. 74
Case No. A571228

JA002448

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CLERK OF THE COURT

JA002449

EVADA CONSTRUCTION SERVICES - TRUST ACCOUNT 071011YJ0 MANHATTANWEST PHASE I CHECK NO. 0531552C

INVOICE	SAT NO.	INV DT	AMOUNT	RETN.	NET AMOUNT	DESCRIPTION
16713011	11	11/18/08	316356.65	37190.00	279166.65	CONDOS ON BHLF OF APCO/CAMCO
						VOUCHER# SR10.04-00
						JOB # 16713
						FILE # 1
						OTHER

DETACH AND RETAIN FOR YOUR RECORDS

CHK TOTAL: 279166.65

VERIFY THE AUTHENTICITY OF THIS MULTITONE SECURITY DOCUMENT. AS CHECK BACKGROUND ARE CHANGES COLOR OR GRADUAL TONE TO TOP TO BOTTOM.

NEVADA CONSTRUCTION SERVICES CHECK # 16713011

TRUST ACCOUNT (0)

CHECK DATE 11/18/08

THIS CHECK WILL NOT BE HONORED IF PRESENTED 6 MONTHS AFTER THE ISSUE DATE.

PAY ***279,166*DOLLARS*AND*65*CENTS

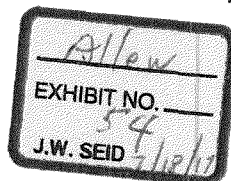
TO THE ORDER OF

HELIX ELECTRIC OF NEVADA
DBA: HELIX ELECTRIC
3078 E. SUNSET ROAD, STE. 9
LAS VEGAS NV 89120

AMOUNT ***279,166.65*

05315520 122400724 048372999

THE ORIGINAL DOCUMENT HAS A WHITE REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO SEE THE MARK WHEN CHECKING THE ENDORSEMENTS.



HELIX00372



APCO-TR-EX0075-0001
PLTF'S PROPOSED EXHIBIT
NO. 75
Case No. A571228

**UNCONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT**

Property Name Manhattan West
Property Location Russell Road/Rocky Hill Street
Undersigned's Customer Apco Construction/Camco Pacific Construction Co
Invoice/Payment Application Number 16713-011R1
Payment Amount \$ 279,166.65

The undersigned has been paid and has received a progress payment in the above referenced Payment Amount for all work, materials and equipment the undersigned furnished to his Customer for the above described Property and does hereby waive and release any notice of lien, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to payment rights that the undersigned has on the above described Property to the following extent:

This release covers a progress payment for the work, materials and equipment furnished by the undersigned to the Property or to the Undersigned's Customer which are the subject of the Invoice or Payment Application, but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any items, modifications or changes pending approval, disputed items and claims, or items furnished that are not paid. The undersigned warrants that he either has already paid or will use the money he receives from this progress payment promptly to pay in full all his laborers, subcontractors, materialmen and suppliers for all the work, materials or equipment that are the subject of this waiver and release.

Dated October 27, 2008

Helix Electric

(Company Name)

By



Title

Robert D Johnson, Vice President

Notice: This document waives rights unconditionally and states that you have been paid for giving up those rights. This document is enforceable against you if you sign it to the extent of the Payment Amount or the amount received. If you have not been paid, use a conditional release form.

HELIX00373

INVOICE	CAT NO.	INV. DT.	INT	RETN.	NET AMOUNT	DESCRIPTION
713011	CONDOS	10/24/08	55543.35	.00	55543.35	CONDOS ON BHLF OF APCO/CAMCO VOUCHER# SR10.04-01
CHK TOTAL: 55543.35						

DETACH AND RETAIN FOR YOUR RECORDS

VERIFY THE AUTHENTICITY OF THIS MULTISTONE SECURITY DOCUMENT. CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM.

NEVADA CONSTRUCTION SERVICES
2500 N. BUFFALO DRIVE, SUITE 140
LAS VEGAS, NEVADA 89128
(702) 251-1150
TRUST ACCOUNT (B)

BANK OF AMERICA
CHARLESTON HEIGHTS BRANCH
4201 W. CHARLESTON BLVD.
LAS VEGAS, NEVADA 89102
(702) 721-1224

CONTROL NO. 530668
CHECK NUMBER 3055A
CHECK DATE 10/24/08

THIS CHECK WILL NOT BE HONORED IF PRESENTED 6 MONTHS AFTER THE ISSUE DATE.

PAY *****55,543*DOLLARS*AND*35*CENTS

TO THE ORDER OF HELIX ELECTRIC AND GEXPRO

AMOUNT *****55,543.35*

D. Vago
per Vago

⑈530668⑈ ⑆122400724⑆ 048372999⑈

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HELIX00374

JA002452

APCO-TR-EX0075-0003

**UNCONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT**

Property Name Manhattan West
Property Location Russell Road/Rocky Hill Street
Undersigned's Customer Apco Construction/Carico Pacific Construction Co.
Invoice/Payment Application Number 16713-011R1
Payment Amount \$ 55,543.35

The undersigned has been paid and has received a progress payment in the above referenced Payment Amount for all work, materials and equipment the undersigned furnished to his Customer for the above described Property and does hereby waive and release any notice of lien, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to payment rights that the undersigned has on the above described Property to the following extent:

This release covers a progress payment for the work, materials and equipment furnished by the undersigned to the Property or to the Undersigned's Customer which are the subject of the Invoice or Payment Application, but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any items, modifications or changes pending approval, disputed items and claims, or items furnished that are not paid. The undersigned warrants that he either has already paid or will use the money he receives from this progress payment promptly to pay in full all his laborers, subcontractors, materialmen and suppliers for all the work, materials or equipment that are the subject of this waiver and release.

Dated October 27, 2008

Helix Electric

(Company Name)

By



Title

Robert D. Johnson, Vice President

Notice: This document waives rights unconditionally and states that you have been paid for giving up those rights. This document is enforceable against you if you sign it to the extent of the Payment Amount or the amount received. If you have not been paid, use a conditional release form.

HELIX00375

JA002453

APCO-TR-EX0075-0004



LETTER OF TRANSMITTAL

TO: Apco Construction
3432 N. 5th Street
North Las Vegas, Nv. 89032

ATTN: Attn: Shawn Bowne

DATE:	9/29/2008	JOB NO.	16713
RE:	Manhattan West		
PWP#:			

WE ARE SENDING YOU ☐ Attached ☐ Under separate cover via _____ the following items

☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of Letter ☐ Change Order ☐ _____ ☐ Submittals

[illegible]

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 20 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

[illegible]

Name: Edna K Bennett
Title: Project Assistant

PO#
FX# (702) 450-8227

Received by: ECW
Printed Name: ECW
Date: 9/29/08

HELIX00376

JA002454

APCO-TR-EX0075-0005



Helix Electric
CONSTRUCTORS • ENGINEERS

Apco Construction
3432 N. 5th Street
North Las Vegas, Nv. 89032
Attn: Shawn Bowne

INVOICE # 16713-011R1
CUSTOMER # 1611

JOB # 16713
FILE # 1
OTHER Apco for
lien

INVOICE DATE: 20-Aug-08

PERIOD THRU: 8/31/2008

OUR JOB NO.: 16713

JOB NAME: Manhattan West

YOUR JOB NO.:

ORIGINAL CONTRACT		13,230,000.00
CHANGE ORDER THROUGH #		341,081.00
CONTRACT AMOUNT TO DATE		13,571,081.00
GROSS BILLING	38%	5,131,207.11
PREVIOUSLY BILLED		4,768,307.11
GROSS CURRENT PERIOD		362,900.00
RETENTION	10%	36,290.00
NET AMOUNT DUE THIS PERIOD		326,610.00
OUTSTANDING FROM PRIOR PERIOD		
 TOTAL AMOUNT DUE		 326,610

Pursuant to B&P code section 7108.5 a penalty of 2% per month of the amount owed, plus attorney's fees if required for collection, shall be assessed to this invoice for payments not received within 10 days of receipt of progress payments from owner.

3078 AE. Sunset Road, #9, Las Vegas, NV 89120 Tel (702) 732-1188 Fax (702) 732-4386
Nevada Contractor's License #0053810

HELIX00377

JA002455

APCO-TR-EX0075-0006

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

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14 mdavidson@peelbrimley.com
15 dwayment@peelbrimley.com
16 *Attorneys for Helix Electric of Nevada, LLC d/b/a Helix Electric*

DISTRICT COURT

CLARK COUNTY, NEVADA

11 ACCURACY GLASS & MIRROR
12 COMPANY, INC., a Nevada corporation,
13
14 Plaintiff,

15 vs.

16 ASPHALT PRODUCTS CORP., a Nevada
17 corporation; APCO CONSTRUCTION, a
18 Nevada corporation; CAMCO PACIFIC
19 CONSTRUCTION COMPANY, INC., a
20 California corporation; GEMSTONE
21 DEVELOPMENT WEST, INC., Nevada
22 corporation; FIDELITY AND DEPOSIT
23 COMPANY OF MARYLAND; DOES I
24 through X; ROE CORPORATIONS I through
25 X; BOE BONDING COMPANIES I through X;
26 LOE LENDERS I through X, inclusive,

27 Defendants.

28 HELIX ELECTRIC OF NEVADA, LLC, a
Nevada limited-liability company, d/b/a HELIX
ELECTRIC,

Plaintiff in Intervention,

vs.

ASPHALT PRODUCTS CORP., a Nevada
corporation; APCO CONSTRUCTION, a
Nevada corporation; CAMCO PACIFIC
CONSTRUCTION COMPANY, INC., a
California corporation; GEMSTONE
DEVELOPMENT WEST, INC., Nevada
corporation; FIDELITY AND DEPOSIT

CASE NO.: A 587168
DEPT. NO.: XXII

**HELIX ELECTRIC'S STATEMENT OF
FACTS CONSTITUTING NOTICE OF
LIEN AND THIRD-PARTY
COMPLAINT**

**EXEMPTION FROM ARBITRATION:
Title to Real Estate**



APCO-TR-EX0077-0001
PLTF'S PROPOSED EXHIBIT
NO. 77
Case No. A571228

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

COMPANY OF MARYLAND; DOES I
through X; ROE CORPORATIONS I through
X; BOE BONDING COMPANIES I through X;
LOE LENDERS I through X, inclusive,

Defendants.

HELIX ELECTRIC OF NEVADA, LLC d/b/a HELIX ELECTRIC ("Helix") by and
through its attorneys PEEL BRIMLEY LLP, as for its Complaint re Foreclosure ("Complaint")
against the above-named defendants complains, avers and alleges as follows:

THE PARTIES

1. Helix is and was at all times relevant to this action a Nevada limited-liability
company, duly authorized, licensed and qualified to do business in Clark County, Nevada holding
a Nevada State Contractor's license, which license is in good standing.

2. Helix is informed and believes and therefore alleges that Defendant GEMSTONE
DEVELOPMENT WEST, INC., Nevada corporation ("Owner") is and was at all times relevant
to this action, the owner, reputed owner, or the person, individual and/or entity who claims an
ownership interest in that certain real property portions thereof located in Clark County, Nevada
and more particularly described as follows:

Manhattan West Condominiums (Project)
Spring Valley

County Assessor Description: See Attached Exhibit 1
SEC 32 TWP 21 RNG 60

and more particularly described as Clark County Assessor Parcel Numbers 163-32-112-001 thru
163-32-112-246, 163-32-101-020, 163-32-101-022 & 163-32-101-023 (formerly known as 163-
32-101-019) including all easements, rights-of-way, common areas and appurtenances thereto,
and surrounding space may be required for the convenient use and occupation thereof, upon
which Owners caused or allowed to be constructed certain improvements (the "Property").

1 3. The whole of the Property is reasonably necessary for the convenient use and
2 occupation of the improvements.

3 4. Helix is informed and believes and therefore alleges that Defendant ASPHALT
4 PRODUCTS CORP., a Nevada corporation ("Asphalt"), is and was at all times relevant to this
5 action doing business as a licensed contractor authorized to conduct business in Clark County,
6 Nevada.

7 5. Helix is informed and believes and therefore alleges that Defendant APCO
8 CONSTRUCTION, a Nevada corporation ("APCO"), is and was at all times relevant to this
9 action doing business as a licensed contractor authorized to conduct business in Clark County,
10 Nevada.

11 6. Helix is informed and believes and therefore alleges that Defendant CAMCO
12 PACIFIC CONSTRUCTION COMPANY, INC., a California corporation ("CPCC"), is and was
13 at all times relevant to this action doing business as a licensed contractor authorized to conduct
14 business in Clark County, Nevada.

15 7. Helix is informed and believes and therefore alleges that Defendant, FIDELITY
16 AND DEPOSIT COMPANY OF MARYLAND (hereinafter "CPCC Surety"), was and is a
17 bonding company licensed and qualified to do business as a surety in Nevada.

18 8. Helix does not know the true names of the individuals, corporations, partnerships
19 and entities sued and identified in fictitious names as DOES 1 through 10, ROE
20 CORPORATIONS 1 through 10, BOE BONDING COMPANIES 1 through 10 and LOE
21 LENDERS 1 through 10. Helix alleges that such Defendants claim an interest in or to the
22 Properties, and/or are responsible for damages suffered by Helix as more fully discussed under
23 the claims for relief set forth below. Helix will request leave of this Honorable Court to amend
24 the claims for relief set forth below. Helix will request leave of this Honorable Court to amend
25 the claims for relief set forth below. Helix will request leave of this Honorable Court to amend
26 the claims for relief set forth below. Helix will request leave of this Honorable Court to amend
27 the claims for relief set forth below. Helix will request leave of this Honorable Court to amend
28 the claims for relief set forth below. Helix will request leave of this Honorable Court to amend

1 this Complaint to show the true names and capacities of each such fictitious Defendant when
2 Helix discovers such information.

3
4 **FIRST CAUSE OF ACTION**
(Breach of Contract against Asphalt and APCO)

5 9. Helix repeats and realleges each and every allegation contained in the preceding
6 paragraphs of this Complaint, incorporates them by reference, and further alleges as follows:

7 10. On or about April 17, 2007 Helix entered into an Agreement with Asphalt and
8 APCO (the "APCO Agreement") to provide certain electrical related work, materials and
9 equipment (the "Work") for the Property located in Clark County, Nevada.

10 11. Helix furnished the Work for the benefit of and at the specific instance and request
11 of Asphalt and APCO and/or Owner.

12 12. Pursuant to the Agreement, Helix was to be paid an amount in excess of Ten
13 Thousand Dollars (\$10,000.00) (hereinafter "Outstanding Balance") for the Work.

14 13. Helix furnished the Work and has otherwise performed its duties and obligations
15 as required by the Agreement.

16 14. Asphalt and APCO has breached the Agreement by, among other things:

- 17 a. Failing and/or refusing to pay the monies owed to Helix for the Work;
18 b. Failing to adjust the Agreement price to account for extra and/or changed
19 work, as well as suspensions and delays of Work caused or ordered by the Defendants and/or
20 their representatives;
21 c. Failing to promptly recognize and grant time extensions to reflect additional
22 time allowable under the Agreement and permit related adjustments in scheduled performance;
23 d. Failing and/or refusing to comply with the Agreement and Nevada law; and
24 e. Negligently or intentionally preventing, obstructing, hindering or interfering
25 with Helix's performance of the Work.

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1 15. Helix is owed an amount in excess of Ten Thousand Dollars (\$10,000.00) for the
2 Work.

3 16. Helix has been required to engage the services of an attorney to collect the
4 Outstanding Balance, and Helix is entitled to recover its reasonable costs, attorney's fees and
5 interest therefore.
6

7 **SECOND CAUSE OF ACTION**
8 **(Breach of Contract against CPCC)**

9 17. Helix repeats and realleges each and every allegation contained in the preceding
10 paragraphs of this Complaint, incorporates them by reference, and further alleges as follows:

11 18. On or about September 4, 2008, Helix entered into the Ratification and
12 Amendment of Subcontract Agreement ("Ratification Agreement") with CPCC, who replaced
13 Asphalt and APCO as the general contractor on the Project, to continue the Work for the
14 Property.
15

16 19. Helix furnished the Work for the benefit of and at the specific instance and request
17 of CPCC and/or Owner.

18 20. Pursuant to the Ratification Agreement, Helix was to be paid an amount in excess
19 of Ten Thousand Dollars (\$10,000.00) (hereinafter "Outstanding Balance") for the Work.

20 21. Helix furnished the Work and has otherwise performed its duties and obligations
21 as required by the Ratification Agreement.

22 22. CPCC has breached the Ratification Agreement by, among other things:

- 23 a. Failing and/or refusing to pay the monies owed to Helix for the Work;
24
25 b. Failing to adjust the Agreement price to account for extra and/or changed
26 work, as well as suspensions and delays of Work caused or ordered by the Defendants and/or
27 their representatives;
28

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1 c. Failing to promptly recognize and grant time extensions to reflect additional
2 time allowable under the Ratification Agreement and permit related adjustments in scheduled
3 performance;

4 d. Failing and/or refusing to comply with the Ratification Agreement and Nevada
5 law; and
6

7 e. Negligently or intentionally preventing, obstructing, hindering or interfering
8 with Helix's performance of the Work.

9 23. Helix is owed an amount in excess of Ten Thousand Dollars (\$10,000.00) for the
10 Work.

11 24. Helix has been required to engage the services of an attorney to collect the
12 Outstanding Balance, and Helix is entitled to recover its reasonable costs, attorney's fees and
13 interest therefore.
14

15 **THIRD CAUSE OF ACTION**
16 **(Breach of Implied Covenant of Good Faith & Fair Dealing**
17 **Against Asphalt, APCO & CPCC)**

18 25. Helix repeats and realleges each and every allegation contained in the preceding
19 paragraphs of this Complaint, incorporates them by reference, and further alleges as follows:

20 26. There is a covenant of good faith and fair dealing implied in every agreement,
21 including the APCO Agreement and the Ratification Agreement.

22 27. Asphalt and APCO breached its duty to act in good faith by performing the APCO
23 Agreement in a manner that was unfaithful to the purpose of the APCO Agreement, thereby
24 denying Helix's justified expectations.

25 28. CPCC breached its duty to act in good faith by performing the Ratification
26 Agreement in a manner that was unfaithful to the purpose of the Ratification Agreement, thereby
27 denying Helix's justified expectations.
28

1 29. Due to the actions of Asphalt, APCO and CPCC, Helix suffered damages in an
2 amount to be determined at trial for which Helix is entitled to judgment plus interest.

3 30. Helix has been required to engage the services of an attorney to collect the
4 Outstanding Balance, and Helix is entitled to recover its reasonable costs, attorney's fees and
5 interest therefore.
6

7 **FOURTH CAUSE OF ACTION**
8 **(Unjust Enrichment or in the Alternative Quantum Meruit – Against All Defendants)**

9 31. Helix repeats and realleges each and every allegation contained in the preceding
10 paragraphs of this Complaint, incorporates them by reference, and further alleges as follows:

11 32. Helix furnished the Work for the benefit of and at the specific instance and request
12 of the Defendants.

13 33. As to Asphalt, APCO and CPCC, this cause of action is being pled in the
14 alternative.

15 34. The Defendants accepted, used and enjoyed the benefit of the Work.

16 35. The Defendants knew or should have known that Helix expected to be paid for the
17 Work.
18

19 36. Helix has demanded payment of the Outstanding Balance.

20 37. To date, the Defendants have failed, neglected, and/or refused to pay the
21 Outstanding Balance.

22 38. The Defendants have been unjustly enriched, to the detriment of Helix.

23 39. Helix has been required to engage the services of an attorney to collect the
24 Outstanding Balance, and Helix is entitled to recover its reasonable costs, attorney's fees and
25 interest therefore.
26

27 ///

28 ///

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FIFTH CAUSE OF ACTION
(Foreclosure of Mechanic's Lien)

40. Helix repeats and realleges each and every allegation contained in the preceding paragraphs of this Complaint, incorporates them by reference, and further alleges as follows:

41. The provision of the Work was at the special instance and request of the Defendants for the Property.

42. As provided at NRS 108.245 and common law, the Defendants had knowledge of Helix's delivery of the Work to the Property or Helix provided a Notice of Right to Lien.

43. Helix demanded payment of an amount in excess of Ten Thousand and no/100 Dollars (\$10,000.00), which amount remains past due and owing.

44. On or about January 12, 2009, Helix timely recorded a Notice of Lien in Book 20090112 of the Official Records of Clark County, Nevada, as Instrument No. 0002864 (the "Original Lien").

45. On or about January 29, 2009, Helix timely recorded an Amended Notice of Lien in Book 20090129 of the Official Records of Clark County, Nevada, as Instrument No. 0000237 (the "Amended Lien").

46. The Original Lien and Amended Lien are hereinafter referred to as the "Liens".

47. The Liens were in writing and were recorded against the Property for the outstanding balance due to Helix in the amount of Three Million One Hundred Eighty-Six Thousand One Hundred Two and 67/100 Dollars (\$3,186,102.67).

48. The Liens were served upon the Owner and/or its authorized agents, as required by law.

49. Helix is entitled to an award of reasonable attorney's fees, costs and interest on the Outstanding Balance, as provided in Chapter 108 of the Nevada Revised Statutes.

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SIXTH CAUSE OF ACTION
(Claim of Priority)

50. Helix repeats and realleges each and every allegation contained in the preceding paragraphs of this Complaint, incorporates them by reference, and further alleges as follows:

51. Helix is informed and believes and therefore alleges that construction on the Property commenced before the recording of Defendant LOE LENDERS' Deed(s) of Trust and/or other interest(s) in the Property.

52. Helix's claim against the Property is superior to the claim(s) of LOE LENDERS and/or any other Defendant.

53. Helix has been required to engage the services of an attorney to collect the Outstanding Balance due and owing for the Work, and Helix is entitled to recover its reasonable costs, attorney's fees and interest therefore.

SEVENTH CAUSE OF ACTION
(Claim Against Bond – CPCC Surety)

54. Helix repeats and realleges each and every allegation contained in the preceding paragraphs of this Complaint, incorporates them by reference, and further alleges as follows:

55. Prior to the events giving rise to this Complaint, the CPCC Surety issued License Bond No. 8739721 (hereinafter the "Bond") in the sum of Fifty Thousand Dollars (\$50,000.00).

56. CPCC is named as principal and CPCC Surety is named as surety on the Bond.

57. The Bond was provided pursuant to the requirements of NRS 624.270, which Bond was in force during all times relevant to this action.

58. Helix furnished the Work as stated herein and has not been paid for the same. Helix therefore claims payment on said Bond.

59. The CPCC Surety is obligated to pay Helix the sums due.

1 60. Demand for the payment of the sums due to Helix has been made, but CPCC and
2 the CPCC Surety have failed, neglected and refused to pay the same to Helix.

3 61. CPCC and the CPCC Surety owe Helix the penal sum of the Bond.

4 62. Helix was required to engage the services of an attorney to collect the Outstanding
5 Balance due and owing to Helix and Helix is entitled to recover its reasonable attorney's fees and
6 costs therefore.
7

8 **EIGHTH CAUSE OF ACTION**
9 **(Violation of NRS 624)**

10 63. Helix repeats and realleges each and every allegation contained in the preceding
11 paragraphs of this Complaint, incorporates them by reference, and further alleges as follows:

12 64. NRS 624.606 to 624.630, et. seq. (the "Statute") requires contractors (such as
13 Asphalt and APCO and/or CPCC), to, among other things, timely pay their subcontractors (such
14 as Helix), as provided in the in the Statute.

15 65. In violation of the Statute, Asphalt and APCO and/or CPCC have failed and/or
16 refused to timely pay Helix monies due and owing.
17

18 66. Asphalt's and APCO's and/or CPCC's violation of the Statute constitutes
19 negligence per se.

20 67. By reason of the foregoing, Helix is entitled to a judgment against Asphalt and
21 APCO and/or CPCC in the amount of the Outstanding Balance

22 68. Helix has been required to engage the services of an attorney to collect the
23 Outstanding Balance and Helix is entitled to recover its reasonable costs, attorney's fees and
24 interests therefore.
25

26 **WHEREFORE**, Helix prays that this Honorable Court:

27 1. Enters judgment against the Defendants, and each of them, jointly and severally, in
28 the Outstanding Balance amount;

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2. Enters a judgment against Defendants, and each of them, jointly and severally, for Helix's reasonable costs and attorney's fees incurred in the collection of the Outstanding Balance, as well as an award of interest thereon;

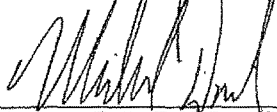
3. Enter a judgment declaring that Helix has valid and enforceable mechanic's liens against the Property, with priority over all Defendants, in an amount of the Outstanding Balance;

4. Adjudge a lien upon the Property for the Outstanding Balance, plus reasonable attorneys fees, costs and interest thereon, and that this Honorable Court enter an Order that the Property, and improvements, such as may be necessary, be sold pursuant to the laws of the State of Nevada, and that the proceeds of said sale be applied to the payment of sums due Helix herein; and

5. For such other and further relief as this Honorable Court deems just and proper in the premises.

Dated this 14 day of April 2009.

PEEL BRIMLEY LLP



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d/b/a Helix Electric

EXHIBIT 1
Manhattan West
Spring Valley

County Assessor Parcel Nos.: 163-32-112-001 thru 163-32-112-246,
163-32-101-020, 163-32-101-022 & 163-32-101-023
(formerly known as 163-32-101-019)

Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-001 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 101 Block 2 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-002 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 102 Block 2 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-003 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 201 Block 2 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-004 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 301 Block 2 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-005 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 401 Block 2 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-006 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 101 Block 3 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-007 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 102 Block 3 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-008 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 201 Block 3 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

*Lien Claimant has provided the best estimate of the amount owed to Lien Claimant with respect to materials or equipment furnished by Lien Claimant for the improvement of the property. Lien Claimant reserves the right to amend or modify the amount owed at Lien Claimant's discretion.

Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-009 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 301 Block 3 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-010 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 401 Block 3 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-011 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 101 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-012 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 102 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-013 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 103 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-014 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 201 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-015 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 202 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-016 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 203 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-017 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 204 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-018 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 205 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-019 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 206 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-020 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 207 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-021 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 208 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-022 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 209 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-023 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 210 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-024 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 301 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-025 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 302 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-026 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 303 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-027 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 304 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-028 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 305 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-029 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 306 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-030 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 307 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-031 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 308 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-032 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 309 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-033 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 310 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-034 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 401 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-035 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 402 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-036 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 403 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-037 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 404 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-038 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 405 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-039 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 406 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-040 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 407 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-041 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 408 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-042 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 409 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-043 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 410 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-044 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 501 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-045 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 502 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-046 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 503 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-047 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 504 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-048 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 505 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-049 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 506 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-050 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 507 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-051 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 508 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-052 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 509 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-053 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 510 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-054 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 601 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-055 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 602 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-056 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 604 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-057 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 604 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-058 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 605 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-059 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 606 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-060 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 607 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-061 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 608 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-062 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 609 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-063 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 610 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-064 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 701 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-065 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 702 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-066 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 703 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-067 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 704 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-068 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 705 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-069 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 706 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-070 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 707 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-071 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 708 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-072 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 709 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-073 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 710 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-074 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 801 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-075 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 802 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-076 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 803 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-077 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 804 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-078 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 805 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-079 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 806 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-080 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 807 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-081 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 808 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-082 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 809 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-083 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 810 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-084 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 902 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-085 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 903 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-086 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 904 Block 7 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-087 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 101 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-088 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 12 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-089 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 103 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-090 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 104 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-091 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 105 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-092 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 106 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-093 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 107 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-094 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 108 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-095 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 109 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-096 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 110 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-097 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 111 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-098 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 112 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-099 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 113 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-100 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 114 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-101 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 115 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-102 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 116 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-103 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 117 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-104 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 118 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-105 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 119 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-106 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 120 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-107 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 201 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-108 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 202 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-109 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 203 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-110 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 204 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-111 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 205 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-112 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 206 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-113 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 207 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-114 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 208 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-115 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 209 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-116 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 210 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-117 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 211 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-118 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 212 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-119 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 213 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-120 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 214 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-121 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 215 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-122 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 216 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-123 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 217 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-124 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 218 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-125 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 219 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-126 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 220 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-127 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 301 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-128 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 302 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-129 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 303 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-130 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 304 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-131 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 305 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-132 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 306 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-133 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 307 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-134 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 308 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-135 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 309 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-136 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 310 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-137 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 311 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-138 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 312 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-139 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 313 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-140 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 314 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-141 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 315 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-142 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 316 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-143 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 317 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-144 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 318 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-145 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 319 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-146 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 320 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-147 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 401 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-148 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 402 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320
Consolidated with 80508

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

JOINT APPENDIX
VOLUME 44

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CHRONOLOGICAL APPENDIX OF EXHIBITS

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

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

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

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

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

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

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

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

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

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

¹ Filed January 31, 2018

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

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

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

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

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

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

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

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	Trial Exhibit 110 - Photo of Video (Construction Project)	JA002534- JA002535	44
	Trial Exhibit 111 - Photo of Video (Construction Project)	JA002536- JA002537	44
	Trial Exhibit 112 - Photo of Video (Construction Project)	JA002538- JA002539	44
	Trial Exhibit 113 -Photo of Video (Construction Project)	JA002550- JA002541	44
	Trial Exhibit 114 -Photo of Video (Construction Project)	JA002542- JA002543	44
	Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting	JA002544- JA002545	44
	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
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	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
	CAMCO Related Exhibits:		
	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - Letter from J. Griffith to Victor Fuchs Re: Gemstone's intention to continue retention of Helix w/copy of Ratification and Amendment of Subcontract Agreement	JA002719- JA002730	48

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

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

² Filed January 31, 201879

³ Filed January 31, 2018

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

⁴ Filed January 31, 201883

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

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	Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs	JA006475- JA006478	88
	Exhibit 9 – APCO Construction, Inc.’s Memorandum of Costs and Disbursements [Against Helix Electric of Nevada, LLC, and Plaintiff in Intervention National Wood Products, LLC]	JA006479- JA006487	88
	Exhibit 10 – Depository Index	JA006488- JA006508	88/89
05-08-18	Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements	JA006509- JA006521	89
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Against APCO Construction, Inc.]	JA006541 JA006550	90
06-01-18	Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006551- JA006563	90
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	Exhibit 4 – Declaration of Eric B. Zimbelman in Support of Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs	JA006583- JA006588	90
	Exhibit 5 – Summary of Fees	JA006589- JA006614	90
06-15-18	APCO Construction, Inc.’s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Motions to Retax Costs	JA006615- JA006637	90/91
	Exhibit 1-A Declaration of Mary Bacon in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006635 JA006638	91
	Exhibit 1-B – Declaration of Cody Munteer in Support of APCO’s Supplement to its Motion for Attorney’s Fees	JA006639- JA006916	91/92/93 94/95/96
06-15-18	Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA006917 – JA006942	96
	Exhibit 1 – Notice of Entry of Staying the Case, Except for the Sale of the Property, Pending Resolution of the Petition before the Nevada Supreme Court	JA006943- JA006948	96

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	Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration	JA006959- JA006963	96
	Exhibit 5 – Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA006964- JA006978	96
	Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire	JA006977- JA006980	96
	Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire	JA006981- JA006984	96
	Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire	JA006985- JA006993	96/97
	Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance	JA006994 JA007001	97
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	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
	Exhibit 10 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA007057- JA007059	97
	Exhibit 11 – Notice of Entry of Order Granting in Part and Denying in Part APCO Construction’s Omnibus Motion <i>in Limine</i>	JA007060- JA007088	97
	Exhibit 12 – Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC’s Motion in Limine (against APCO Construction)	JA007070- JA007078	97
	Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA007079- JA007084	97
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06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007190- JA007192	99
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06-29-18	APCO Construction, Inc.’s Reply in Support of its Motion for Attorney’s Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
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08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
09-28-18	Notice of Entry of (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007313- JA007315	101

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	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.	JA007332- JA007335	101
	Exhibit 2 – ORDER: (1) Granting APCO Construction, Inc. Motion for Attorneys Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada LLC's Motion to Retax in Part and Denying in Part and all related matters (4) Granting Plaintiff in Intervention National Wood Products LLC's Motion to Retax in Part and Denying in Part -and-(5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007336- JA007344	101
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	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of Nevada, LLC, SWPPP Compliance	JA007401- JA007517	102/103

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	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
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	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
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	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110
	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
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	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111
	Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing's Motion for Attorneys's Fees, Interest and Costs	JA008552- JA008579	111/112
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	Exhibit 10CC – Heinaman Contract Glazing's Answer to Camco Pacific Construction Company's Counterclaim	JA008583 JA008588	112
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	Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
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	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
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	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
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	Exhibit 7 – Answer to Cactus Rose’s Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008966- JA008986	117/118

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	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
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	Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond	JA009114- JA009116	119
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01-29-20	Notice of Appeal	JA009132- JA009136	119/120
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	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
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02-11-20	APCO's Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorney's Fees and Costs; (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA009168- JA009182	120

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply		
	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada's Motion for Rule 54(b) Certification	JA009183- JA00991	120
11-06-17	APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting's Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
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	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
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	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
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11-14-17	Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6	JA000898- JA000905	12
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	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
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	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs	JA008339 JA008347	110
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	Exhibit 10V -Answer to WRG Design, Inc.’s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc’s Counterclaim	JA008484- JA008504	111
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	Exhibit 6 – Fast Glass Trial Exhibits	JA001640- JA001641	28
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	Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001661- JA001667	28/9/29
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	Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment	JA001431- JA001435	26
	Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)	JA001436- JA001469	26
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01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention	JA009137- JA009166	120

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	National Wood Products, Inc.'s Against APCO Construction, Inc.]		
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA006541 JA006550	90
09-28-18	Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001178- JA001186	22
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119

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

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

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

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

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

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

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

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

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

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

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

⁵ Filed January 31, 2018

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

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

⁶ Filed January 31, 201879

⁷ Filed January 31, 2018

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

⁸ Filed January 31, 2018

Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-149 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 403 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-150 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 404 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-151 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 405 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-152 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 406 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-153 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 407 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-154 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 408 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-155 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 409 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-156 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 410 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-157 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 411 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-158 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 412 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

*Lien Claimant has provided the best estimate of the amount owed to Lien Claimant with respect to materials or equipment furnished by Lien Claimant for the improvement of the property. Lien Claimant reserves the right to amend or modify the amount owed at Lien Claimant's discretion.

Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-159 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 413 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-160 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 414 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-161 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 415 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-162 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 416 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-163 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 417 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-164 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 418 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-165 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 419 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-166 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 420 Block 8 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-167 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 101 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-168 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 102 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-169 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 103 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-170 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 104 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-171 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 105 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-172 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 106 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-173 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 107 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-174 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 108 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-175 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 109 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-176 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 110 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-177 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 111 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-178 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 112 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-179 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 113 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-180 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 114 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-181 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 115 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-182 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 116 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-183 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 117 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-184 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 118 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-185 Spring Valley	Manhattan West-Phase 1 Plat Book 41 Page 28 Unit 119 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-186 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 120 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-187 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 201 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-188 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 202 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-189 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 203 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-190 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 204 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-191 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 205 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-192 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 206 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-193 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 207 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-194 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 208 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-195 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 209 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-196 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 210 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-197 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 211 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-198 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 212 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-199 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 213 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-200 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 214 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-201 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 215 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-202 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 216 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-203 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 217 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-204 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 218 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-205 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 219 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-206 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 220 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-207 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 301 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-208 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 302 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-209 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 303 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-210 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 304 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-211 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 305 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-212 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 306 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-213 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 307 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-214 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 308 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-215 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 309 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-216 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 310 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-217 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 311 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-218 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 312 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-219 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 313 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-220 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 314 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-221 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 315 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-222 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 316 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-223 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 317 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-224 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 318 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-225 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 319 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-226 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 320 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-227 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 401 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-228 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 402 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-229 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 403 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-230 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 404 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-231 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 405 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-232 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 406 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-233 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 407 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-234 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 408 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-235 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 409 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-236 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 410 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-237 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 411 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-238 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 412 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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Parcel Number/ Location Address/ Township	Property Description	Owner Name & Address
163-32-112-239 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 413 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-240 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 414 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-241 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 415 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-242 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 416 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-243 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 417 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-244 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 418 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-245 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 419 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-112-246 Spring Valley	Manhattan West-Phase 1 Plat Book 141 Page 28 Unit 420 Block 9 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-101-020 Spring Valley	PT NE4 NW4 SEC 32 21 60 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-101-022 Spring Valley	PT NE4 NW4 SEC 32 21 60 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238
163-32-101-023 Spring Valley	PT NE4 NW4 SEC 32 21 60 SEC 32 TWP 21 RNG 60	Gemstone Development West Inc 9121 W Russell Rd #117 Las Vegas, NV 89148-1238

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CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

[Signature]

JA002494 OF THE COURT

14392

Check#: 14392	Date: 07/28/2008	Vendor#: 21313 Zitting Brothers Construction			
Invoice#	Job/Description	Balance	Retain	Discount	This Check
PP#7 05/08	168 ManhattanWest Condo	31,081.80	3,108.00		27,973.80

ORIGINAL DOCUMENT IS PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER - SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES

APCO CONSTRUCTION
 2433 N. Sun Drive • North Las Vegas, NV 89032
 Phone: (702) 724-0199 • Fax: (702) 724-0388
 Email: apcoconstruction.com • 702.724.5663

Bank of America
 P.O. Box 98800
 Las Vegas, NV 89193-8800
 94-72/1224

14392

07/28/2008 \$ *27,973.80

TWENTY-SEVEN THOUSAND NINE HUNDRED SEVENTY-THREE AND 80/100 DOLLARS

PAY TO THE ORDER OF Zitting Brothers Construction
 PO Box 178
 Hurricane UT 84737

TWO SIGNATURES REQUIRED FOR AMOUNTS OVER \$10,000.00

DOCUMENT INCLUDES A HIDDEN WORD. DO NOT CASH IF THE WORD VOID IS VISIBLE. DOCUMENT ALSO CONTAINS HEAT-SENSITIVE INK. TOUCH HERE - RED IMAGE DISAPPEARS WITH HEAT.

APCO CONSTRUCTION General Contractor

Check#: 14392	Date: 07/28/2008	Amount: 27,973.80	Vendor: 21313 Zitting Brothers Construction		
Invoice#	Job/Description	Balance	Retain	Discount	This Check
PP#7 05/08	168 ManhattanWest Condo	31,081.80	3,108.00		27,973.80

APCO00044643



APCO-TR-EX0100-0001
 PLTF'S PROPOSED EXHIBIT
 NO. 100
 Case No. A571228

P-(435) 635-4068
F-(435) 635-4137
Vendor # 21313

CONTRACT AGREEMENT
3432 NORTH 5TH STREET

SC#168-011

Manhattan West - PHASE 1

PROGRESS PAYMENT NO: 7

FOR PERIOD: 5/31/2008

APCO JOB # 168

ITEM NO	SPEC NUMBER	DESCRIPTION	CONTRACT		UNIT PRICE	ESTIMATED CONTRACT DOLLARS	THIS REQUEST		TOTAL TO DATE	
			QUAN.	Unit			QUANTITY	DOLLARS	QUANTITY	DOLLARS
Phase 1										
1	6150.10	Building 8	1	LS	1805000	1,805,000.00	1%	15,542.30	100%	1,805,000.00
2	6150.10	Building 9	1	LS	1805000	1,805,000.00	1%	15,539.50	100%	1,805,000.00
TOTAL PHASE 1						3,610,000.00	1%	31,081.80	100%	3,610,000.00
Phase 2										
3	6150.10	Building 1	1	LS	1115500	1,115,500.00	0%		0%	
4	6150.10	Building 4	1	LS	1115500	1,115,500.00	0%		0%	
5	6150.10	Building 5	1	LS	1805000	1,805,000.00	0%		0%	
6	6150.10	Building 6	1	LS	1805000	1,805,000.00	0%		0%	
7	6150.10	Building 10	1	LS	1805000	1,805,000.00	0%		0%	
8	6150.10	Building 11	1	LS	1805000	1,805,000.00	0%		0%	
9	6150.10	Building 12	1	LS	1400000	1,400,000.00	0%		0%	
TOTAL PHASE 2						10,851,000.00	0%	-	0%	-
						14,461,000				

PREVIOUS PAYMENT AMOUNTS			DATE	AMT THIS ESTIMATE	AMOUNT TO DATE
EST # 1.1	800,000.00	1/24/2008	TOTAL AMOUNTS	31,081.80	3,610,000.00
EST # 1.2	368,785.00	2/6/2008	LESS RETENTION 10%	(3,108.00)	(360,999.00)
EST # 2	567,148.60	2/19/2008	SUBTOTAL	27,973.80	3,249,001.00
EST # 3	408,225.70	3/13/2008			
EST # 4	495,604.60	4/15/2008	LESS PREVIOUS PAYMENTS >>>>>>>>>>>>		(3,221,027.20)
EST # 5	424,688.70	5/19/2008	EARNED THIS ESTIMATE	27,973.80	
EST # 6	156,574.60	6/13/2008	TOTAL AMOUNT DUE THIS PERIOD		27,973.80
EST #			APPROVED FOR PYMNT		/ /
EST #			APPROVED FOR PYMNT		7/27/08
EST #			PREPARED BY		7/27/2008
TOTAL	3,221,027.20				

SIIS CERTIFIED TO:

5/1/2009

LIAB CERTIFIED TO:

12/4/2008

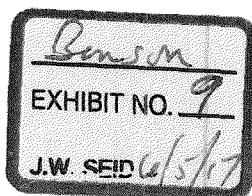
PLEASE MAKE CHECKS PAYABLE AS FOLLOWS:

Zitting Brothers Construction

27,973.80

TOTAL

27,973.80



APCO000044644

JA002496

APCO-TR-EX0100-0002

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

Alma L. Johnson

CLERK OF THE COURT

JA002497

MaryJo Allen

From: Randy Nickerl
Sent: Wednesday, July 30, 2008 10:53 AM
To: Roy Zitting; Lisa Lynn
Subject: RE: Change Orders

Roy,

I am okay with the \$20/hr for wages and the \$6.50/hr for burden and the \$2.66/hr for OH&P, but not the \$11.00/hr small tools or the \$10.00/hr for nails & fasteners. Use \$29.16/hr for the labor rate.

Thank you,
Randy

From: Roy Zitting [mailto:royzitting@hotmail.com]
Sent: Wednesday, July 30, 2008 6:46 AM
To: Lisa Lynn; Randy Nickerl
Subject: RE: Change Orders

\$20.00 is the average wage we pay.

\$20.00 wage
\$6.50 burden
\$2.66 profit
\$11.00 small toll's
\$10.00 nail's / fasteners

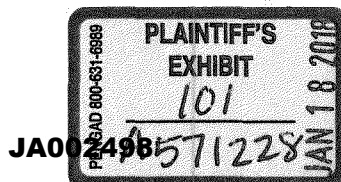
\$50.10

Roy Zitting
Nevada Operations Manager
Zitting Brothers Construction & Development
Cell: (435)691-2454
Fax: (702)920-8212

Subject: RE: Change Orders
Date: Mon, 28 Jul 2008 17:25:59 -0700
From: llynn@apcoconstruction.com
To: royzitting@hotmail.com
CC: mickerl@apcoconstruction.com

Roy:

In going over these with Randy he is not in agreement to 50.00 per hour for labor. Your contract reads actual costs plus 10% mark up (along with the 33% labor burden). Please come in and talk to Randy (or call, I know your busy with the



new arrivals in your family) if you would like to discuss the \$50.00 per hour labor rate. Otherwise I need these redone to actual costs as your contract reads.

Thank You,

Lisa Lynn

APCO Construction

(702)736-1360

(702)734-3820 (fax)

lynn@apcoconstruction.com

From: Roy Zitting [mailto:royzitting@hotmail.com]

Sent: Friday, July 25, 2008 2:42 PM

To: Lisa Lynn

Subject:

My bad this is the right one.

Roy Zitting

Nevada Operations Manager

Zitting Brothers Construction & Development

Cell: (435)691-2454

Fax: (702)920-8212

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Use video conversation to talk face-to-face with Windows Live Messenger. [Get started.](#)

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DOCUMENT ATTACHED IS A
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OF THE ORIGINAL ON FILE

Alvin S. Brown

CLERK OF THE COURT

JA002500

MaryJo Allen

From: Lisa Lynn
Sent: Thursday, August 07, 2008 5:23 PM
To: Jennifer Griffith; Peter Smith
Cc: CraigC@gemstonedev.com; Randy Nickerl; jbarker@lasvegaspaving.com
Subject: RE: CO # 00011.1 *Pending* (Correction)

Jennifer / Pete:

Randy and Roy met last night to go over this change order. Randy still needs to get pricing together so that we can apply the credits for the facia foam detail to Gemstone. This Change Order will need to be revised after meeting with Zitting last night. Once we get the revision into Gemstone we can set up a time to go over the change order in detail.

Thank You,

Lisa Lynn

APCO Construction
(702)736-1360
(702)734-3820 (fax)
llynn@apcoconstruction.com

From: Jennifer Griffith [mailto:JenniferG@gemstonedev.com]
Sent: Thursday, August 07, 2008 4:48 PM
To: Randy Nickerl; Lisa Lynn
Cc: Peter Smith; Craig Colligan; Jill Gisondo; Steve Alexander; Tami Calhoun
Subject: FW: CO # 00011.1 *Pending* (Correction)

My return key got away from me folks. Please see my correction below.

Thank you,

Jennifer Griffith
Project Manager
Gemstone Development

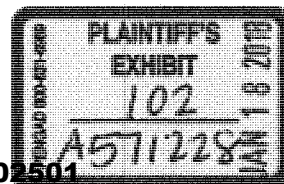


**Residences
Offices
Shops**

5121 W. Russell Road, Suite 117
Las Vegas, NV 89148
P: (702) 735-8200
F: (702) 614-0869
C: (702) 580-7937
www.groupgemstone.com
www.manhattanlv.com
www.manhattanwest.com

From: Jennifer Griffith
Sent: Thursday, August 07, 2008 4:45 PM
To: 'Randy Nickerl'; 'Lisa Lynn'
Cc: Craig Colligan; Jill Gisondo; Steve Alexander; Tami Calhoun
Subject: CO # 00011.1 *Pending*

CO# 00011.1
CO DATE# 07/30/2008
CO AMOUNT: \$163,700.40
CO DESCRIPTION: Wood Framing Changes to Bldg. 8&9
CO STATUS: Pending



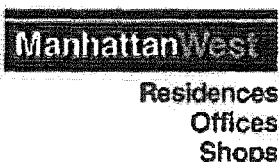
Gemstone requires additional time and information to evaluate CO#00011.1 ("CO#11.1."). Pursuant to the Gemstone Development West, Inc. "Withholding Notification" dated August 6, 2008 we are unable to review this change order as the revised CO # 00011.1 involves the "Missing 36 Pages" claim that can't be resolved until after Gemstone can discuss this problem with Randy to get a full and detailed understanding of which 36 drawing pages are specifically in question, and then review this information with our design team. Furthermore, Lisa Lynn was notified verbally by me, Craig Colligan and Peter Smith August 6, 2008 that this information was necessary to complete our evaluation of CO#00011.1. Lisa Lynn was going to check Randy's calendar for availability and advise Gemstone when he would be able to review exactly which 36 pages. Gemstone and Oz Architecture would like to hold this meeting in the next seven days. Consequently, Gemstone will require a minimum of 30 days following the date of this requested meeting to evaluate CO # 00011.1.

Furthermore, to the extent that CO#00011.1 contains a demand for delay days, if any such demand is associated with CO # 000011.1 it is hereby rejected for not containing sufficient scheduling information to verify such delay days. Gemstone cannot evaluate the validity of any demanded delay days until APCO can demonstrate that any demanded delay days affected the critical path and were not offset by other delays not related to CO#00011.1. Gemstone has repeatedly requested this information. To the extent that CO#00011.1 does not contain a demand for delay days, the request for additional time set forth in the previous paragraph is still applicable.

Thank you in advance for your efforts in getting us the necessary information in a timely manner.

Respectfully,

Jennifer Griffith
Project Manager
Gemstone Development



9121 W. Russell Road, Suite 117
Las Vegas, NV 89148
P: (702) 736-8200
F: (702) 614-0669
C: (702) 580-7337
www.grouppemstone.com
www.manhattanlv.com
www.manhattanwest.com

No virus found in this outgoing message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 270.5.12/1597 - Release Date: 8/7/2008 5:54 AM

No virus found in this outgoing message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 270.5.12/1597 - Release Date: 8/7/2008 5:54 AM

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DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

John J. Brennan

CLERK OF THE COURT

JA002503

Brian Benson

om: Randy Nickerl
sent: Thursday, April 14, 2016 7:16 AM
To: Brian Benson
Subject: FW:
Attachments: 530 ph extras for manhattan west.xls

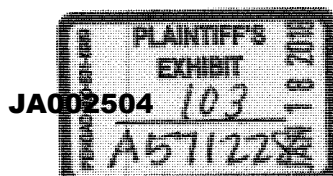
From: Roy Zitting [mailto:royzitting@hotmail.com]
Sent: Friday, August 08, 2008 1:18 PM
To: Randy Nickerl <rnickerl@apcoconstruction.com>
Cc: Lisa Lynn <llynn@apcoconstruction.com>; sam zitting <sam.zbc@cpaz.net>
Subject:

Randy

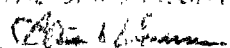
Attached you will find all of the change orders adjusted to a \$30.00 per hr. labor rate as discussed this will take the total for all extra costs from \$339,934.89 down to 251,463.61 a total savings of \$88,471.20 Zitting is only willing to do this if it includes all of the change orders and if we get a check for the fool sum of \$251,463.63 in 1 week from the day we agree on this deal. We will be willing to help you get \$50.00 per hr out of Gemstone for the ones you can get them to pay to farther help you with the cost.

Roy Zitting
Nevada Operations Manager
Zitting Brothers Construction & Development
Cell: (435)691-2454
Fax: (702)920-8212

Got Game? Win Prizes in the Windows Live Hotmail Mobile Summer Games Trivia Contest [Find out how.](#)



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DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE


CLERK OF THE COURT

JA002505

From: Roy Zitting [mailto:royzitting@hotmail.com]
Sent: Friday, August 08, 2008 1:18 PM
To: Randy Nickerl <rnickerl@apcoconstruction.com>
Cc: Lisa Lynn <llynn@apcoconstruction.com>; sam zitting <sam.zbc@cpaz.net>
Subject:

Randy

Attached you will find all of the change orders adjusted to a \$30.00 per.hr.laber rate as discussed this will take the total for all extra costs from \$339,934.89 down to 251,463.61 a total savings of \$88,471.20 Zitting is only willing to do this if it includes all of the change orders and if we get a check for the fool sum of \$251,463.63 in 1 week from the day we agree on this deal. We will be willing to help you get \$50.00 per hr out of Gemstone for the ones you can get them to pay to farther help you with the cost.

Roy Zitting
Nevada Operations Manager
Zitting Brothers Construction & Development
Cell: (435)691-2454
Fax: (702)920-8212

Got Game? Win Prizes in the Windows Live Hotmail Mobile Summer Games Trivia Contest [Find out how.](#)

APCO 106361



APCO-TR-EX0104-0001
PLTF'S PROPOSED EXHIBIT
NO. 104
Case No. A571228



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 1

JOB INFO:
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CHANGE DOORS IN ALL S UNITS TO ALLOW ROOM FOR THE TUB AS PER BRYON

2/18/2008	CARPENTERS	2	16 HR
2/19/2008	CARPENTERS	2	7.75 HR

LABOR:	31.5 H.R.	RATE	\$	30.00	<u>945.00</u>
LUMBER:	350 L.F.	2X4 D.F.	\$	0.33	<u>\$115.50</u>
LIFTING EQUIPMENT:					<u>\$0.00</u>
BID TOTAL					<u>\$1,060.50</u>

APCO 106362

JA002507

APCO-TR-EX0104-0002



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 2

JOB INFO:
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CHANGE DOORS IN ALL A1L,B3L,B4A,B4L,B5L,B6 AND C2 UNITS TO ALLOW
ROOM FOR TUBS

3/20/2008	CARPENTERS	2	16 HR		
3/21/2008	CARPENTERS	2	16 HR		
3/24/2008	CARPENTERS	2	16 HR		
3/25/2008	CARPENTERS	2	16 HR		
3/26/2008	CARPENTERS	2	12 HR		
				RATE	
LABOR:		76 H.R.	\$	30.00	<u>\$2,280.00</u>
LUMBER:	2350 L.F.	2X4 D.F.	\$	0.33	<u>\$775.50</u>
LIFTING EQUIPMENT:					<u>\$0.00</u>
BID TOTAL					<u>\$3,055.50</u>

APCO 106363

JA002508

APCO-TR-EX0104-0003



PO # 176
Hurricane UT 84737
tel: 435/835-4088
fax: 435/835-4127

Quote # 3

JOB INFO:
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

INSTALL TITAN SCREWS FOR 8&9 IN CONCRETE AS DIRECTED BY SHAWN BOWNE
IN ORDER TO ELIMINATE THE PROBLEM OF FINISHING THE CONCRETE AROUND THEM
AND HAVING THEM GET KNOCKED OUT OF PLACE AND NOT END UP IN THE WALL.
THIS ALSO FIXES THE PROBLEM OF HAVING THE BOLTS COME UP UNDER THE STUDS.

12/10/2007	CARPENTERS	2	16 HR
12/11/2007	CARPENTERS	2	16 HR
12/12/2007	CARPENTERS	2	16 HR
12/13/2007	CARPENTERS	2	16 HR
12/14/2007	CARPENTERS	2	16 HR
12/15/2007	CARPENTERS	2	16 HR
12/16/2007	CARPENTERS	2	16 HR
12/17/2007	CARPENTERS	2	16 HR
12/18/2007	CARPENTERS	2	16 HR
12/19/2007	CARPENTERS	2	16 HR
12/20/2007	CARPENTERS	2	16 HR
12/21/2007	CARPENTERS	2	16 HR
12/22/2007	CARPENTERS	2	16 HR
12/23/2007	CARPENTERS	2	16 HR
12/24/2007	CARPENTERS	2	16 HR
12/25/2007	CARPENTERS	2	16 HR
12/26/2007	CARPENTERS	2	16 HR
12/27/2007	CARPENTERS	2	16 HR
12/28/2007	CARPENTERS	2	16 HR
12/29/2007	CARPENTERS	2	16 HR
1/2/2008	CARPENTERS	2	16 HR
1/3/2008	CARPENTERS	2	16 HR
1/4/2008	CARPENTERS	2	16 HR
1/7/2008	CARPENTERS	2	16 HR
1/8/2008	CARPENTERS	2	16 HR
1/9/2008	CARPENTERS	2	16 HR
1/10/2008	CARPENTERS	2	16 HR
1/11/2008	CARPENTERS	2	16 HR
1/14/2008	CARPENTERS	2	16 HR
1/15/2008	CARPENTERS	2	16 HR
1/16/2008	CARPENTERS	2	16 HR
1/17/2008	CARPENTERS	2	16 HR
1/18/2008	CARPENTERS	2	16 HR
1/21/2008	CARPENTERS	2	16 HR
1/22/2008	CARPENTERS	2	16 HR
1/23/2008	CARPENTERS	2	16 HR
1/24/2008	CARPENTERS	2	16 HR
1/25/2008	CARPENTERS	2	16 HR
1/28/2008	CARPENTERS	2	16 HR
1/29/2008	CARPENTERS	2	16 HR

LABOR: 578 H.R. RATE \$ 30.00 \$17,340.00

LUMBER: 4266 P.C., 5/8"X8" TITAN SCREWS RATE \$ 3.05 \$13,072.00

LIFTING EQUIPMENT: \$0.00

BID TOTAL \$30,412.00

APCO 106364

JA002509

APCO-TR-EX0104-0004



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote #

4

JOB INFO.

CONTACT:
PHONE:
FAX:

DATE:

5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

SPLIT C2 UNIT AS PER PLAN CHANGES MADE BY GEMSTONE

12/10/2007	CARPENTERS	2	16 HR
12/11/2007	CARPENTERS	2	16 HR
12/21/2007	CARPENTERS	2	16 HR
12/22/2007	CARPENTERS	2	16 HR
12/24/2007	CARPENTERS	2	16 HR
12/25/2007	CARPENTERS	2	8HR
12/28/2007	CARPENTERS	2	16 HR
12/21/2007	CARPENTERS	2	16 HR
1/2/2008	CARPENTERS	2	18 HR
1/3/2008	CARPENTERS	2	16 HR
1/4/2008	CARPENTERS	2	18HR
1/15/2008	CARPENTERS	3	24HR
1/17/2008	CARPENTERS	2	17 HR
1/18/2008	CARPENTERS	2	16 HR
1/21/2008	CARPENTERS	2	16 HR
1/29/2008	CARPENTERS	3	24 HR

			RATE	
LABOR:	261 H.R.	\$	30.00	<u>\$7,830.00</u>
LUMBER:	20290 L.F. 2X4 D.F	\$	0.33	<u>\$6,695.00</u>
LUMBER:	8520 L.F. 2X6 D.F	\$	0.50	<u>\$4,260.00</u>
LIFTING EQUIPMENT:				<u>\$1,527.00</u>
BID TOTAL				<u>\$20,312.00</u>

APCO 106365

JA002510

APCO-TR-EX0104-0005



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 5

JOB INFO:
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

ADD EXTRA PENETRATIONS IN WALLS, THE AGREEMENT WE HAVE WITH APCO IS THAT WE
WILL FRAME ANY PENETRATION IN THE WALLS IF IT IS COORDINATED UP FRONT, IT
DON'T TAKE ME ANY MOOR TIME OR MONEY IF I DO IT AS WE FRAME THE WALLS
HOWEVER THIS DID NOT HAPPEN SO WE HAD TO SEND THE PICK UP CROW BACK AND MAKE
THE CHANGES.

4/7/2008	CARPENTERS	4	32 HR		
4/8/2008	CARPENTERS	4	32 HR		
4/9/2008	CARPENTERS	4	32 HR		
4/10/2008	CARPENTERS	4	32 HR		
4/11/2008	CARPENTERS	4	32 HR		
4/13/2008	CARPENTERS	4	32 HR		
4/14/2008	CARPENTERS	4	32 HR		
4/15/2008	CARPENTERS	4	32 HR		
4/16/2008	CARPENTERS	4	32 HR		
4/17/2008	CARPENTERS	4	32 HR		
4/19/2008	CARPENTERS	2	16HR		
4/20/2008	CARPENTERS	2	16 HR		
4/21/2008	CARPENTERS	2	16 HR		
4/22/2008	CARPENTERS	2	16 HR		
4/23/2008	CARPENTERS	2	16 HR		
4/25/2008	CARPENTERS	2	16 HR		
				RATE	
LABOR:		416 H.R.		\$ 30.00	\$12,480.00
LUMBER:	1240 L.F	2X4 D.F		\$ 0.33	\$409.20
LUMBER:	661 L.F.	2X6 D.F		\$ 0.50	\$330.50
LIFTING EQUIPMENT:					\$0.00
BID TOTAL					\$13,219.70

APCO 106366

JA002511

APCO-TR-EX0104-0006



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 6

JOB INFO:
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

**BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.**

**CHANGE H.V.A.C. SHAFT SIZE AT ELEVATOR LOBBY AS PER DIRECTION GIVEN TO ZITTING BY
KITH AND THEN CHANGE IT BACK TO THE SAME SIZE AS IT ORIGINALLY WAS.**

4/19/2008	CARPENTERS	2	16HR		
4/20/2008	CARPENTERS	2	16 HR		
4/21/2008	CARPENTERS	2	17 HR		
				RATE	
LABOR:		49 H.R.		\$ 30.00	<u>\$1,470.00</u>
LUMBER:	350 L.F.	11 7/8 T.J.I.		\$ 2.10	<u>\$735.00</u>
LUMBER:	4 P.C.	4X8X3/4 T&G		\$ 12.00	<u>\$48.00</u>
LUMBER:	46 L.F.	1 3/4X11 7/8 L.V.L.		\$ 3.96	<u>\$182.16</u>
LIFTING EQUIPMENT:					<u>\$393.00</u>
BID TOTAL					\$2,828.16

APCO 106367

JA002512

APCO-TR-EX0104-0007



PO # 178

Hurricane UT 84737

tel: 435/635-4068

fax: 435/635-4137

Quote #

7

JOB INFO.

CONTACT:

PHONE:

FAX:

DATE:

5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

FIX HOLES IN SHEAR WALLS IN 8&9 CASED BY THE FIRE SPRINKLER SUB CONTRACTOR

4/7/2008	CARPENTERS	3	24 HR
4/8/2008	CARPENTERS	2	16 HR
4/9/2008	CARPENTERS	2	16 HR
4/10/2008	CARPENTERS	2	16 HR
4/11/2008	CARPENTERS	1	8 HR
4/13/2008	CARPENTERS	2	16 HR
4/14/2008	CARPENTERS	2	16 HR
4/15/2008	CARPENTERS	2	17 HR
4/16/2008	CARPENTERS	1	8 HR
4/17/2008	CARPENTERS	2	16 HR
4/19/2008	CARPENTERS	2	18 HR
4/20/2008	CARPENTERS	3	24 HR
4/21/2008	CARPENTERS	2	16 HR

				RATE	
LABOR:		211 H.R.	\$	30.00	\$6,330.00
LUMBER:	940 L.F.	2X4 D.F	\$	0.33	\$310.20
LIFTING EQUIPMENT:					\$0.00
BID TOTAL					\$6,640.20

APCO 106368

JA002513

APCO-TR-EX0104-0008



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 8

JOB INFO:
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

ADD EXTRA STDS IN WALLS, FOR THE LOWE VOLTAGE BOXES, THE AGREEMENT WE HAVE WITH
APCO IS THAT WE WILL FRAME FOR ANY THING THE SUBS NEED IF IT IS COORDINATED UP FRONT
IT DON'T TAKE ANY MOOR TIME OR MONEY IF WE DO IT AS WE FRAME THE WALLS
HOWEVER THIS DID NOT HAPPEN SO WE HAD TO SEND THE PICK UP CROW BACK AND MAKE
THE CHANGES.

4/17/2008	CARPENTERS	4	28 HR
4/19/2008	CARPENTERS	2	16 HR
4/20/2008	CARPENTERS	2	16 HR
4/21/2008	CARPENTERS	3	24 HR

			RATE	
LABOR:	84 H.R.	\$	30.00	<u>\$2,520.00</u>
LUMBER:	1980 L.F.	2X4 D.F	\$ 0.33	<u>\$653.40</u>
LIFTING EQUIPMENT:				<u>\$0.00</u>
BID TOTAL				\$3,173.40

APCO 106369

JA002514

APCO-TR-EX0104-0009



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 9

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CHANGE WINDOW HEADERS AS PER STRUCTURAL CLARIFICATION #8 CHANGE MADE
BY RED WINE ENGINEERING.

2/5/2008	CARPENTERS	4	23.5 HR
2/6/2008	CARPENTERS	4	32 HR
2/7/2008	CARPENTERS	4	32 HR
2/8/2008	CARPENTERS	4	32 HR

				RATE	
LABOR:		119.5 H.R.	\$	30.00	<u>\$3,585.00</u>
LUMBER:	840 L.F.	2X6 D.F	\$	0.50	<u>\$420.00</u>
LUMBER:	240 L.F.	1 3/4X9 1/2 L.V.L.	\$	3.21	<u>\$770.40</u>
LIFTING EQUIPMENT:					<u>\$0.00</u>
BID TOTAL					\$4,775.40

APCO 106370

JA002515

APCO-TR-EX0104-0010



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 10

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

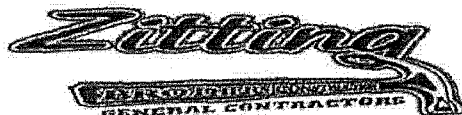
CHANGES MADE TO PLANS FROM BID SET TO CONSTRUCTION SET A COST BREAK DOWN
IS ATTACHED FOR LABOR AND LUMBER.

		RATE	
LABOR:	1720 H.R.	\$ 30.00	\$51,600.00
LUMBER:			\$64,910.14
LIFTING EQUIPMENT:			\$4,995.00
BID TOTAL			\$121,505.14

APCO 106371

JA002516

APCO-TR-EX0104-0011



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 11

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CUT A PENETRATION THROU THE SHEAR WALLS IN ALL B1 UNITS TO ACOMIDATE FOR
THE H.V.A.C. TO PAS THROU AS SHOWN ON R.F.I.#226

3/4/2008	CARPENTERS	4	32 HR
3/5/2008	CARPENTERS	4	32 HR
3/7/2008	CARPENTERS	2	16 HR
3/10/2008	CARPENTERS	2	16 HR
3/11/2008	CARPENTERS	4	32 HR

			RATE	
LABOR:	128 H.R.	\$	30.00	<u>\$3,840.00</u>
LUMBER:	1346 L.F. 2X6 D.F	\$	0.50	<u>\$673.00</u>
LUMBER:	288 L.F. 1 3/4X9 1/2 L.V.L.	\$	3.21	<u>\$924.48</u>
LUMBER:	16 P.C. SIMPSON MST 48	\$	7.95	<u>\$127.00</u>
LIFTING EQUIPMENT:				<u>\$59.00</u>
BID TOTAL				<u>\$5,623.48</u>

APCO 106372

JA002517

APCO-TR-EX0104-0012



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 12

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CHANGE KITCHEN WALLS FROM 25" TO 27" IN ALL UNITS AS PER KEITH'S INSTRUCTIONS

3/7/2008	CARPENTERS	2	16 HR		
3/10/2008	CARPENTERS	2	16 HR		
3/11/2008	CARPENTERS	2	16 HR		
LABOR:		48 H.R.		\$ 30.00	\$1,440.00
LUMBER:	4450 L.F.	2X4 D.F		\$ 0.33	\$1,468.50
LIFTING EQUIPMENT:					\$326.00
BID TOTAL					\$3,234.50

APCO 106373

JA002518

APCO-TR-EX0104-0013



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 13

JOB INFO:
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CHANG BATH ROOM DOORS IN ALL B3 UNITS TO ALLOW ROOM FOR TUBS AND TRIM
AS PER KEITH'S INSTRUCTION

3/26/2008	2	CARPENTERS	16 HR		
3/27/2008	2	CARPENTERS	16 HR		
				RATE	
LABOR:		32 H.R.	\$	30.00	<u>\$960.00</u>
LUMBER:	1985 L.F.	2X4 D.F	\$	0.33	<u>\$655.00</u>
LIFTING EQUIPMENT:					<u>\$125.00</u>
BID TOTAL					<u>\$1,740.00</u>

APCO 106374

JA002519

APCO-TR-EX0104-0014



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 14

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CUT SCUPPERS IN THE ROOF OF 8 & 9 AT ALL LOFT ROOFS AS PER JOE'S INSTRUCTION

5/14/2008	CARPENTERS	2	16 HR
5/15/2008	CARPENTERS	2	16.5 HR

			RATE	
LABOR:	32.5 H.R.	\$	30.00	<u>\$975.00</u>
LUMBER:	0 L.F.	\$	-	<u>\$0.00</u>
LIFTING EQUIPMENT:		\$	-	<u>\$0.00</u>
BID TOTAL				<u>\$975.00</u>

APCO 106375

JA002520

APCO-TR-EX0104-0015



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 15

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

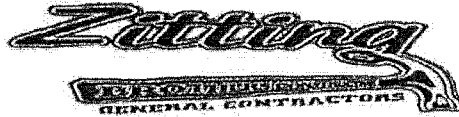
ADD PARAPET WALLS AT ALL LOFT ROOFS ON 8 & 9 TO HIDE FOAM FOR THE ROOFING
AS PER JOE'S INSTRUCTION

3/26/2008	2 CARPENTERS	16 HR		
3/27/2008	2 CARPENTERS	16 HR		
3/26/2008	2 CARPENTERS	16 HR		
3/27/2008	1 CARPENTERS	6 HR		
			RATE	
LABOR:	54H.R.	\$	30.00	<u>\$1,620.00</u>
LUMBER:	1132 L.F.	2X6 D.F	\$	0.50 <u>\$566.00</u>
LUMBER:	45 P.C.	4X8X1/2 O.S.B.	\$	8.75 <u>\$393.75</u>
LIFTING EQUIPMENT:				<u>\$216.00</u>
BID TOTAL				<u>\$2,795.75</u>

APCO 106376

JA002521

APCO-TR-EX0104-0016



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 16

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

FRAME PLATFORM FOR THE TEMP. ELEVATOR ON #7 AS PER HERSHEL'S INSTRUCTION

4/28/2008	2 CARPENTERS	16 HR		
4/29/2008	1 CARPENTERS	3 HR		
			RATE	
LABOR:	17 H.R.	\$	30.00	<u>\$510.00</u>
LUMBER:	356 L.F. 2X6 D.F.	\$	0.50	<u>\$178.00</u>
LUMBER:	8 P.C. 4X8X5/8 O.S.B.	\$	9.38	<u>\$75.04</u>
LIFTING EQUIPMENT:				<u>\$0.00</u>
BID TOTAL				<u>\$763.04</u>

APCO 106377

JA002522

APCO-TR-EX0104-0017



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 17

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 6/26/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

FRAME HAND RAIL'S FOR #2 & 3 AS PER HERSHEL'S INSTRUCTION

4/25/2008	2 CARPENTERS	8 HR		
			RATE	
LABOR:		8 H.R.	\$ 30.00	<u>\$240.00</u>
LUMBER:	1280 L.F.	2X4 D.F.	\$ 0.33	<u>\$422.40</u>
LIFTING EQUIPMENT:				<u>\$0.00</u>
BID TOTAL				<u>\$662.40</u>

APCO 106378

JA002523

APCO-TR-EX0104-0018



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 18

JOB INFO:
CONTACT:
PHONE:
FAX:

DATE: 6/26/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR AS REQUIRED TO SNAP LINES ON #7 PER PLANS

PRE. SNAP LINES ON #7 AS PER HERSHEL AND SHAWN'S INSTRUCTIONS

1/24/2008	5 CARPENTERS	60 HR
1/25/2008	5 CARPENTERS	50 HR

		RATE	
LABOR:	110 H.R.	\$ 30.00	<u>\$3,300.00</u>

BID TOTAL			<u>\$3,300.00</u>
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APCO 106379

JA002524

APCO-TR-EX0104-0019



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 19

JOB INFO:
CONTACT:
PHONE:
FAX:

DATE: 6/26/2008

JOB: MANHATTAN WEST
BUILDER: APCO

BID INCLUDES: LABOR, HARDWARE, FASTENERS
REQUIRED.

ADD SIMPSON S.D.S. SCREWS IN ALL TYPE F AND D SHEAR WALLS

5/26/2008	CARPENTERS	6	48 HR
5/27/2008	CARPENTERS	6	48 HR
5/28/2008	CARPENTERS	4	32 HR
5/29/2008	CARPENTERS	6	48 HR
5/30/2008	CARPENTERS	6	48 HR
6/2/2008	CARPENTERS	6	48 HR
6/3/2008	CARPENTERS	6	48HR
6/4/2008	CARPENTERS	4	32 HR
6/5/2008	CARPENTERS	6	48HR
6/6/2008	CARPENTERS	6	48 HR

			RATE	
LABOR:	448 HR	\$	30.00	<u>\$13,440.00</u>
FASTENERS: 2 1/2" SIMPSON S.D.S. SCREWS	7500 PC	\$	0.34	<u>\$2,550.00</u>
FASTENERS: 6" SIMPSON S.D.S. SCREWS	7500 PC	\$	1.12	<u>\$8,400.00</u>
LIFTING EQUIPMENT:				<u>\$0.00</u>
BID TOTAL				<u>\$24,390.00</u>

APCO 106380

JA002525

APCO-TR-EX0104-0020

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DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



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**EXHIBIT C
TO THE RATIFICATION**

Submitted Change Orders

*ZITTING
QUOTE #*

APCO COST CHANGE ORDER REQUESTS SUBMITTED

#3	Install titan screws for 8 & 9 in concrete	\$41,972.00 - AR	8/08/08 QUOTE 30,412.00
#18	Snap line on 7 as per Hershel & Shawn's instruction	\$5,500.00 - AR	3,300.00
#16	Frame platform for temp elevator on 7 per Hershel	\$1,198.00 - AR	763.04
#15	Add parapet walls at loft roofs on 8 & 9 to hide foam	\$1,666.00 - AR	2,795.75
#12	Change kitchen walls from 25" to 27" in all units to fix reveal	\$5,177.00 - AR	3,234.50
#13	Change bathroom door in all B3 units for tub & trim room Camco CO forthcoming.	\$2,257.00*	1,740.00
#11	Cut penetration through shear walls in all B1 units Camco CO forthcoming.	\$8,319.80*	5,623.48
#8	Add extra studs for low voltage boxes	\$6,837.00 - AP	3,173.40
#6	Change HVAC shaft size at elevator	\$2,844.00 - AP	2,828.16
#5	Add penetrations in walls per APCO	\$21,535.00 - AR	13,219.70
#1	Change doors in all 5 units to allow tub room Camco CO forthcoming.	\$1,690.50*	1,060.50
#2	Change doors in all A1L, B3L, B4A, B4L, B5L, B6 & C2 units Camco (X) forthcoming.	\$4,570.00*	3,055.50
#14	Cut scuppers in roof of 8 & 9 at all loft roofs Camco CO forthcoming.	\$1,625.00*	975.00
#17	Frame temp hand rail for 2 & 3 per Hershel	\$827.00 - AR	662.40
#7	Fix holes in shear walls in 8&9 caused by Jeff Heit	\$10,860.00 - AR	6,640.20
#9	Change window headers per Structural Clarification #8 Camco CO forthcoming.	\$7,344.00*	4,775.40
#10	Difference in Bid Set to Permitted Construction Set Gemstone/Camco \$16,113.14 - APCO balance is \$139,782.86	\$155,896.00*1 - AR	121,505.14
#4	C2 unit split per plan Camco CO forthcoming.	\$23,000.00*	20,312.00
#19	Add Simpson screws in all Type F and D shear walls Camco CO forthcoming.	\$33,350.00*	24,390.00

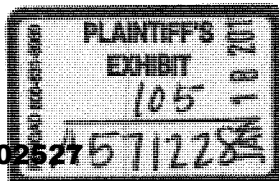
* = Camco change order forthcoming
AR = APCO's responsibility

08/08/08 VERSION

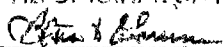
APCO 176,342.97
CAMCO 74,123.20

250,466.17

APCO
109,313.60
CAMCO
12,191.32



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DOCUMENT ATTACHED IS A
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OF THE ORIGINAL ON FILE



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JA002528

APCO CONSTRUCTION

3432 N. 5th Street • North Las Vegas, NV 89032
Phone: (702) 734-0198 • Fax: (702) 734-0388
E-mail: apcoconstruction.com • NCL: 14583

UNCONDITIONAL WAIVER AND RELEASE UPON PROGRESS PAYMENT

Property Name:	<u>Manhattan West</u>
Property Location:	<u>Russell Road & I-215, Las Vegas, Nevada</u>
Undersigned's Customer:	<u>APCO Construction</u>
Inv./Pmt Application No:	<u>Payment Application #7 (May 2008)</u>
Payment Amount:	<u>\$27,973.80</u>

The undersigned has been paid and has received a progress payment in the above referenced Payment Amount for all work, materials and equipment the undersigned furnished to his Customer for the above described Property and does hereby waive any notice of lien, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to payment rights that the undersigned has on the above described Property to the following extent:

This release covers a progress payment for the work, materials or equipment furnished by the undersigned to the Property or to the Undersigned's Customer which are the subject of the Invoice or Payment Application, but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any items, modifications or changes pending approval, disputed items and claims, or items furnished that are not paid. The undersigned warrants that he either has already paid or will use the money he receives from this progress payment promptly to pay in full all laborers, subcontractors, materialmen and suppliers for all work, materials or equipment that are the subject of the waiver and release.

Dated: 03/03/08

Zitting Brothers Construction Inc.

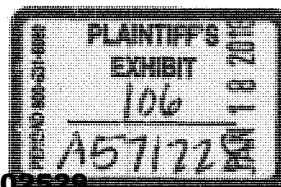
Signature: *Sam Zitting*

Print: Sam Zitting

Title: pres.

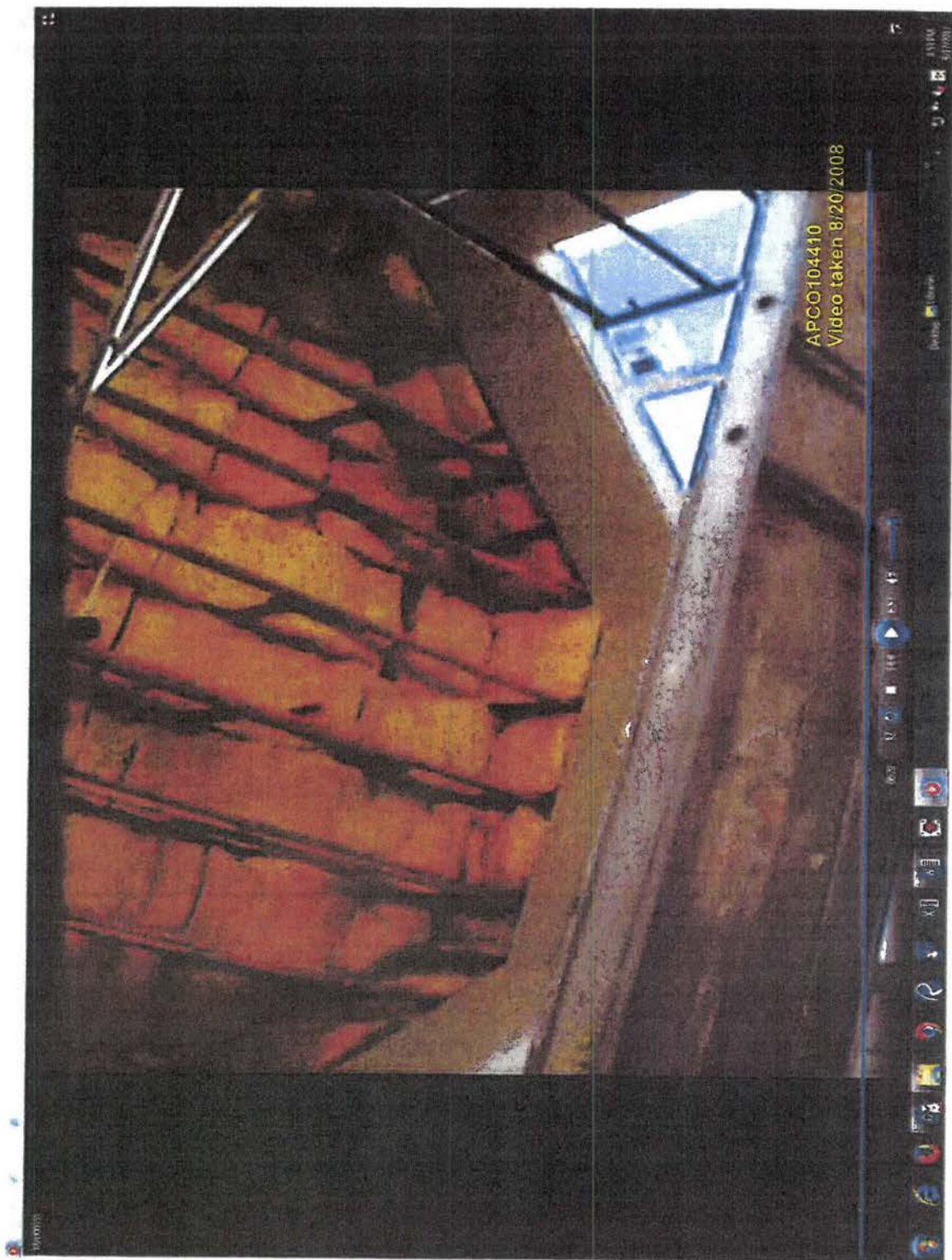
Notice: This document waives rights unconditionally and states that you have been paid for giving up those rights. This document is enforceable against you if you sign it to the extent of the Payment Amount or the amount received. If you have not been paid, use a Conditional Release form.

APCO00044636



JA002529

APCO-TR-EX0106-0001
PLTF'S PROPOSED EXHIBIT
NO. 106
Case No. A571228



APCO-TR-EX0108-0001
 PLTF'S PROPOSED EXHIBIT
 NO. 108
 Case No. A571228

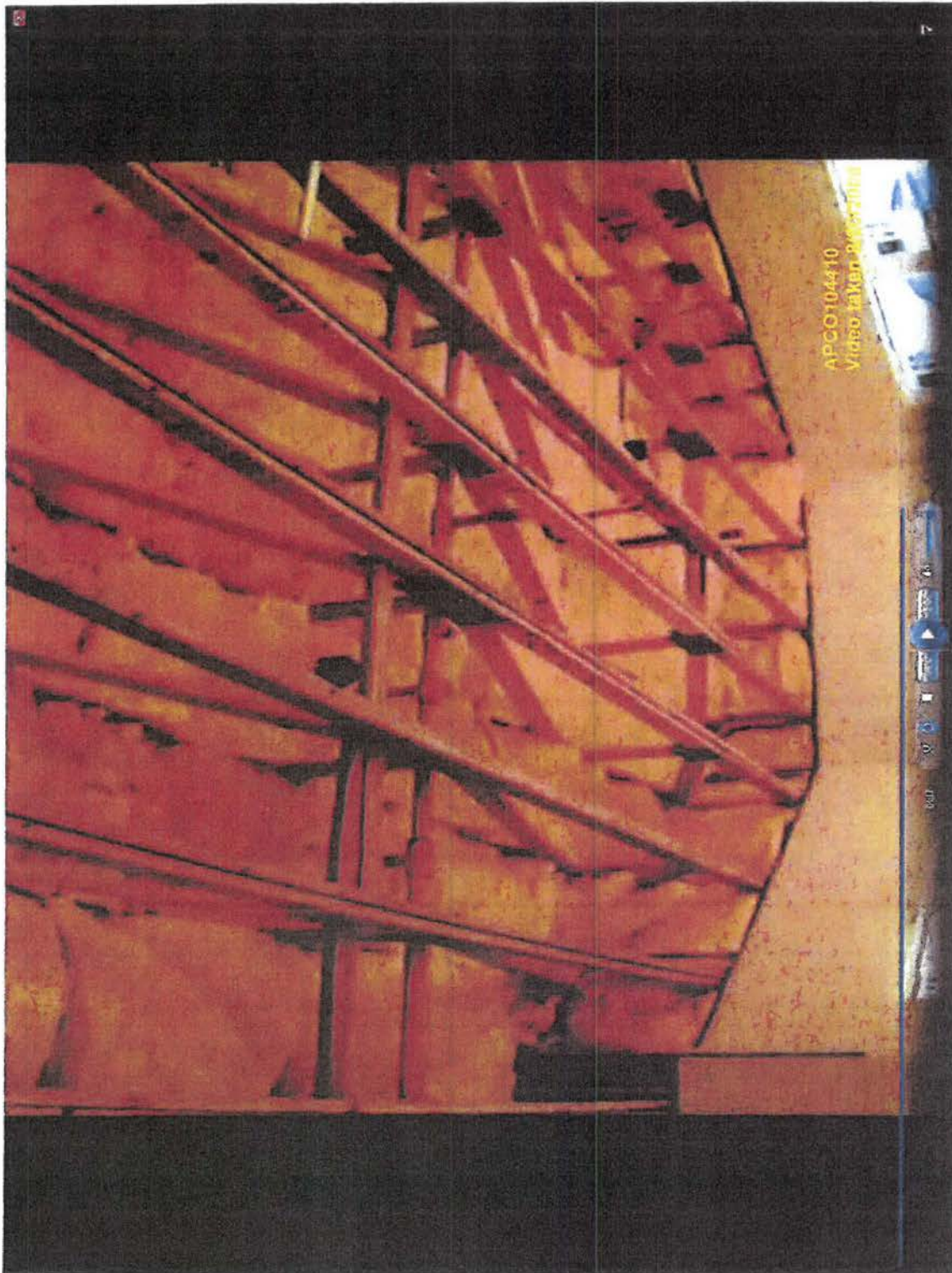
JA002530

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JA002531

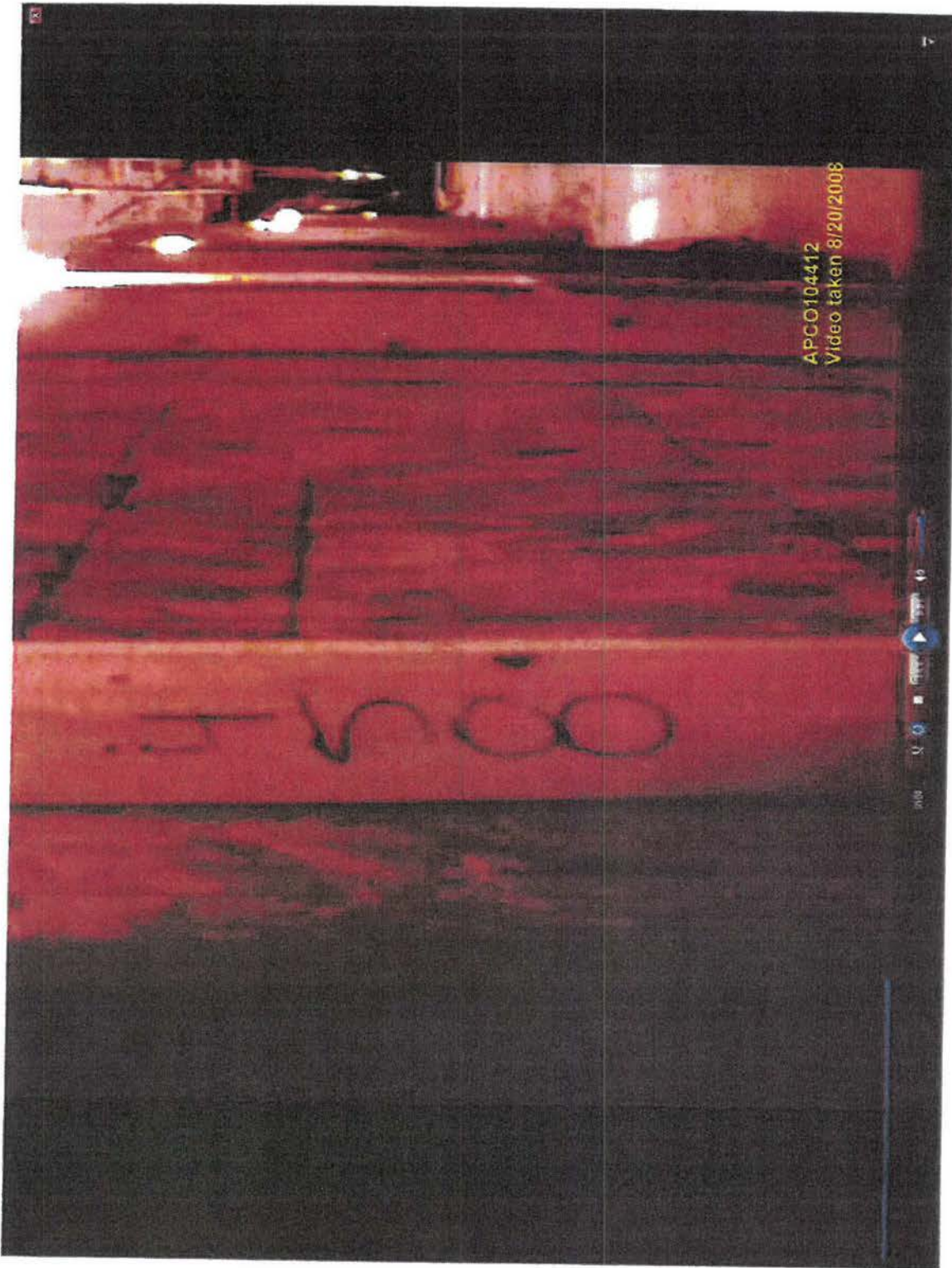


APCO-TR-EX0109-0001
PLTF'S PROPOSED EXHIBIT
NO. 109
Case No. A571228

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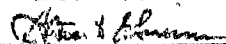
John A. Johnson

CLERK OF THE COURT
JA002533



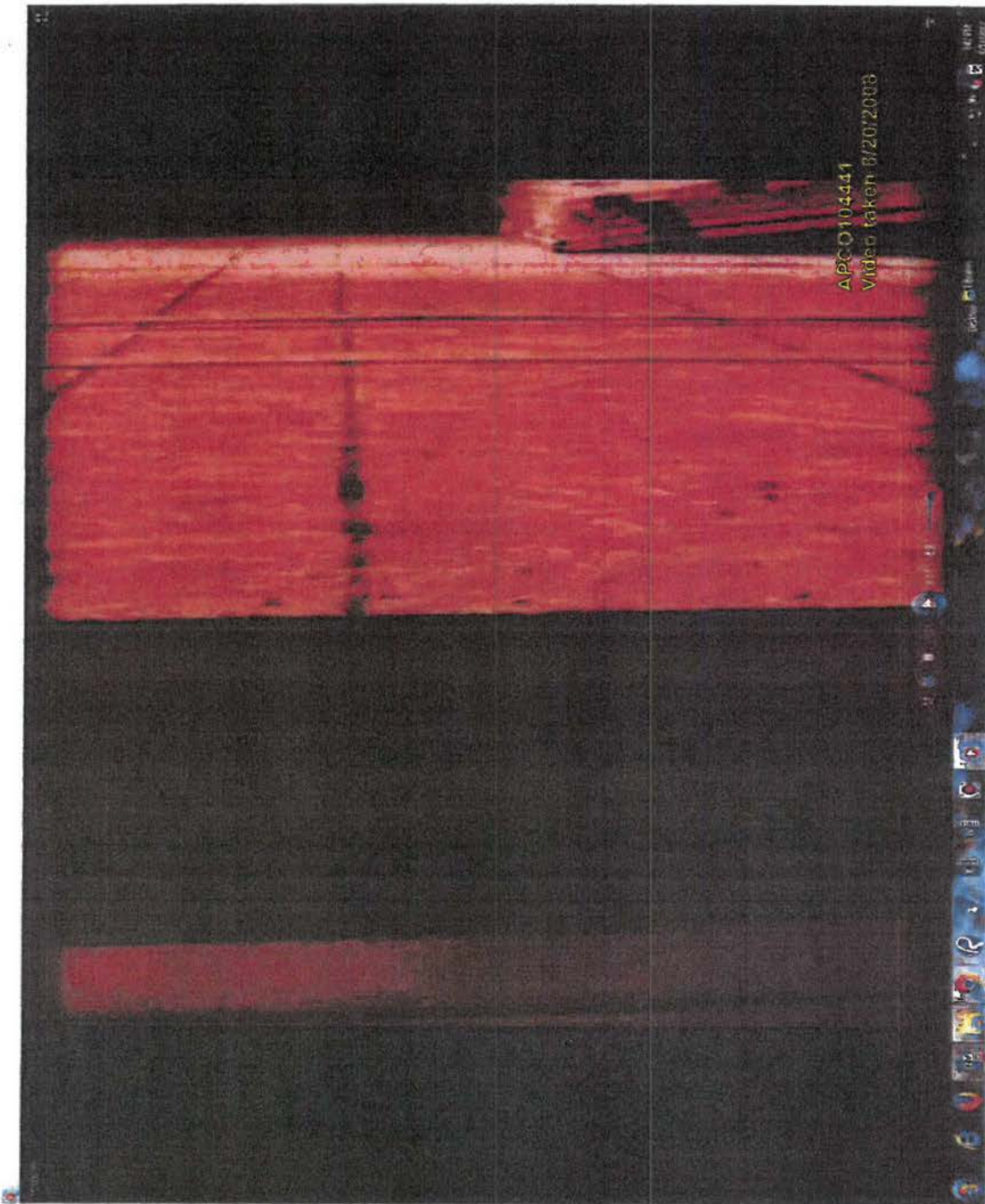
APCO-TR-EX0110-0001
PLTF'S PROPOSED EXHIBIT
NO. 110
Case No. A571228

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JA002535

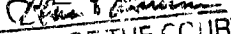


JA002536



APCO-TR-EX0111-0001
PLTF'S PROPOSED EXHIBIT
NO. 111
Case No. A571228

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JA002537



PLAINTIFF'S
EXHIBIT
112
JAN 18 2018
A571228

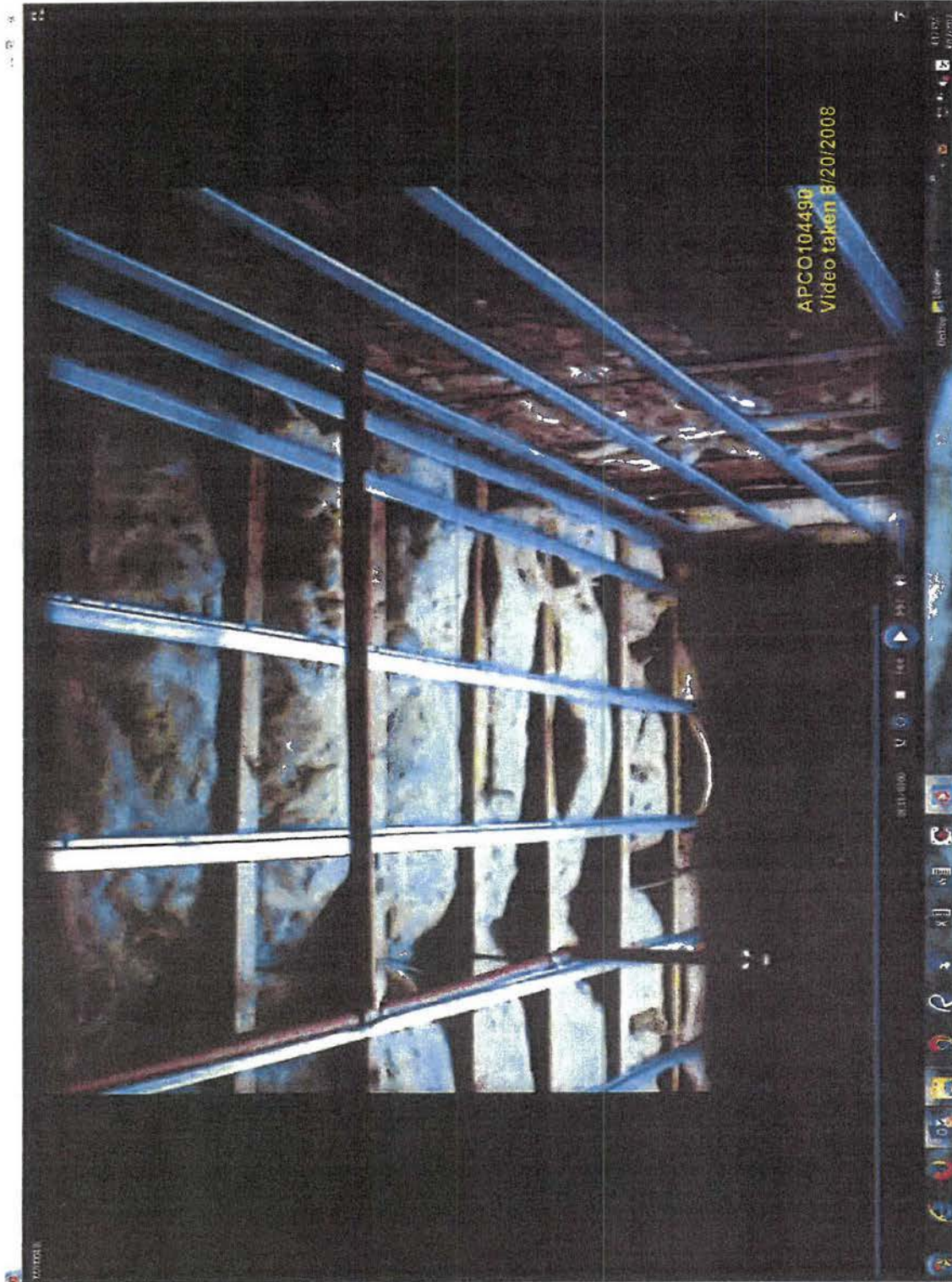
JA002538

APCO-TR-EX0112-0001
PLTF'S PROPOSED EXHIBIT
NO. 112
Case No. A571228

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John S. P.
CLERK OF THE COURT

JA002539



JA002540



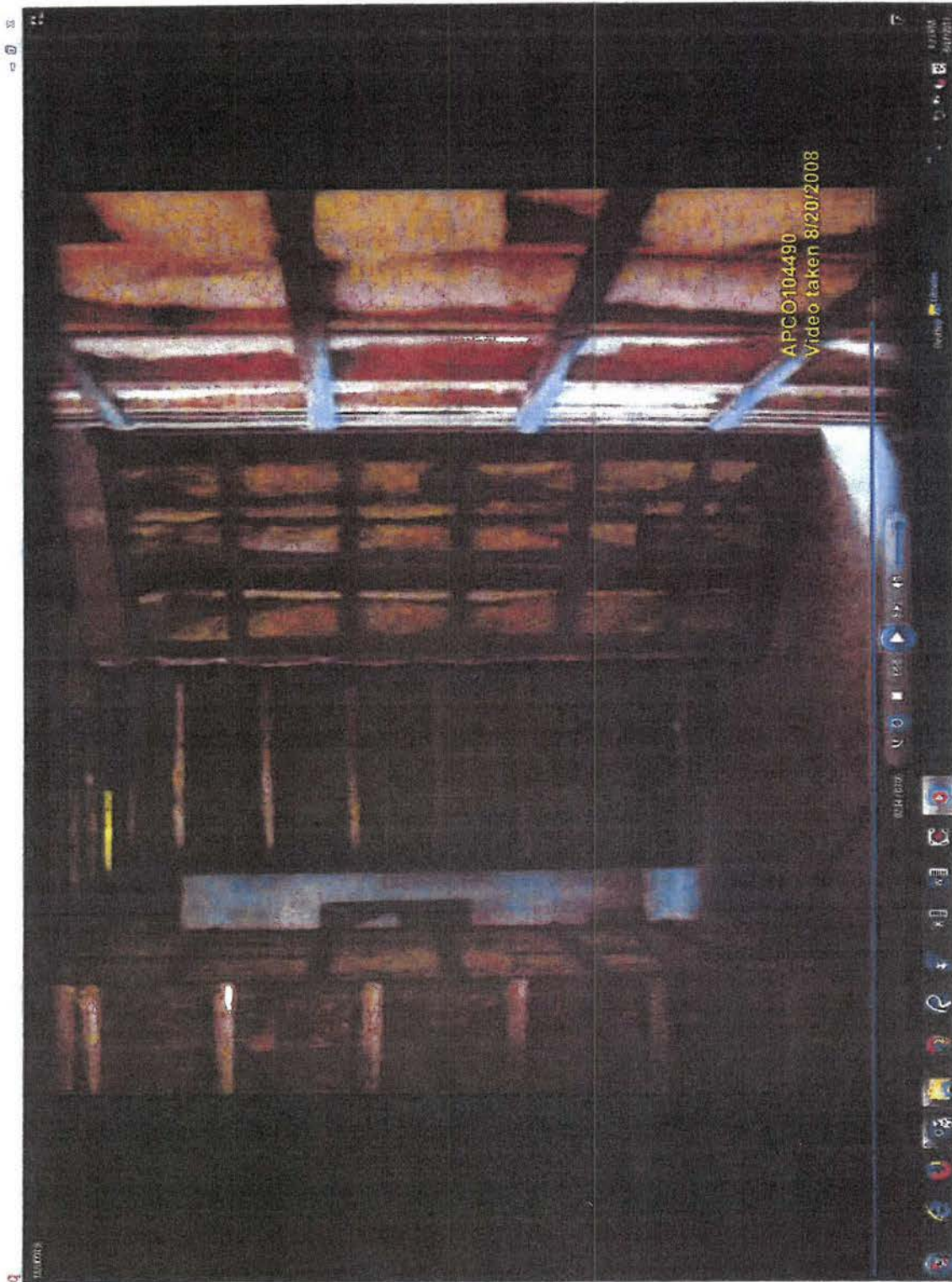
APCO-TR-EX0113-0001
PLTF'S PROPOSED EXHIBIT
NO. 113
Case No. A571228

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Alma L. Brown

CLERK OF THE COURT

JA002541

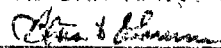


JA002542



APCO-TR-EX0114-0001
 PLTF'S PROPOSED EXHIBIT
 NO. 114
 Case No. A571228

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TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002543

REMIT TO: Zitting Brothers Construction
256 W1 00 S
Hurricane UT 84730

P-(435) 635-4088
F-(435) 635-4137
Vendor # 21313

CONTRACT AGREEMENT
3432 NORTH 5TH STREET

SC# 111

Manhattan West - PHASE 1

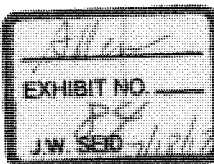
PROCESS PAYMENT NO: 9

FOR PERIOD: 8/22/2008

APCO JOB # 168

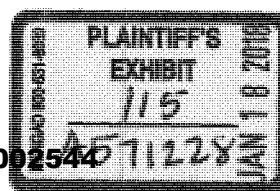
ITEM NO	SPEC NUMBER	DESCRIPTION	CONTRACT QUAN.	Unit	UNIT PRICE	ESTIMATED CONTRACT DOLLARS	THIS REQUEST QTY	DOLLARS	TOTAL TO DATE QTY	DOLLARS
Phase 1										
1	6150.10	Building 8	1	LS	1805000	1,805,000.00	0%		100%	1,805,000.00
2	6150.10	Building 9	1	LS	1805000	1,805,000.00	0%		100%	1,805,000.00
3	6150.10	Install Windows	1	LS	41000	41,000.00	0%		50%	20,500.00
TOTAL PH 1 CONTRACT						3,651,000.00	0%	-	98%	3,630,500.00
3	6150.1	Change Order Summary (See Page 2)						-		200,257.06
TOTAL PHASE 1						3,651,000.00		-		3,830,757.06
Phase 2										
6	6150.10	Building 1	1	LS	1115000	1,115,000.00	0%		0%	
7	6150.10	Building 4	1	LS	1115000	1,115,000.00	0%		0%	
8	6150.10	Building 5	1	LS	1805000	1,805,000.00	0%		0%	
9	6150.10	Building 6	1	LS	1805000	1,805,000.00	0%		0%	
10	6150.10	Building 10	1	LS	1805000	1,805,000.00	0%		0%	
11	6150.10	Building 11	1	LS	1805000	1,805,000.00	0%		0%	
12	6150.10	Building 12	1	LS	1400000	1,400,000.00	0%		0%	
TOTAL PHASE 2						10,851,000.00	0%	-	0%	-
						14,502,000				

PREVIOUS PAYMENT AMOUNTS	DATE	AMT THIS ESTIMATE	AMOUNT TO DATE
EST # 1.1	800,000.00	1/24/2008	
EST # 1.2	368,785.00	2/6/2008	
EST # 2	567,148.60	2/19/2008	
EST # 3	408,225.70	3/13/2008	
EST # 4	495,604.60	4/15/2008	
EST # 5	424,688.70	5/19/2008	
EST # 6	156,574.60	6/13/2008	
EST # 7	27,973.80	7/28/2008	
EST # 8.1 & 8.2	33,847.55	8/29/2008 JC	
EST #			
EST #			
EST #			
EST #			
EST #			
EST #			
EST #			
EST #			
TOTAL	3,282,848.55		



APCO 106189

JA002544



APCO-TR-EX0115-0001
PLTF'S PROPOSED EXHIBIT
NO. 115
Case No. A571228

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John J. Johnson

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JA002545

**RATIFICATION AND AMENDMENT OF SUBCONTRACT AGREEMENT
BUCHELE INC**

This Ratification and Amendment of Subcontract Agreement ("Ratification") is made as of August 26, 2008 (the "Effective Date"), between BUCHELE INC ("Subcontractor"), and Camco Pacific Construction Company, Inc. ("Camco").

RECITALS

A. Subcontractor and Asphalt Products Corporation also known as APCO Construction ("APCO") entered into the written Subcontract Agreement attached hereto as Exhibit A (the "Subcontract Agreement") related to the ManhattanWest Condominiums project located at West Russell Road and Rocky Hill Street in Clark County, Nevada.

B. Subcontractor and Camco desire to acknowledge, ratify, and agree to the terms of the Subcontract Agreement, whereby Camco will replace APCO as the "Contractor" under the Subcontract Agreement but, subject to the terms of this Ratification, all other terms and conditions of the Subcontract Agreement will remain in full force and effect.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are acknowledged, Subcontractor and Camco agree as follows:

AGREEMENT

1. Amendments. Attached hereto as Exhibit B are all of the amendments and modifications to the Subcontract Agreement that were executed by APCO and Subcontractor prior to the Effective Date (the "Amendments").

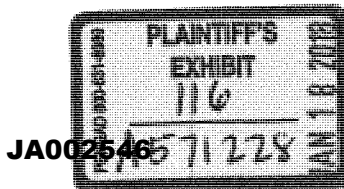
2. Change Orders. Attached hereto as Exhibit C are all of the change orders that have been submitted by Subcontractor to APCO prior to the Effective Date (the "Submitted Change Orders"). Set forth on Exhibit D hereto is a list of the Submitted Change Orders that have been approved by Camco as of the Effective Date (the "Previously Approved Change Orders").

3. Removal of Future Buildings. Notwithstanding any provision of this Ratification, Section 9.8 of the Subcontract Agreement is hereby amended and restated as follows:

9.8 Consideration. Notwithstanding any provision of this Subcontract Agreement, in the event of a partial termination of the Subcontract Agreement at the time of such termination, if no work has been performed by Subcontractor on a given building or buildings that are subject to such termination, (a) the sole compensation to be paid by Contractor to Subcontractor with respect to such building or buildings shall be an aggregate of \$100 and (b) in no event shall Subcontractor be entitled to profit, markup, or compensation for any form of bulk discounts on services or work not performed.

POSTED

09714



APCO-TR-EX0116-0001
PLTFF'S PROPOSED EXHIBIT
NO. 116
Case No. A571228

4. Subcontractor Scope of Work. Notwithstanding any provision of this Ratification, the second paragraph of Exhibit A Subcontractor Scope of Work APCO Contract No. 168-036 is hereby amended and restated as follows:

The Scope of Work shall consist of the following:

DEMOLITION, GRADING, SUPPLY AND INSTALL OF TYPE II: Complete work per governing codes, furnish and install all necessary Design, Labor, Material, Equipment, Cartage, Freight, Supervision, Taxes, and Necessary Insurance to install and complete all SAW CUT, DEMOLISH, CONTOUR, CUT FILL, K EXISTING GRADE +/- 1'-0" GRADE, FURNISH AND INSTALL TYPE II, COMPACT, ROLL, FINISH READY TO PAVE AS SHOWN ON APPROVED DRAWINGS pursuant to the Project Drawing List for the following amounts per building:

AREA/BUILDING	Amount
DEMOLITION TOTALS	\$29,900.00
GRADING C5 TOTALS	\$101,000.00
GRADING C6, 7, 8 TOTALS	\$131,400.00
Total:	\$262,900.00

Notwithstanding any provision of this Subcontract Agreement, Contractor has (a) delivered to Subcontractor a disk entitled "ManhattanWest Construction Drawings August 29, 2008" containing all of the actual drawings, documents, and submittals for the Project (excluding the shop drawings) and (b) made available to Subcontractor all of the shop drawings for the Project (collectively, the "Project Drawing List"). Prior to the effective date, (a) Subcontractor received and reviewed the drawings, documents, and submittals contained in such Project Drawing List and (b) both parties hereby acknowledge that the version of such documents as of the Effective Date are hereby incorporated into this Agreement and shall serve as the relevant design documents for purposes of this Agreement.

Notwithstanding any provision of this Subcontract Agreement, the Scope of Work for (a) Buildings 2, 3, 7, 8, and 9 must be completed pursuant to the updated ManhattanWest Cameco Pacific Construction Schedule, dated August 22, 2008 and attached hereto as Schedule 1 (the "Cameco Schedule") and (b) Buildings 1, 4, 5, 6, 10, 11, and 12 must be completed pursuant to the schedule to be delivered to Subcontractor by Contractor at the time that work on such buildings is commenced. Furthermore, it is expressly understood that Subcontractor shall

provide such additional manpower and/or work such additional shifts as are reasonably requested by Camco, without additional expense to Camco.

5. **Ratification.** Subcontractor and Camco agree that (a) the terms of the Subcontract Agreement (as amended by this Ratification and including all Amendments, Previously Approved Change Orders, and the Camco Schedule) will govern their relationship regarding the Project, (b) Camco will be the "Contractor" under the Subcontract Agreement, and (c) Subcontractor and Camco agree to perform and fulfill all of the executory terms, covenants, conditions, and obligations required to be performed and fulfilled thereunder by Subcontractor and Camco, respectively. Additionally, Subcontractor and Camco will be entitled to receive all of the benefits of the executory terms, covenants, conditions, and obligations required to be performed and fulfilled by Camco and Subcontractor, respectively. Notwithstanding any provision of this Ratification, this Ratification shall not be construed as an (i) approval or acceptance by Camco of the Submitted Change Orders that are not Previously Approved Change Orders or (b) acceptance by Subcontractor of Camco's decision, as of the Effective Date, not to approve the Submitted Change Orders that are not Previously Approved Change Orders.

6. **Value Engineering.** In the event that Camco delivers written notice to Subcontractor of a specific value engineering initiative (the "VE Initiative"), Subcontractor will provide to Camco, within three days, a revised price reflecting the VE Initiative and including all back-up and price breakdowns reasonably requested by Camco (the "Value Engineering Deduct"). Notwithstanding any provision of this Ratification or the Subcontract, in the event that Subcontractor fails to comply with the previous sentence of this Section 6, Camco shall have the right to unilaterally remove the work associated with the VE Initiative from the Scope of Work. Notwithstanding any provision of this Ratification or the Subcontract, in the event that the amount of the Value Engineering Deduct is not reasonably acceptable to Camco, Camco shall have the right to obtain an alternate price from a third-party, and if Subcontractor fails to meet such price, Camco shall have the right to unilaterally remove the work associated with the VE Initiative from the Scope of Work.

7. **APCO Relationship.** Notwithstanding any provision of this Ratification, this Ratification shall not (a) be construed to alter the contractual relationship between APCO and Subcontractor prior to the Effective Date or (b) prejudice any rights or obligations of APCO and Subcontractor, to each other, arising or applicable under the Subcontract Agreement prior to the Effective Date.

8. **Third-Party Beneficiary.** Notwithstanding any provision of this Ratification or the Subcontract Agreement, it is expressly agreed that Gemstone Development West, Inc. is an intended third-party beneficiary of the obligations of Subcontractor under the Subcontract Agreement, including without limitation, any indemnity, warranty, insurance, or liquidated damage provisions.

9. **Successors and Assigns.** This Assignment is binding on and inures to the benefit of the parties to it, their heirs, executors, administrators, successors in interest, and assigns.

10. Governing Law. This Assignment will be construed, interpreted, and enforced in accordance with, and governed by, the laws of the State of Nevada, including Nevada's statutes of limitations, but without regard to Nevada's conflicts of laws provisions.

11. Further Assurances. The parties agree to execute all instruments and documents of further assurance and will do any and all such acts as may be reasonably required to carry out their obligations and to consummate the transactions contemplated herein.

IN WITNESS WHEREOF, the parties have executed this Ratification as of the Effective Date.

Subcontractor
Buchele, Inc., a ☒ corporation

Tom Buchele
By:
Its: President

Camco
Camco Pacific Construction Company, Inc., a
California corporation

David Perry
By:
Its: SVP

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

Alma L. Brown

CLERK OF THE COURT

JA002550

**EXHIBIT C
TO THE RATIFICATION**

Submitted Change Orders

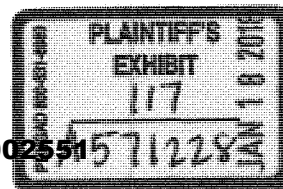
APCO COST CHANGE ORDER REQUESTS SUBMITTED:	
Install Titan screws for 8 & 9 in concrete	\$41,972.00 - AR
Snap line on 7 as per Hershel & Shawn's instruction	\$5,500.00 - AR
Frame platform for temp elevator on 7 per Hershel	\$4,198.00 - AP
Add parapet walls at left roofs on 8 & 9 to hide team	\$1,866.00 - AR
Change kitchen walls from 25" to 27" in all units to fix reveal	\$5,177.00 - AR
Change bathroom door in all B3 units for tub & toilet room	\$2,257.00 *
Canco CO forthcoming	
Cut penetration through shear walls in all B1 units	\$8,349.80 *
Canco CO forthcoming	
Add extra studs for low voltage boxes	\$6,857.00 - AR
Change HVAC shaft size at elevator	\$2,844.00 - AR
Add penetrations in walls per APCO	\$21,535.00 - AR
Change doors in all S units to allow tub room	\$3,690.50 *
Canco CO forthcoming	
Change doors in all A1L, B3L, B4A, B4L, B5L, B6&C2 units	\$4,570.00 *
Canco CO forthcoming	
Get scuppers in roof of 8 & 9 at all left roofs	\$1,625.00 *
Canco CO forthcoming	
Frame temp hand rail for 2 & 3 per Hershel	\$827.00 - AR
Fix holes in shear walls in 8&9 caused by Jeff Heit	\$10,860.00 - AR
Change window headers per Structural Clarification #8	\$7,140.00 *
Canco CO forthcoming	
Difference in Bid Set to Permitted Construction Set	\$155,896.00 ** - AR
Gemstone/Canco 516, 113, 14 - APCO balance is \$130,782.86	
C2 unit split per plan	\$23,000.00 *
Canco CO forthcoming	
Add Simpson screws in all Type F and D shear walls	\$33,350.00 *
Canco CO forthcoming	

* - Canco change order forthcoming

AR - APCO's responsibility

8297,731.36
240,218.36
247,562.36

ZBC1002098



APCO-TR-EX0117-0001
PLTF'S PROPOSED EXHIBIT
NO. 117
Case No. A571228



PO # 178
Hurricane UT 84737
tel: 435/635-4000
fax: 435/635-4137

Quote # 5

JOB INFO
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

INSTALL TITAN SCREWS FOR S&S IN CONCRETE AS DIRECTED BY SHAWN BOWNE
IN ORDER TO ELIMINATE THE PROBLEM OF FINISHING THE CONCRETE AROUND THEM
AND HAVING THEM GET KNOCKED OUT OF PLACE AND NOT END UP IN THE WALL
THIS ALSO FIXES THE PROBLEM OF HAVING THE BOLTS COME UP UNDER THE STUDS.

12/10/2007	CARPENTERS	2	16 HR
12/11/2007	CARPENTERS	2	16 HR
12/12/2007	CARPENTERS	2	16 HR
12/13/2007	CARPENTERS	2	16 HR
12/14/2007	CARPENTERS	2	16 HR
12/15/2007	CARPENTERS	2	16 HR
12/16/2007	CARPENTERS	2	16 HR
12/17/2007	CARPENTERS	2	16 HR
12/18/2007	CARPENTERS	2	16 HR
12/19/2007	CARPENTERS	2	16 HR
12/20/2007	CARPENTERS	2	16 HR
12/21/2007	CARPENTERS	2	16 HR
12/22/2007	CARPENTERS	2	16 HR
12/23/2007	CARPENTERS	2	16 HR
12/24/2007	CARPENTERS	2	16 HR
12/25/2007	CARPENTERS	2	16 HR
12/26/2007	CARPENTERS	2	16 HR
12/27/2007	CARPENTERS	2	16 HR
12/28/2007	CARPENTERS	2	16 HR
12/29/2007	CARPENTERS	2	16 HR
12/30/2007	CARPENTERS	2	16 HR
1/1/2008	CARPENTERS	2	16 HR
1/2/2008	CARPENTERS	2	16 HR
1/3/2008	CARPENTERS	2	16 HR
1/4/2008	CARPENTERS	2	16 HR
1/5/2008	CARPENTERS	2	16 HR
1/6/2008	CARPENTERS	2	16 HR
1/7/2008	CARPENTERS	2	16 HR
1/8/2008	CARPENTERS	2	16 HR
1/9/2008	CARPENTERS	2	16 HR
1/10/2008	CARPENTERS	2	16 HR
1/11/2008	CARPENTERS	2	16 HR
1/12/2008	CARPENTERS	2	16 HR
1/13/2008	CARPENTERS	2	16 HR
1/14/2008	CARPENTERS	2	16 HR
1/15/2008	CARPENTERS	2	16 HR
1/16/2008	CARPENTERS	2	16 HR
1/17/2008	CARPENTERS	2	16 HR
1/18/2008	CARPENTERS	2	16 HR
1/19/2008	CARPENTERS	2	16 HR
1/20/2008	CARPENTERS	2	16 HR
1/21/2008	CARPENTERS	2	16 HR
1/22/2008	CARPENTERS	2	16 HR
1/23/2008	CARPENTERS	2	16 HR
1/24/2008	CARPENTERS	2	16 HR
1/25/2008	CARPENTERS	2	16 HR
1/26/2008	CARPENTERS	2	16 HR
1/27/2008	CARPENTERS	2	16 HR
1/28/2008	CARPENTERS	2	16 HR
1/29/2008	CARPENTERS	2	16 HR

LABOR: 678 H.R. RATE \$ 30.00 \$17,340.00

LUMBER: 4288 P.C. 6/8"X6" TITAN SCREWS RATE \$ 3.05 \$13,072.00

LIFTING EQUIPMENT: \$0.00

BID TOTAL \$30,412.00



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 18

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 6/26/2008

JOB: MANHATTAN WEST

BUILDER: APCO

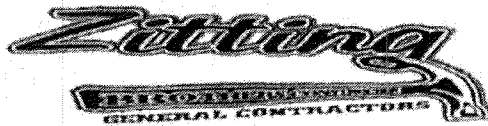
BID INCLUDES: LABOR AS REQUIRED TO SNAP LINES ON #7 PER PLANS

PRE. SNAP LINES ON #7 AS PER HERSHEL AND SHAWN'S INSTRUCTIONS

1/24/2008	5 CARPENTERS	60 HR
1/25/2008	5 CARPENTERS	50 HR

			RATE	
LABOR:	110 H.R.	\$	30.00	<u>\$3,300.00</u>

BID TOTAL				<u>\$3,300.00</u>
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PO # 178
Hurricane UT 84737
tel. 435/635-4068
fax: 435/635-4137

Quote # 16

JOB INFO.

CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

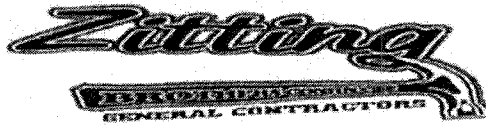
JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

FRAME PLATFORM FOR THE TEMP. ELEVATOR ON #7 AS PER HERSHEL'S INSTRUCTION

4/28/2008	2 CARPENTERS	16 HR		
4/29/2008	1 CARPENTERS	3 HR		
			RATE	
LABOR:	17 H.R.	\$	30.00	<u>\$510.00</u>
LUMBER:	356 L.F. 2X6 D.F.	\$	0.50	<u>\$178.00</u>
LUMBER:	8 P.C. 4X8X5/8 O.S.B.	\$	9.38	<u>\$75.04</u>
LIFTING EQUIPMENT:				<u>\$0.00</u>
BID TOTAL				<u>\$763.04</u>



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 15

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

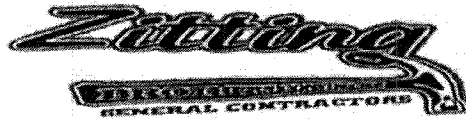
JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

ADD PARAPET WALLS AT ALL LOFT ROOFS ON 8 & 9 TO HIDE FOAM FOR THE ROOFING
AS PER JOE'S INSTRUCTION

3/26/2008	2 CARPENTERS	16 HR		
3/27/2008	2 CARPENTERS	16 HR		
3/26/2008	2 CARPENTERS	16 HR		
3/27/2008	1 CARPENTERS	6 HR		
RATE				
LABOR:	54H.R.	\$	30.00	<u>\$1,620.00</u>
LUMBER:	1132 L.F.	2X6 D.F	\$	0.50 <u>\$566.00</u>
LUMBER:	45 P.C.	4X8X1/2 O.S.B.	\$	8.75 <u>\$393.75</u>
LIFTING EQUIPMENT:				<u>\$216.00</u>
BID TOTAL				<u>\$2,795.75</u>



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 12

JOB INFO.

CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CHANGE KITCHEN WALLS FROM 25" TO 27" IN ALL UNITS AS PER KEITH'S INSTRUCTIONS

3/7/2008	CARPENTERS	2	16 HR		
3/10/2008	CARPENTERS	2	16 HR		
3/11/2008	CARPENTERS	2	16 HR		
LABOR:		48 H.R.		\$ 30.00	<u>\$1,440.00</u>
LUMBER:	4450 L.F.	2X4 D.F		\$ 0.33	<u>\$1,468.50</u>
LIFTING EQUIPMENT:					<u>\$326.00</u>
BID TOTAL					<u>\$3,234.50</u>



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 8

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

ADD EXTRA STDS IN WALLS, FOR THE LOWE VOLTAGE BOXES, THE AGREEMENT WE HAVE WITH
APCO IS THAT WE WILL FRAME FOR ANY THING THE SUBS NEED IF IT IS COORDINATED UP FRONT
IT DON'T TAKE ANY MOOR TIME OR MONEY IF WE DO IT AS WE FRAME THE WALLS
HOWEVER THIS DID NOT HAPPEN SO WE HAD TO SEND THE PICK UP CROW BACK AND MAKE
THE CHANGES.

4/17/2008	CARPENTERS	4	28 HR
4/19/2008	CARPENTERS	2	16 HR
4/20/2008	CARPENTERS	2	16 HR
4/21/2008	CARPENTERS	3	24 HR

			RATE	
LABOR:	84 H.R.	\$	30.00	<u>\$2,520.00</u>
LUMBER:	1980 L.F.	2X4 D.F	\$ 0.33	<u>\$653.40</u>
LIFTING EQUIPMENT:				<u>\$0.00</u>
BID TOTAL				<u>\$3,173.40</u>



PO # 178

Hurricane UT 84737

tel: 435/635-4068

fax: 435/635-4137

Quote #

6

JOB INFO.

CONTACT:

PHONE:

FAX:

DATE:

5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CHANGE H.V.A.C. SHAFT SIZE AT ELEVATOR LOBBY AS PER DIRECTION GIVEN TO ZITTING BY
KITH AND THEN CHANGE IT BACK TO THE SAME SIZE AS IT ORIGINALLY WAS.

4/19/2008	CARPENTERS	2	16HR		
4/20/2008	CARPENTERS	2	16 HR		
4/21/2008	CARPENTERS	2	17 HR		
				RATE	
LABOR:		49 H.R.		\$ 30.00	\$1,470.00
LUMBER:	350 L.F.	11 7/8 T.J.I.		\$ 2.10	\$735.00
LUMBER:	4 P.C.	4X8X3/4 T&G		\$ 12.00	\$48.00
LUMBER:	46 L.F.	1 3/4X11 7/8 L.V.L.		\$ 3.96	\$182.16
LIFTING EQUIPMENT:					\$393.00
BID TOTAL					\$2,828.16



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 5

JOB INFO:

CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

ADD EXTRA PENETRATIONS IN WALLS, THE AGREEMENT WE HAVE WITH APCO IS THAT WE
WILL FRAME ANY PENETRATION IN THE WALLS IF IT IS COORDINATED UP FRONT, IT
DON'T TAKE ME ANY MOOR TIME OR MONEY IF I DO IT AS WE FRAME THE WALLS
HOWEVER THIS DID NOT HAPPEN SO WE HAD TO SEND THE PICK UP CROW BACK AND MAKE
THE CHANGES.

4/7/2008	CARPENTERS	4	32 HR		
4/8/2008	CARPENTERS	4	32 HR		
4/9/2008	CARPENTERS	4	32 HR		
4/10/2008	CARPENTERS	4	32 HR		
4/11/2008	CARPENTERS	4	32 HR		
4/13/2008	CARPENTERS	4	32 HR		
4/14/2008	CARPENTERS	4	32 HR		
4/15/2008	CARPENTERS	4	32 HR		
4/16/2008	CARPENTERS	4	32 HR		
4/17/2008	CARPENTERS	4	32 HR		
4/19/2008	CARPENTERS	2	16HR		
4/20/2008	CARPENTERS	2	16 HR		
4/21/2008	CARPENTERS	2	16 HR		
4/22/2008	CARPENTERS	2	16 HR		
4/23/2008	CARPENTERS	2	16 HR		
4/25/2008	CARPENTERS	2	16 HR		
				RATE	
LABOR:	416 H.R.			\$ 30.00	\$12,480.00
LUMBER:	1240 L.F.	2X4 D.F		\$ 0.33	\$409.20
LUMBER:	661 L.F.	2X6 D.F		\$ 0.50	\$330.50
LIFTING EQUIPMENT:					\$0.00
BID TOTAL					\$13,219.70



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 17

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 6/26/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

FRAME HAND RAIL'S FOR #2 & 3 AS PER HERSHEL'S INSTRUCTION

4/25/2008	2 CARPENTERS	8 HR		
			RATE	
LABOR:		8 H.R.	\$ 30.00	<u>\$240.00</u>
LUMBER:	1280 L.F.	2X4 D.F.	\$ 0.33	<u>\$422.40</u>
LIFTING EQUIPMENT:				<u>\$0.00</u>
BID TOTAL				<u>\$662.40</u>



PO # 178

Hurricane UT 84737

tel: 435/635-4068

fax: 435/635-4137

Quote #

7

JOB INFO.

CONTACT:

PHONE:

FAX:

DATE:

5/30/2008

JOB: MANHATTAN WEST

BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

FIX HOLES IN SHEAR WALLS IN 8&9 CASED BY THE FIRE SPRINKLER SUB CONTRACTOR

4/7/2008	CARPENTERS	3	24 HR
4/8/2008	CARPENTERS	2	16 HR
4/9/2008	CARPENTERS	2	16 HR
4/10/2008	CARPENTERS	2	16 HR
4/11/2008	CARPENTERS	1	8 HR
4/13/2008	CARPENTERS	2	16 HR
4/14/2008	CARPENTERS	2	16 HR
4/15/2008	CARPENTERS	2	17 HR
4/16/2008	CARPENTERS	1	8 HR
4/17/2008	CARPENTERS	2	16 HR
4/19/2008	CARPENTERS	2	18 HR
4/20/2008	CARPENTERS	3	24 HR
4/21/2008	CARPENTERS	2	16 HR

			RATE	
LABOR:	211 H.R.		\$ 30.00	\$6,330.00
LUMBER:	940 L.F.	2X4 D.F	\$ 0.33	\$310.20
LIFTING EQUIPMENT:				\$0.00
BID TOTAL				\$6,640.20



PO # 178
Hurricane UT 84737
tel: 435/635-4068
fax: 435/635-4137

Quote # 10

JOB INFO.
CONTACT:
PHONE:
FAX:

DATE: 5/30/2008

JOB: MANHATTAN WEST

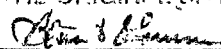
BUILDER: APCO

BID INCLUDES: LABOR, LUMBER, HARDWARE, FASTENERS, AND LIFTING
EQUIPMENT REQUIRED.

CHANGES MADE TO PLANS FROM BID SET TO CONSTRUCTION SET A COST BREAK DOWN
IS ATTACHED FOR LABOR AND LUMBER.

		RATE	
LABOR:	1720 H.R.	\$ 30.00	<u>\$51,600.00</u>
LUMBER:			<u>\$64,910.14</u>
LIFTING EQUIPMENT:			<u>\$4,995.00</u>
BID TOTAL			<u>\$121,505.14</u>

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TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002563

ATT
RAY / JOL

Q: Why did you terminate APCO?

A: The simple answer is that we have recorded Over 60 distinct contract breaches, and it is increasingly clear that APCO has little interest in addressing them or attempting to cure them. APCO has slipped the schedule substantially, and is not making any effort to make up for their slips. Rather than hire highly-qualified construction managers capable of pushing the schedule to bring in the project, they have gradually increased their obstructionism. Put another way, if APCO had put half the energy into schedule repair that they have been putting into CYA activities and unjustified change order requests, we'd be on schedule.

Q: Who is CAMCO Pacific?

A: CAMCO Pacific is a well-established firm whose Las Vegas track record goes back to the Jockey Club. You can learn more about them at www.camcopacific.com

Q: Who do I talk to at CAMCO to move forward?

A: CAMCO's primary site leader will be [Don Grande]. He can be reached at [702-327-8385]. We encourage you to speak to Craig Colligan and his team in the meantime, as we transition CAMCO on.

Q: I'm worried about working on the site without being OSHA-compliant, or without the right permits

A: By Monday, or possibly earlier, we will have all building permits switched over to CAMCO. CAMCO is fully-licensed for unlimited construction, in addition we will have a fulltime OSHA 500 hour card holder monitoring the safety for our project.

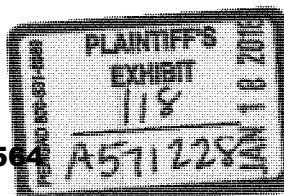
Q: APCO is refusing to pay me, saying that you haven't paid them. What's up with that?

A: The most recent pay application submitted by APCO is Pay Application [NUMBER]. Its processing is nearly complete, and money will be wired to NCS, most likely, within 1 week. [At that point we will

APCO-TR-EX0118-0001

PLTF'S PROPOSED EXHIBIT
NO. 118
Case No. A571228

JA002564



instruct NCS to pay the subcontractor portions of that draw by joint check]. We have paid APCO 100% of all legitimate pay applications they have made of us.

Q: How do I get paid going forward?

A: Please plan on submitting your next pay application by the 25th of August. You can send it to CAMCO c/o Jennifer Griffith in the construction trailer. Gemstone and CAMCO will collaborate on the analysis and signoff of subcontractor pay applications, and we hope to fund that pay application by the 15th of September.

Q: What about my change order?

A: One problem that should go away now is that legitimate change orders from subcontractors were commingled by APCO with illegitimate change order requests in certain situations. If you have a change order that you'd like resolved, please check in with Jennifer Griffith at the trailer. We'd like to get all pending change orders fully resolved.

Q: APCO owes me (money/retention). What do I do about that?

Please contact APCO directly. They owe us a great deal in damages, and we do not expect to pay them any additional money after the current pay application is processed.

Q: What happens to the superintendent and other APCO personnel that I was working with?

Expect fairly substantial changes in the supervisory team, including building superintendents. We will move quickly to apprise you of these changes as they develop. If you're ever unsure of who you should speak to, take direction from, or report information to, you can't go wrong by inquiring at the Gemstone trailer, which is also going to serve as the CAMCO command center.

Q: Are you hiring?

Yes, Gemstone and CAMCO are collectively looking for top grade superintendents, assistant supers, and project engineers. Inquire at the Gemstone trailer.

Q: Should we expect changes in the day-to-day on site?

You should expect a much more rigorously managed project, with much greater attention to dates,

APCO 106393

6173193
~~NAME~~ PETE BRIGHT

Page 3 of 3

schedules and critical paths. Subcontractors will be expected to meet schedules and if they fall behind, to carry out all necessary overtime to get back on schedule. In order to make up for the time that APCO squandered, it may be necessary to work multiple shifts, and six days per week.

Q: Is there a chance that Gemstone and APCO will reconcile, and that APCO will return to the site?

Gemstone and APCO may resolve some of their differences, but there is no chance at all that APCO will do further work with Gemstone.


ALL RFI TO TO GEMSTONE
NEED CO TRACKING# FOR EACH RETURN EACH LOG.

APCO 106394

JA002566

APCO-TR-EX0118-0003

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002567

Check#: 999528388

Date: 09/01/2008

Vendor#: 21313 Zitting Brothers Construction

Invoice#	Job/Description	Balance	Retain	Discount	This Check
PP#8.1 06/08	168 ManhattanWest Condo	20,500.00	2,050.00		18,450.00
PP#8.2 06/08	168 ManhattanWest Condo	17,108.55	1,711.00		15,397.55

09/01/2008 \$ *33,847.55

THIRTY-THREE THOUSAND EIGHT HUNDRED FORTY-SEVEN AND 55/100 DOLLARS

Zitting Brothers Construction
PO Box 178
Hurricane UT 84737

Check#: 999528388

Date: 09/01/2008

Amount: 33,847.55

Vendor: 21313 Zitting Brothers Construction

Invoice#	Job/Description	Balance	Retain	Discount	This Check
PP#8.1 06/08	168 ManhattanWest Condo	20,500.00	2,050.00		18,450.00
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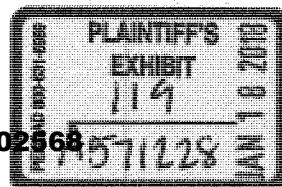
APCO00044625

APCO-TR-EX0119-0001

PLTF'S PROPOSED EXHIBIT
NO. 119

Case No. A571228

JA002568



CONTRACT AGREE II
3432 NORTH 5TH STREET

Manhattan West - PHASE 1

PROGRESS PAYMENT NO: 8.1 & 8.2

FOR PERIOD: 6/30/2008


APCO JOB # 168

ITEM NO	SPEC NUMBER	DESCRIPTION	CONTRACT		UNIT PRICE	ESTIMATED CONTRACT DOLLARS	THIS REQUEST		TOTAL TO DATE	
			QUAN	Unit			QUANTITY	DOLLARS	QUANTITY	DOLLARS
Phase 1										
1	6150.10	Building 8	1	LS	1805000	1,805,000.00	0%		100%	1,805,000.00
2	6150.10	Building 9	1	LS	1805000	1,805,000.00	0%		100%	1,805,000.00
TOTAL PH 1 CONTRACT						3,610,000.00	0%		100%	3,610,000.00
3	6150.10	Install Windows 2 & 3	1	LS	41000	41,000.00	50%	20,500.00	50%	20,500.00
4	6150.10	Option Changes 8/9 (37.1)	1	LS	17108.55	17,108.55	100%	17,108.55	100%	17,108.55
TOTAL PHASE 1						3,668,108.55		37,608.55		3,647,808.56
Phase 2										
5	6150.10	Building 1	1	LS	1115500	1,115,500.00	0%		0%	
6	6150.10	Building 4	1	LS	1115500	1,115,500.00	0%		0%	
7	6150.10	Building 5	1	LS	1805000	1,805,000.00	0%		0%	
8	6150.10	Building 6	1	LS	1805000	1,805,000.00	0%		0%	
9	6150.10	Building 10	1	LS	1805000	1,805,000.00	0%		0%	
10	6150.10	Building 11	1	LS	1805000	1,805,000.00	0%		0%	
11	6150.10	Building 12	1	LS	1400000	1,400,000.00	0%		0%	
TOTAL PHASE 2						10,851,000.00	0%		0%	
						14,461,000				

PREVIOUS PAYMENT AMOUNTS				AMT THIS ESTIMATE	AMOUNT TO DATE
EST # 1.1	800,000.00	1/24/2008	TOTAL AMOUNTS	37,608.55	3,647,608.55
EST # 1.2	368,785.00	2/6/2008	LESS RETENTION 10%	<u>(3,761.00)</u>	<u>(364,760.00)</u>
EST # 2	567,148.60	2/19/2008	SUBTOTAL	33,647.55	3,282,848.55
EST # 3	408,225.70	3/13/2008			
EST # 4	495,604.60	4/15/2008	LESS PREVIOUS PAYMENTS >>>>>>>>>>		<u>(3,249,001.00)</u>
EST # 5	424,888.70	5/19/2008			
EST # 6	156,574.60	6/13/2008	EARNED THIS ESTIMATE	<div style="border: 1px solid black; padding: 2px;">33,647.55</div>	
EST # 7	27,973.80	7/28/2008			
EST #					
EST #					
EST #					
EST #					
EST #					
EST #					
EST #					
EST #					
EST #					
EST #					
EST #					
TOTAL	3,249,001.00				

APPROVED FOR PYMNT _____ / /

APPROVED FOR PYMNT _____ / /

PREPARED BY  _____ 9/1/2008

TOTAL	3,249,001.00
-------	--------------

SIIS CERTIFIED TO:

5/1/2009

LAB CERTIFIED TO:

12/4/2008

PLEASE MAKE CHECKS PAYABLE AS FOLLOWS

Zitting Brothers Construction

33.847.55

TOTAL

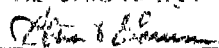
33.847,55

APC000044627

JA002570

APCO-TR-EX0119-0003

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002571

APPLICATION AND CERTIFICATE FOR PAYMENT

DOCUMENT G702 (INSTRUCTIONS ON REVERSE SIDE)

PAGE 1 OF 1

TO CONTRACTOR: APCO Construction
3432 N. 5th Street
North Las Vegas, NV 89032

PROJECT:

APPLICATION NO:

7 Distribution to:

PERIOD:

Aug-08

☐ OWNER

PROJECT NOS.:

☐ ARCHITECT

☐ CONTRACTOR

CONTRACT DATE:

FROM CONTRACTOR: Tri-City Drywall, Inc.
200 Commerce Park Ct.
North Las Vegas, NV 89032
Manhattan West

VIA ARCHITECT:

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation sheet. ALA Document G703 is attached.

1. ORIGINAL CONTRACT SUM\$ 4,128,100.00
2. Net change by Change Orders\$ 204,000.00
3. CONTRACT SUM TO DATE (Line 1 +- 2).....\$ 4,332,100.00
4. TOTAL COMPLETED & STORED TO DATE\$ 2,936,032.50
(Column G on G703)
5. RETAINAGE
 - a. 10 % of completed work\$ 293,603.25
(Columns D + E on G703)
 - b. 10 % of Stored Material\$
(Columns F on G703)
- Total Retainage (line 5a 5b or total in column I on G703).....\$ 293,603.25
6. TOTAL EARNED LESS RETAINAGE\$ 2,642,429.25
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
(Line 6 form prior Certificate).....\$ 2,293,071.75
8. CURRENT PAYMENT DUE.....\$ 349,357.50
9. BALANCE TO FINISH, INCLUDING RETAINAGE
(Line 3 less Line 6)\$ 1,689,670.75

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
TOTAL CHARGES APPROVED IN PREVIOUS MONTHS BY OWNER	204,000.00	
Total approved this Month	-	
TOTALS	204,000.00	0
NET CHANGES by change order		204,000.00

The undersigned contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payments were issued and payments received from the Owner, and that current payment shown herein is now due.

SUBCONTRACTOR: Tri-City Drywall, Inc.

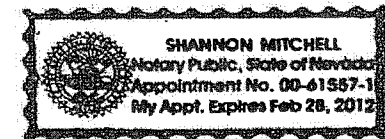
By: *James L. Lister*

Date: 08/25/08

State of: NEVADA

County of: CLARK

Subscribed and sworn to before me this 25 day of Aug, 2008



Notary Public *Shannon Mitchell*

My Commission expires: 2/28/12

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observation and data comprising this application, the Architect certifies to the Owner that to the best of the quantity of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

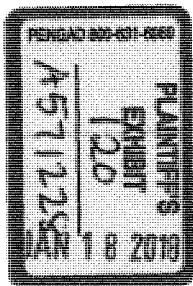
AMOUNT CERTIFIED.....\$

(Attach explanation if amount certified differs from the amount applied for, initial all figures on this application and on the Continuation sheet that are changed to conform to the amount certified)

ARCHITECT:

By: _____ Date: _____

This Certificate is not negotiable. The amount certified is payable to the contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



APCO-TR-EX0120-0001
PLT'S PROPOSED EXHIBIT
NO. 120
Case No. A571228

APCO-00035649

JA002572

CONTINUATION SHEET

AIA DOCUMENT G703

PAGE 1 OF 1 PAGES

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed certification, is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use column i on contracts where variable retaining for line items may apply

A	B	C	D	E	F	G	H	I	
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATIONS (D + E)	THIS PERIOD					
1	Bldg. 2	302,000.00	\$ 300,000.00	\$ -	133 209 478 632	\$ 300,000.00	99.34%	\$ 2,000.00	\$ 30,000.00
2	Bldg. 3	302,000.00	\$ 170,000.00	\$ 80,500.00		\$ 250,500.00	82.95%	\$ 51,500.00	\$ 25,050.00
3	Bldg. 7	1,620,000.00	\$ 788,725.00	\$ 52,675.00		\$ 841,400.00	51.94%	\$ 778,600.00	\$ 84,140.00
4	Bldg. 8	952,050.00	\$ 502,000.00	\$ 130,000.00		\$ 632,000.00	66.38%	\$ 320,050.00	\$ 63,200.00
5	Bldg. 9	952,050.00	\$ 583,132.50	\$ 125,000.00		\$ 708,132.50	74.38%	\$ 243,917.50	\$ 70,813.25
6	Change Order #00001	204,000.00	\$ 204,000.00	\$ -		\$ 204,000.00	100.00%	\$ -	\$ 20,400.00
7			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
8			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
9			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
10			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
11			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
12			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
13			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
14			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
15			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
16			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
17			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
18			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
19			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
20			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
21			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
22			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
23			\$ -	\$ -		\$ -	#DIV/0!	\$ -	\$ -
		4,332,100.00	\$ 2,547,857.50	\$ 388,175.00	\$ -	\$ 2,936,032.50	67.77%	\$ 1,396,067.50	\$ 293,603.25

AIA DOCUMENT G703

APCO-00035650

JA002573

APCO-TR-EX0120-0002

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320
Consolidated with 80508

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

JOINT APPENDIX
VOLUME 45

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cbyrd@fclaw.com
Attorneys for Respondent

CHRONOLOGICAL APPENDIX OF EXHIBITS

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

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

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

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

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

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

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

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

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

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

¹ Filed January 31, 2018

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

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

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

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	Trial Exhibit 30 - Camco Pay Application No. 11 NCS-Owner Approved with NCS Draw Request	JA002286- JA002306	39
	Trial Exhibit 32 and 125 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixture installed)	JA002307- JA002308	39
	Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002309- JA002310	39
	Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)	JA002311- JA002312-	40
	Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002313- JA002314	40
	Exhibit 36 and 130 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002315- JA002316	40
	Trial Exhibits 37 and 131 -Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002317- JA002318	40
	Trial Exhibits 38 and 132 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)	JA002319- JA002320	41

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

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

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

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

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

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

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

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

² Filed January 31, 201879

³ Filed January 31, 2018

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

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

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

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

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

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

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

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06-29-18	Helix Electric of Nevada, LLC's Reply Re: Motion to Retax	JA007225- JA007237	100
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
07-19-18	Plaintiff-in-Intervention National Wood Products, Inc.'s Surreply to APCO Construction's Reply to Plaintiff-in-Intervention National Wood Products, Inc.'s Opposition to Motion for Attorney's Fees and Costs	JA007246- JA007261	100
08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
09-28-18	Notice of Entry of (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007313- JA007315	101

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
	Exhibit 10 (Part One)	JA007537- JA007542	103
	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105 /106/107 /108/109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
	Exhibit 10 (Part Two)	JA008142- JA008149	109

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

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	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110
	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenetec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc.'s Counterclaim	JA008484- JA008504	111

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim	JA008513 JA008517	111
	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111
	Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing's Motion for Attorneys's Fees, Interest and Costs	JA008552- JA008579	111/112
	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
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	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
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	Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112
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	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
	Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice	JA008686- JA008693	112

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

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

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

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01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119
01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA009137- JA009166	120
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
02-11-20	Case Appeal Statement	JA009157- JA009163	120
02-11-20	APCO's Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorney's Fees and Costs; (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA009168- JA009182	120

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

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada's Motion for Rule 54(b) Certification	JA009183- JA00991	120
11-06-17	APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i>	JA000590 JA000614	9
	Exhibit 1 – Second Amended Notice of taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA000615- JA000624	9
	Exhibit 2 – Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction	JA000625- JA000646	9
	Exhibit 3 – Excerpts from Samuel Zitting's Deposition Transcript taken October 27, 2017	JA000647- JA000678	9/10
	Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.	JA000679- JA000730	10
	Exhibit 5 – Subcontract Agreement dated April 17, 2007	JA000731- JA000808	10/11
	Exhibit 6 – Subcontract Agreement dated April 17, 2007	JA000809- JA000826	11/12
	Exhibit 7 – Email from Mary Bacon dated October 16, 2017	JA000827- JA000831	12
	Exhibit 8 – Email from Mary Bacon dated October 17, 2017	JA000832- JA000837	12
	Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017	JA000838- JA000844	12
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<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1	JA000849- JA000856	12
	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008925- JA008947	116/117

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 1 – Special Master Report Regarding Discovery Status	JA001149- JA001151	21
	Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.	JA001152- JA001160	21
06-29-18	APCO Construction, Inc.’s Reply in Support of its Motion for Attorney’s Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99
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	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
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	Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
06-01-18	Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA006551- JA006563	90
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	Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)	JA006575- JA006580	90
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	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of	JA007401- JA007517	102/103

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	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
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	Exhibit 10E – 131 Nev. Advance Opinion 70	JA008150- JA008167	109
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	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008323- JA008338	110
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs	JA008339 JA008347	110
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	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenotec Against APCO	JA008379- JA008450	110/111
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	Exhibit 10U – APCO Construction’s Answer to WRG Design Inc.’s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.’s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc’s Counterclaim	JA008484- JA008504	111
	Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal	JA008505- JA008512	111
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	Exhibit 10Y – Heinaman Contract Glazing’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
	Exhibit 10Z – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction’s Counterclaim	JA008531- JA008551	111

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	Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008583 JA008588	112
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	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008602- JA008621	112
	Exhibit 10FF – Voluntary Dismissal of Fidelity and Deposit Company of Maryland Only from Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint Without Prejudice	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
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	Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice	JA008686- JA008693	112
	Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008694- JA008717	112/113
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	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
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	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
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05-08-18	Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements	JA006509- JA006521	89
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	Exhibit 2 – Notice of Entry of Denying APCO Construction’s Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA006949- JA006954	96
	Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed	JA006955- JA006958	96
	Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration	JA006959- JA006963	96
	Exhibit 5 – Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment	JA006964- JA006978	96

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	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
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	Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017	JA001043- JA001055	20
	Exhibit 3 – Special Master Order Requiring Completion of Questionnaire	JA001056- JA001059	20
	Exhibit 4 – Excerpts from the Deposition Transcript of the 30(b)(6) Witness for Helix Electric of Nevada taken July 20, 2017	JA001060- JA001064	20
	Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017	JA001065 JA001132	20/21
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03-23-18	Helix Electric of Nevada, LLC's Responses to APCO Construction's Post-Trial Brief	JA006173- JA006193	84
06-24-09	Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint	JA000001- JA000015	1
01-12-18	Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]	JA001574- JA001594	27/28
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	Exhibit 4 – Cactus Rose Trial Exhibits	JA001636- JA001637	28
	Exhibit 5 – Heinaman Trial Exhibits	JA001638- JA001639	28
	Exhibit 6 – Fast Glass Trial Exhibits	JA001640- JA001641	28
	Exhibit 7 – SWPPP Trial Exhibits	JA001642- JA001643	28
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	Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>	JA001658- JA001660	28
	Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001661- JA001667	28/9/29
03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
01-04-18	Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimants' Partial Motion for Summary Judgment to Preclude Defenses based on Pay-if-Paid provision on an Order Shortening Time	JA001199- JA001217	22
	Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)	JA001218- JA001245	22/23/24
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	Exhibit 6 – Notice of Lien	JA001310- JA001313	25
	Exhibit 7 – Order Approving Sale of Property	JA001314- JA001376	25/26
	Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account	JA001377- JA001380	26
	Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration	JA001381- JA001385	26
	Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001386- JA001392	26
	Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment	JA001393- JA001430	26
	Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment	JA001431- JA001435	26
	Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)	JA001436- JA001469	26
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	Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)	JA001517- JA001551	27
01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention	JA009137- JA009166	120

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06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA006541 JA006550	90
09-28-18	Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001178- JA001186	22
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119

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12-29-17	Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion <i>in Limine</i> 1-6	JA001161- JA001169	22
01-19-18	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA005282- JA005283	78
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007332- JA007334	101
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08-02-17	Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and <i>Ex Parte</i> Application for Order Shortening Time	JA000328- JA000342	6
	Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories	JA000343- JA000379	6
	Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories	JA000380- JA000392	6
11-06-17	Peel Brimley Lien Claimants' Motion <i>in Limine</i> Nos. 1-6	JA000419- JA000428	7
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		JA000435	
	Exhibit 2 – Amended Notices of 30(b)(6) Deposition of Camco Pacific Construction Company, Inc. from Cactus Rose Construction, Inc., Fast Glass, Inc.’s, Heinaman Contract Glazing, Inc. and Helix Electric of Nevada, LLC’s	JA000436- JA000472	7/8
	Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017	JA000473 JA00489	8
	Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA00490 JA000500	8
	Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000501- JA000511	8
	Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction	JA000512- JA000522	8
	Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction	JA000523- JA000533	8
09-28-17	Peel Brimley Lien Claimants’ Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA000413- JA00418	7
01-09-18	Peel Brimley Lien Claimants’ Opposition to APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001552- JA001560	27
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition	JA007190- JA007192	99

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

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

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

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

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

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

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

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

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

⁵ Filed January 31, 2018

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

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

⁶ Filed January 31, 201879

⁷ Filed January 31, 2018

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

⁸ Filed January 31, 2018



200 Commerce Park Ct. ♦ N. Las Vegas, NV 89032
Phone 891-0599 ♦ Fax 891-0611 - License # 0029962-NV (C-4ce)

CONDITIONAL WAIVER AND RELEASE UPON PROGRESS PAYMENT

Property Name: Manhattan West

Property Location: Bldg. 3 & 7-9

Undersigned's Customer: APCO Construction

Invoice/Payment Application Number: 13722

Payment Amount: \$349,357.50

Upon receipt by the undersigned of a check in the above referenced Payment Amount payable to the undersigned, and when the check has been properly endorsed and has been by the bank on which it is drawn, this document becomes effective to the release and the undersigned shall be deemed to waive any notice of lien, any private bond right, and claim for payment and any rights under any similar ordinance, rule, or statute related to payment rights that the undersigned has on the above described Property to the following extent:

This release covers a progress payment for the work, materials or equipment furnished by the undersigned to the Property or to the Undersigned's Customer, which are the subject of the Invoice or Payment Application, but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any items, modifications of changes pending approval, disputed items and claims, or items furnished or invoiced after the Payment Period. Before any recipient of this document relies on it, s/he should verify evidence of payment to the undersigned. The undersigned warrants that s/he either has already paid or will use the money s/he receives from this progress payment promptly to pay in full all her/his laborers, subcontractors, materialmen and suppliers for all work, material or equipment that are the subject of this waiver and release.

DATED: Aug. 25, 2008

Tri-City Drywall, Inc.

Company Name

By Jesse L. Interken

Its President

TITLE

APCO-00035651

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

John A. Brennan

CLERK OF THE COURT

JA002575

IN THE SUPREME COURT OF THE STATE OF NEVADA

Supreme Court Case No. 77320
Consolidated with 80508

HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

JOINT APPENDIX
VOLUME 46

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CHRONOLOGICAL APPENDIX OF EXHIBITS

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

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

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

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

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

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

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

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

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

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

¹ Filed January 31, 2018

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

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

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

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

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

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

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 110 - Photo of Video (Construction Project)	JA002534- JA002535	44
	Trial Exhibit 111 - Photo of Video (Construction Project)	JA002536- JA002537	44
	Trial Exhibit 112 - Photo of Video (Construction Project)	JA002538- JA002539	44
	Trial Exhibit 113 -Photo of Video (Construction Project)	JA002550- JA002541	44
	Trial Exhibit 114 -Photo of Video (Construction Project)	JA002542- JA002543	44
	Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting	JA002544- JA002545	44
	Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco	JA002546- JA002550	44
	Trial Exhibit 117 - C to the Ratification	JA002551- JA002563	44
	Trial Exhibit 118 - Q&A from Gemstone to subcontracts	JA002564- JA002567	44
	Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2	JA002568- JA002571	44
	Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting	JA002572- JA002575	44/45
	Trial Exhibit 127 - Photo of Video (Construction Project)	JA002576- JA002577	45/46
	Trial Exhibit 128 - Photo of Video (Construction Project)	JA002578- JA002579	46
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<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process	JA002582- JA002591	46
	Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment	JA002592- JA002598	46
	National Wood Products Related Exhibits:		
	Trial Exhibit 160 - Documents provided for settlement	JA002599- JA002612	46
	CAMCO Related Exhibits:		
	Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone	JA002613- JA002651	46/47
	Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project	JA002652- JA002653	47
	Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding	JA002654 JA002656	47
	Helix Related Exhibits:		47
	Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco	JA 002665 JA002676	47/48
	Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)	JA002677- JA002713	48
	Trial Exhibit 171 - Work Order No. 100	JA002714- JA002718	48
	Trial Exhibit 172 - Letter from J. Griffith to Victor Fuchs Re: Gemstone's intention to continue retention of Helix w/copy of Ratification and Amendment of Subcontract Agreement	JA002719- JA002730	48

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

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

² Filed January 31, 201879

³ Filed January 31, 2018

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

⁴ Filed January 31, 201883

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

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

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

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

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

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06-15-18	Plaintiff in Intervention National Wood Products, Inc.’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007095- JA007120	97/98
06-15-18	Declaration of S. Judy Hirahara in support of National Woods’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007121- JA007189	98
06-18-18	Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA007190- JA007192	99
06-21-18	Helix Electric of Nevada, LLC’s Notice of Non-Opposition to its Motion for Attorney’s Fees, Interest and Costs	JA007193- JA007197	99
06-29-18	APCO Construction, Inc.’s Reply in Support of its Motion for Attorney’s Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.	JA007198- JA007220	99
	Exhibit 1 – Invoice Summary by Matter Selection	JA007221- JA007222	99
	Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018	JA007223- JA007224	99

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07-19-18	Plaintiff-in-Intervention National Wood Products, Inc.'s Surreply to APCO Construction's Reply to Plaintiff-in-Intervention National Wood Products, Inc.'s Opposition to Motion for Attorney's Fees and Costs	JA007246- JA007261	100
08-08-18	Court's Decision on Attorneys' Fees and Cost Motions	JA007262- JA007280	100
09-28-18	Notice of Entry of (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
01-24-19	Transcript for All Pending Fee Motions on July 19, 2018	JA007300- JA007312	100/101
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007313- JA007315	101

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 1 – Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.	JA007332- JA007335	101
	Exhibit 2 – ORDER: (1) Granting APCO Construction, Inc. Motion for Attorneys Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada LLC's Motion to Retax in Part and Denying in Part and all related matters (4) Granting Plaintiff in Intervention National Wood Products LLC's Motion to Retax in Part and Denying in Part -and-(5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007336- JA007344	101
	Exhibit 3 - Notice of Appeal	JA007345- JA007394	101/102
	Exhibit 4 – Amended Notice of Appeal	JA007395- JA007400	102
	Exhibit 5A – 5F -Notices of Entry of Order as to the Claims of Cactus Rose Construction, Fast Glass, Inc., Heinaman Contract Glazing, Helix Electric of Nevada, LLC, SWPPP Compliance	JA007401- JA007517	102/103

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 9 – Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA 007528- JA007541	103
	Exhibit 10 (Part One)	JA007537- JA007542	103
	Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)	JA007543- JA007585	103
	Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)	JA007586- JA008129	103/104/105 /106/107 /108/109
	Exhibit 10C – Notice of Entry of Order to Consolidate this Action with Cases Nos A57. 4391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195	JA008130- JA008138	109
	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
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	Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss	JA008171- JA008177	109
	Exhibit 10H – Complaint re Foreclosure	JA008178- JA008214	109
	Exhibit 10I – First Amended Complaint re Foreclosure	JA008215- JA008230	109
	Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure	JA008231- JA008265	109/110
	Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008266- JA008285	110
	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
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	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110
	Exhibit 10R – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc. Against APCO Construction, Inc.]	JA008368- JA008378	110
	Exhibit 10S – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric and Cabenetec Against APCO	JA008379- JA008450	110/111
	Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008451- JA008486	111
	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
	Exhibit 10V -Answer to WRG Design, Inc.'s Statement of Facts Constituting Lien, Third-Party Complaint and Camco Pacific Construction, Inc.'s Counterclaim	JA008484- JA008504	111

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 10Z – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint, and Camco Pacific Construction's Counterclaim	JA008531- JA008551	111
	Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing's Motion for Attorneys's Fees, Interest and Costs	JA008552- JA008579	111/112
	Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]	JA008561- JA008582	112
	Exhibit 10CC – Heinaman Contract Glazing's Answer to Camco Pacific Construction Company's Counterclaim	JA008583 JA008588	112
	Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint	JA008589- JA00861	112
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	Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
	Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008658- JA008664	112
	Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008665- JA008681	112
	Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below	JA008682- JA008685	112
	Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice	JA008686- JA008693	112

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 10NN-Notice of Appeal	JA008718 JA008723	113
	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
	Exhibit 12 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA00875- JA008758	113
	Exhibit 13 – Stipulation and Order with Prejudice	JA008759- JA008780	113
	Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment	JA008762- JA008788	113
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	Exhibit 4 – Order Dismissing Appeal	JA008893- JA008896	116
	Exhibit 5 – Chart of Claims	JA008897- JA008924	116
	Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company, Inc.’s Counterclaim	JA008925- JA008947	116/117
	Exhibit 7 – Answer to Cactus Rose’s Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008948- JA008965	117
	Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco	JA008966- JA008986	117/118

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

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01-03-20	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification	JA009124- JA009131	119
01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA009137- JA009166	120
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
02-11-20	Case Appeal Statement	JA009157- JA009163	120
02-11-20	APCO's Notice of Cross Appeal	JA009164- JA010310	120
	Exhibit 1 – Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorney's Fees and Costs; (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Party (4) Granting Plaintiff-in-Intervention National Wood Productions, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA009168- JA009182	120

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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ALPHABETICAL APPENDIX OF EXHIBITS

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

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

<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1	JA000849- JA000856	12
	Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1	JA000857- JA000864	12
	Exhibit 13 – Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada, LLC	JA000865- JA000873	12
	Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017	JA000874- JA000897	12
03-23-18	APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law	JA006125- JA006172	83/84
08-16-19	APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-Open Statistically Closed Case, (II) Dismiss All Unresolved Claims and/or (III) In the Alternative for a Rule 54(B) Certification as to Helix and APCO	JA008811- JA008821	114
	Exhibit 1 – Order to File Amended Docketing Statement	JA008822- JA008824	114
	Exhibit 2 – Order to Show Cause	JA008825- JA008828	114
	Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause	JA008829- JA008892	114/115/116
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	Exhibit 8 – Answer to Heinaman Contract Glazing's Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction's Counterclaim	JA008966- JA008986	117/118
	Exhibit 9 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA008987- JA008998	118
	Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.	JA008998- JA009010	118
	Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing	JA009011- JA009024	118
	Exhibit 12 – Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens	JA009025- JA009038	118
	Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO	JA009039- JA009110	118/119
	Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal	JA009111- JA009113	119
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	Exhibit 1-B – Declaration of Cody Mounteer in Support of APCO's Supplement to its Motion for Attorney's Fees	JA006639- JA006916	91/92/93 94/95/96
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	Exhibit 3 – Excerpts from the Deposition Transcript of Andrew Rivera taken July 20, 2017	JA000970- JA000993	17/18/19
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	Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board	JA000908- JA000915	2/13
	Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs	JA000916- JA000917	13
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04-25-18	Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO	JA006194- JA006264	84/85
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	Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction	JA000550 JA000558	8/9
	Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017	JA000559 JA000574	9
	Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017	JA000575- JA000589	9
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	Exhibit 1 – Findings of Fact and Conclusions of Law and Order as to the Claims of Helix Electric of Nevada, LLC Against Camco Pacific Construction, Inc.	JA006564- JA006574	90
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	Exhibit 10D – Notice of Entry of Joint Order Granting, in Part, Various Lien Claimants’ Motions for Partial Summary Judgment Against Gemstone Development West	JA008139- JA008141	109
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	Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim	JA008286- JA008290	110
	Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008291- JA008306	110
	Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008307- JA008322	110
	Exhibit 10O – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Inc.’s Counterclaim	JA008323- JA008338	110
	Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs	JA008339 JA008347	110
	Exhibit 10Q – Notice of Entry of Judgment [As to the claims of Helix Electric of Nevada, LLC Against Camco Construction Co., Inc.]	JA008348- JA008367	110

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	Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008468- JA008483	111
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	Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal	JA008505- JA008512	111
	Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim	JA008513 JA008517	111
	Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008518- JA008549	111
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	Exhibit 10EE – Answer to Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint and Camco Pacific Construction, Inc.’s Counterclaim	JA008602- JA008621	112
	Exhibit 10FF – Voluntary Dismissal of Fidelity and Deposit Company of Maryland Only from Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint Without Prejudice	JA008622- JA008624	112
	Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008625- JA008642	112
	Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008643- JA008657	112
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	Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint	JA008694- JA008717	112/113
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	Exhibit 10OO – Amended Notice of Appeal	JA008724- JA008729	113
	Exhibit 10PP – Notice of Cross Appeal	JA008730- JA008736	113
	Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276	JA008737- JA008746	113
	Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195	JA008747- JA008755	113
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05-08-18	Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements	JA006509- JA006521	89
06-21-18	Helix Electric of Nevada, LLC’s Notice of Non-Opposition to its Motion for Attorney’s Fees, Interest and Costs	JA007193- JA007197	99
06-15-18	Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs	JA006917 – JA006942	96
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	Exhibit 2 – Notice of Entry of Denying APCO Construction’s Motion for Partial Summary Judgment Re: Lien Foreclosure Claims	JA006949- JA006954	96
	Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed	JA006955- JA006958	96
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	Exhibit 5 – Notice of Entry of Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment	JA006964- JA006978	96

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	Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire	JA006985- JA006993	96/97
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	Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire	JA007002- JA007005	97
	Exhibit 7A – Motion to Appoint Special Master	JA007006- JA007036	97
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	Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss	JA007047 JA007053	97
	Exhibit 9 – Stipulation and Order for Dismissal with Prejudice	JA007054- JA007056	97
	Exhibit 10 – Stipulation and Order to Dismiss Third-Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	JA007057- JA007059	97
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	Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA007085- JA007087	97
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	Exhibit 3 – Special Master Order Requiring Completion of Questionnaire	JA001056- JA001059	20
	Exhibit 4 – Excerpts from the Deposition Transcript of the 30(b)(6) Witness for Helix Electric of Nevada taken July 20, 2017	JA001060- JA001064	20
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03-23-18	Helix Electric of Nevada, LLC's Responses to APCO Construction's Post-Trial Brief	JA006173- JA006193	84
06-24-09	Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint	JA000001- JA000015	1
01-12-18	Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]	JA001574- JA001594	27/28
	Exhibit 1 – Exhibit List APCO	JA001595- JA001614	28
	Exhibit 2 – Helix Trial Exhibits	JA001615- JA001616	28
	Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.	JA001617- JA001635	28
	Exhibit 4 – Cactus Rose Trial Exhibits	JA001636- JA001637	28
	Exhibit 5 – Heinaman Trial Exhibits	JA001638- JA001639	28
	Exhibit 6 – Fast Glass Trial Exhibits	JA001640- JA001641	28
	Exhibit 7 – SWPPP Trial Exhibits	JA001642- JA001643	28
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	Exhibit 9 - Amended <i>nunc pro tunc</i> order regarding APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i> No. 7	JA001648- JA001650	28
	Exhibit 10 - Order Granting in Part and Denying in part Helix Electric of Nevada, LLC's Motions <i>in Limine</i> 1-4 (Against APCO Construction)	JA001651- JA001653	28
	Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)	JA001654- JA001657	28
	Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>	JA001658- JA001660	28
	Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001661- JA001667	28/9/29
03-08-18	Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law	JA005986- JA006058	8/821
03-08-18	Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law	JA005953- JA005985	81
01-04-18	Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimants' Partial Motion for Summary Judgment to Preclude Defenses based on Pay-if-Paid provision on an Order Shortening Time	JA001199- JA001217	22
	Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)	JA001218- JA001245	22/23/24
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<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
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	Exhibit 7 – Order Approving Sale of Property	JA001314- JA001376	25/26
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	Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration	JA001381- JA001385	26
	Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001386- JA001392	26
	Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment	JA001393- JA001430	26
	Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment	JA001431- JA001435	26
	Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)	JA001436- JA001469	26
	Exhibit 14 – Respondent’s Answering Brief	JA001470- JA001516	26/27
	Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)	JA001517- JA001551	27
01-29-20	Notice of Appeal	JA009132- JA009136	119/120
	Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention	JA009137- JA009166	120

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	National Wood Products, Inc.'s Against APCO Construction, Inc.]		
	Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification	JA009148- JA009156	120
05-31-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]	JA006522 JA006540	89
06-01-18	Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.'s Against APCO Construction, Inc.]	JA006541 JA006550	90
09-28-18	Notice of Entry of Order (1) Granting APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs (2) Granting APCO Construction, Inc.'s Memorandum of Costs in Part (3) Granting Helix Electric of Nevada, LLC's Motion to Retax in Part and Denying in Part (4) Granting Plaintiff in Intervention National Wood Products, LLC's Motion to Retax in Part and Denying in Part and (5) Granting National Wood Products, Inc.'s Motion to File a Surreply	JA007281- JA007299	100
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>	JA001178- JA001186	22
07-02-18	Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs	JA007238- JA007245	100
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<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
01-03-18	Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA001187- JA001198	22
12-29-17	Notice of Entry of Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC's Motion <i>in Limine</i> 1-4	JA001170- JA001177	22
12-29-17	Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion <i>in Limine</i> 1-6	JA001161- JA001169	22
01-19-18	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements	JA005282- JA005283	78
07-12-19	Order Dismissing Appeal (Case No. 76276)	JA007332- JA007334	101
07-02-10	Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default	JA000042- JA000043	1
08-02-17	Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and <i>Ex Parte</i> Application for Order Shortening Time	JA000328- JA000342	6
	Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories	JA000343- JA000379	6
	Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories	JA000380- JA000392	6
11-06-17	Peel Brimley Lien Claimants' Motion <i>in Limine</i> Nos. 1-6	JA000419- JA000428	7
	Exhibit 1 – Notice of Entry of Order	JA000429	7

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

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

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

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

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

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

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

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

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

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

⁵ Filed January 31, 2018

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

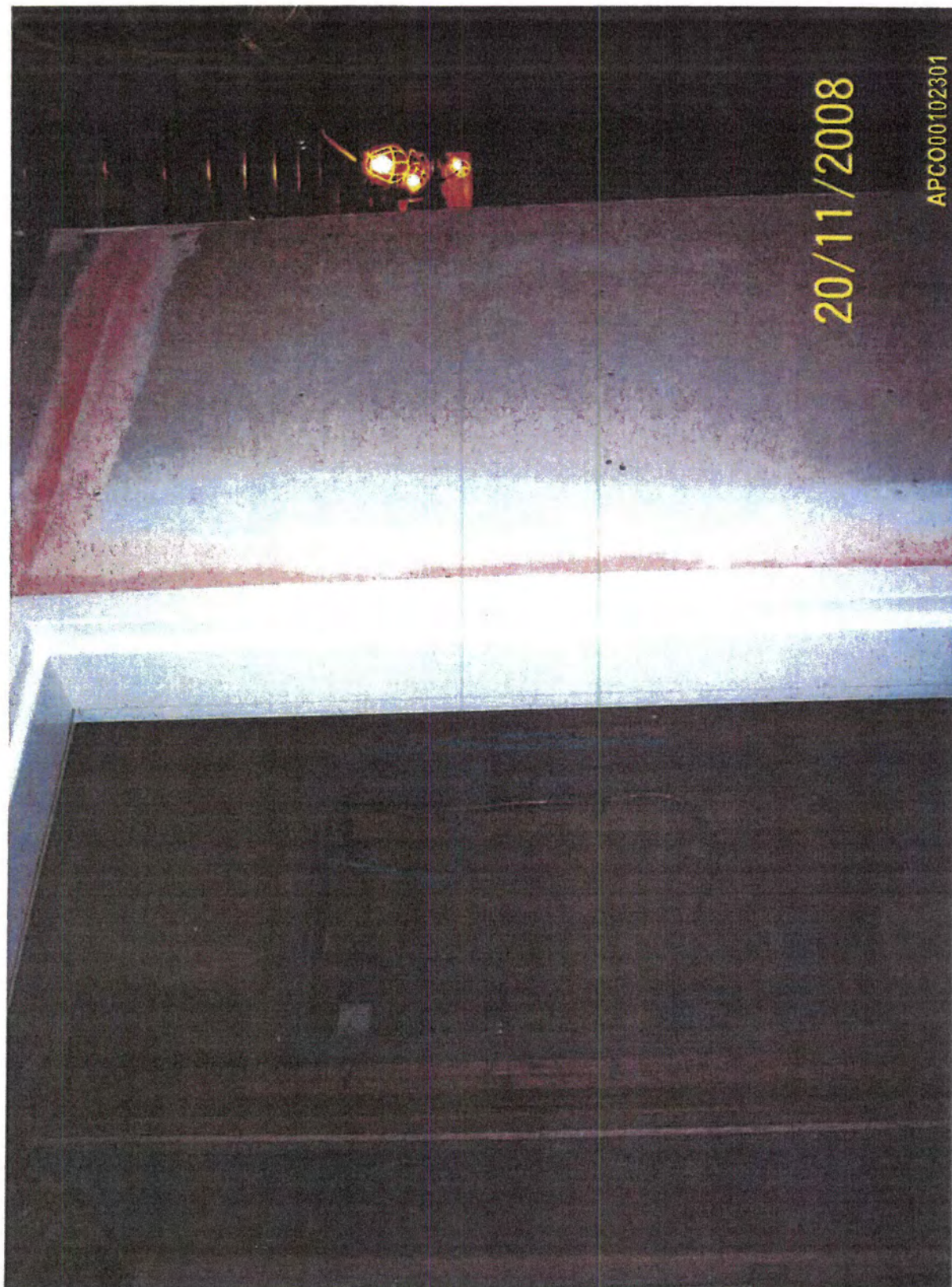
<u>Date</u>	<u>Description</u>	<u>Bates Number</u>	<u>Volume(s)</u>
	Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO (<i>Admitted</i>)	JA002147- JA002176	35/36
	Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice (<i>Admitted</i>)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

⁶ Filed January 31, 201879

⁷ Filed January 31, 2018

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

⁸ Filed January 31, 2018



20/11/2008

APCO00102301

JA002576



APCO-TR-EX0127-0001
PLTF'S PROPOSED EXHIBIT
NO. 127
Case No. A571228

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

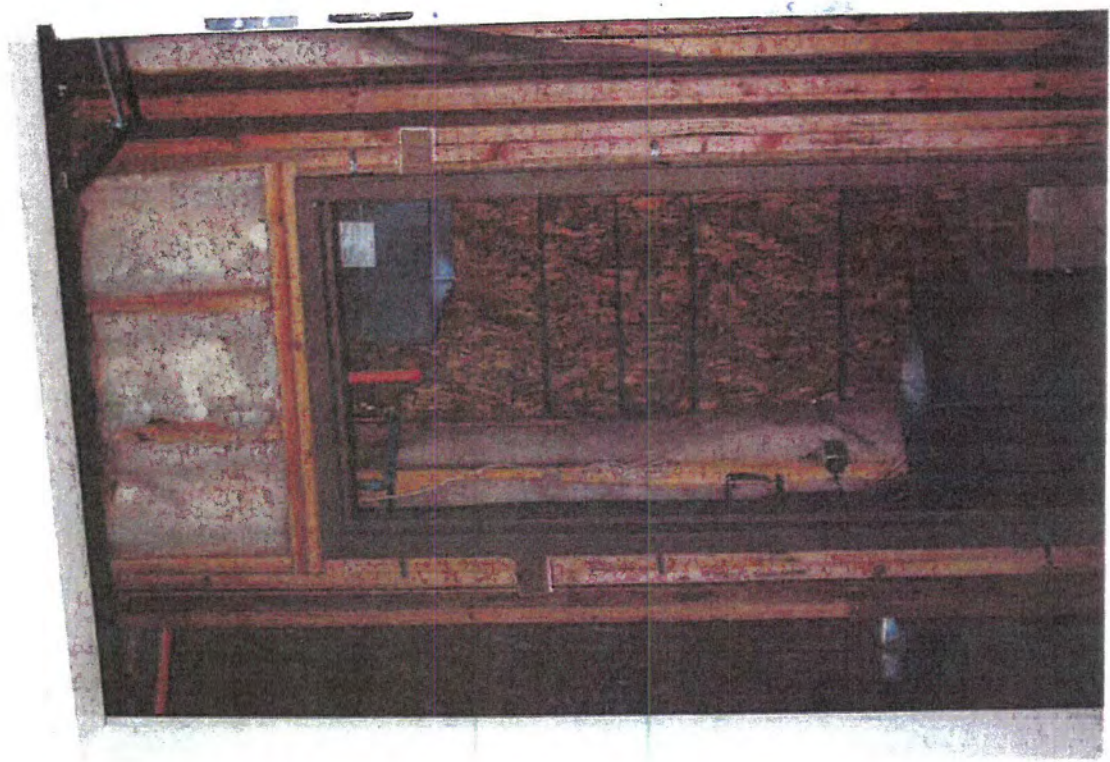
John A. [Signature]
CLERK OF THE COURT

JA002577



20/11/2008

APCO00102321



PLAINTIFF'S
EXHIBIT
128
A571228

18 2018

IGAD 800-631-6989

JA002578

APCO-TR-EX0128-0001
PLTF'S PROPOSED EXHIBIT
NO. 128
Case No. A571228

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OF THE ORIGINAL ON FILE

[Signature]
CLERK OF THE COURT

JA002579



PLAINTIFF'S
EXHIBIT
129
A571228
JAN 18 2018
REGAD 800-531-6989

APCO-TR-EX0129-0001
PLTF'S PROPOSED EXHIBIT
NO. 129
Case No. A571228

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[Signature]
CLERK OF THE COURT

JA002581



Date: April 28, 2009
To: Nevada State Contractor's Board
From: Scott Financial Corporation
Subject: ManhattanWest Project

I am the President of Scott Financial Corporation ("SFC"), which is a seasoned commercial finance company located in Bismarck, North Dakota and licensed in Nevada.

SFC is the lender for ManhattanWest Buildings 2, 3, 7, 8, and 9 located at West Russell Road and Rocky Hill Street in Las Vegas, Nevada (the "Project"). No other ManhattanWest buildings were funded or constructed. The Project consisted of condominiums developed by Gemstone Development West, Inc. ("Gemstone").

The purpose of this letter is to explain the payment process for the Project and to demonstrate that Camco Pacific Construction Company, Inc. ("Camco") had no direct responsibility to pay the trade contractors or any other contracting parties on the Project.

As the Project's lender, SFC established a credit facility between SFC (with its network of participating community banks) and Gemstone. As the loan originator and lead lender, SFC established both the Senior and Mezzanine Credit Facilities that were forecasted to fund the entire construction cost to complete the Project; provided however, that an adequate level of condominium sales were closed by Gemstone in a timely manner.

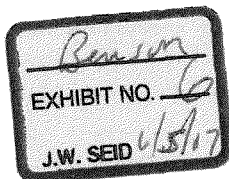
In connection with its funding of the Project, SFC required a very detailed and disciplined payment procedure, which it has used successfully and extensively in the past. This payment procedure was developed collectively between SFC, Gemstone, and Nevada Construction Services ("NCS") to execute the monthly construction funding on the Project in a proper and timely manner.

This payment procedure was communicated to the general contractors and the trade contractors through them and was used to facilitate the payment structure for all trade contractors/vendors.

Prior to the commencement of the Project, SFC entered into a voucher control contract with NCS. First, pursuant to such agreement, NCS managed the voucher control and served as the third party disbursement agent. Second, as part of such agreement, NCS also performed third party site construction inspections for SFC prior to each disbursement. Please note that NCS is a disbursement agent for SFC and does not "approve funding", that is a role of SFC and our participating banks exclusively.

APCO Construction ("APCO") was the original General Contractor for the Project. The protocol for issuing payment involved APCO submitting a monthly payment application to Gemstone based on a schedule of values and materials delivered by the vendors and trade contractors (the "Payment Application").

Next, Gemstone would review the Payment Application and approve or reject its contents based upon the work completed as of the submission of such Payment Application. Upon the final agreement and approval of the Payment Application by Gemstone and APCO, Gemstone would send the Payment Application and any supporting documents to NCS. NCS



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A licensed and bonded corporate finance company.

CAMCO-MW 00029

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would review the Payment Application and the supporting documents and compare them with its payment records. Thereafter, NCS would order a formal NCS inspection of the jobsite to verify that sufficient progress was made to warrant the amount in the Payment Application. After completing such inspection, NCS submitted its request for funding to SFC.

Upon receiving such approval, SFC conducted its final monthly creditor review and completed the funding approval process by taking the following steps: (a) formally signing-off on the Payment Application and (b) obtaining final approval of the Payment Application from the co-lead bank.

Finally, after the Payment Application was properly approved and verified, the corresponding funds were requested by SFC from its participating lenders and advanced into the SFC Project Control Account. Thereafter, the respective (a) soft costs in the Payment Application were advanced directly to Gemstone and (b) the hard costs in the Payment Application were wired directly to NCS for controlled disbursement.

Upon receiving such hard cost funds, NCS would send the corresponding payment directly to APCO for disbursement to the trade contractors. This was the payment process throughout the period that APCO remained on the Project, except for the June and July 2008 Pay Applications where NCS was notified by Gemstone to issue joint checks to the sub contractors.

APCO was terminated by Gemstone for cause in August 2008. After such termination, Gemstone engaged Camco to serve as the General Contractor for the Project. When this substitution occurred, the payment process used during the APCO engagement was continued with some alterations.

The most important of these alterations was based on the shift from a Guaranteed Maximum Price to a simple monthly fee. APCO had agreed to deliver the Project for a Guaranteed Maximum Price and received a fee for its services based on a percentage of each Payment Application. Consequently, APCO assumed responsibility for the financial aspects of the Project and the proper engagement and payment of the trade contractors.

In contrast, Camco was paid a basic fee of \$100,000 per month plus certain expenses to serve as the General Contractor for the project; provided however, that Gemstone, not Camco, was solely responsible for selecting and negotiating the engagement of the trade contractors by Camco. Because of this shift in responsibility, all decisions and communications for payment authorization and processing were handled by Gemstone, without Camco's ongoing involvement.

In addition, Gemstone provided the financial management component of the Project and was responsible for (a) establishing and maintaining the budget and (b) keeping full and detailed accounts on the Project.

Furthermore, NCS's protocol also changed to effectively limit Camco's involvement. Because Camco was not responsible for establishing or maintaining the budget, Camco's only role in the payment process was to compile and submit each initial Payment Application.

Thereafter, the review, negotiation, and request for the corresponding payments were handled by Gemstone. As a result, NCS never sent payment for trade contractors to Camco. Instead, such payments were sent directly to the trade contractors.

Furthermore, Camco (a) as a rule did not communicate directly with SFC; (b) only occasionally communicated with NCS regarding the payment process; and (c) did not make any decisions related to the Payment Application or the corresponding payments to Camco or the trade contractors. Payments decisions were all made by Gemstone because they were responsible for the budget and as they pertained to credit decisions reviewed by SFC.

In addition, Camco had no physical control over the funds, and all disbursements were completed between NCS and the trade contractors directly. We understand the trade contractors were aware of Camco's limited role in this payment process. First, the negotiation of each trade contractor's engagement was managed by Gemstone employees and only subsequently ratified by Camco. Second, the terms of the engagement contracts between Camco and each trade contractor and Camco and Gemstone described this relationship. Third, on several occasions when a particular trade contractor expressed concern regarding the timing of a forthcoming payment, Gemstone and Camco repeatedly and consistently explained that all lending decisions regarding funding (credit issues specifically) were ultimately made by SFC and that neither Gemstone nor Camco had the ability, authority, or resources to make any payments that did not come from SFC approval.

To this end, on occasion, trade contractors demanded that they be provided with some evidence of payment in order to continue working. In response, Camco could not, and to our understanding did not, promise that any payment was forthcoming.

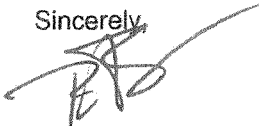
SFC delivered on a limited basis, letters to such disgruntled trade contractors informing them that all credit decisions on payment funding must be approved by SFC and that such funds would be only paid once SFC had completed its required approval process and determined that such payments were appropriate. Attached to this letter as Exhibit A are two such letters executed by SFC and delivered to certain trade contractors.

In December 2008, SFC sent correspondence to NCS that due to uncured loan defaults by Gemstone, a decision was made to cease all funding on the Project. The communications regarding this decision are attached to this letter as Exhibit B. SFC further requested that NCS return funds in the amount of \$993,866.72. NCS returned the funds requested and no additional payment for previous work performed was disbursed to Gemstone, Camco, or any of the trade contractors for the Project. Camco was not a part of these transactions, was not a participant in these decisions, and was unaware of such decisions until the above notice was sent to NCS.

Upon learning of SFC's decision to cease funding, we understand Camco terminated its engagement contract with Gemstone based on Gemstone's failure to pay Camco pursuant to the terms of such contract. As a result of changed circumstances on the Project after APCO's termination, Camco's role was limited with regard to payment.

As a result, SFC does not believe Camco or for that matter NCS can be held responsible for payment of any outstanding applications of the trade contractors.

Sincerely,



Brad Scott
President
Scott Financial Corporation

Exhibit A

Payment Status Letters from SFC to Trade Contractors

11612-01/SFC Letter to NV Contractor Board 4.22.09

4

CAMCO-MW 00032

JA002585

APCO-TR-EX0138-0004



November 4, 2008

Mr. Mike Evans
~~E&E Fire Protection LLC~~
6380 South Valley View, Suite 110
Las Vegas, NV 89118

RE: ManhattanWest Funding

Mr. Evans:

I have been asked by Gemstone to provide you with an update on the status of the September Draw.

As you may likely know Scott financial Corporation is the Creditor of record and has been funding the vertical construction through the various credit facilities established.

The September Draw was submitted to Scott Financial Corporation late last week. We are currently completing the final review of the September Payment Application. However, in light of the complications related to the termination of the former general contractor, the approval of the September Payment Application has required more investigation and time than generally typical or expected.


Despite this temporary delay, the funding necessary to satisfy the outstanding amounts due pursuant to the September Payment Application are in final stages of approval and are anticipated to be processed and funded to NCS (voucher control) by November 13, 2008.

The amount in processing includes a payment of \$1,092,121.34 to E&E Fire Protection LLC and its corresponding suppliers.

I trust this letter assists you with your questions on the timing of the funding.

Please feel free to contact me directly if you have any questions.

Sincerely,


Brad J. Scott
President

15010 Sundown Drive • Bismarck, ND 58503
Office: 701.255.2215 • Fax: 701.223.7299

A licensed and bonded corporate finance company.

CAMCO-MW 00033



December 1, 2008

Leo Duckstein
CabineTec Inc.
2711 E. Craig Road, Suite A
North Las Vegas, NV 89030

RE: ManhattanWest Funding

Mr. Duckstein:

I have been asked by Gemstone to provide you with an update on the status of the October Draw.

As you may likely know Scott financial Corporation (SFC) is the Creditor of record and has been funding the vertical construction through the various credit facilities established.

The October Draw was submitted to SFC late last week.

We are currently completing the final review of the October Payment Application. However, in light of the complications related to in large part to the termination of the former general contractor, the approval of the October Payment Application has required more review, investigation and time than in the past.

Despite this delay, the funding necessary to satisfy the outstanding amounts due pursuant to the October Payment Application are in being reviewed and a determination of approval is being considered by our team.

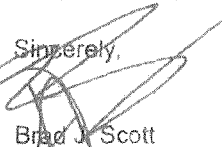
Clearly approval of the draw is subject to our complete review process.

Although we cannot guarantee the approval, SFC anticipates the draw request to be processed and funded to NCS (voucher control) in December.

I understand the MHW draw which is in the review process at SFC includes a payment amount of approximately \$598,475.00 to CabineTec Inc. and its corresponding suppliers. I believe the Developer approved payment amount is \$483,664.32.

I trust this letter assists you with your questions on the timing of the funding.

Please feel free to contact me directly if you have any questions.

Sincerely,

Brad J. Scott
President

15010 Sundown Drive • Bismarck, ND 58503
Office: 701.255.2215 • Fax: 701.223.7299
A licensed and bonded corporate finance company

CAMCO-MW 00034

Exhibit B

SFC Notice to NCS Regarding the Decision to Stop Funding the Project

Exhibit B

Jennifer Olivares

From: Brad Scott [brad@scottfinancialcorp.com]
Sent: Tuesday, December 16, 2008 9:38 AM
To: Jennifer Olivares
Cc: 'Margo Scott'; 'Jason Ulmer'; Patricia Curtis; 'Tim James'
Subject: ManhattanWest Status
Importance: High

Jen:

As of right now 11AM CST 12/16/08 the October Draw is still on permanent hold.

A final decision confirming the lender's direction on Project was expected yesterday. It did not happen.

I anticipate this final decision will however likely lead to "no further draws being approved"

Foreclosure options and discussion on how we will proceed have been explored.


SFC has requested our legal counsel to address the return wire from NCS to SFC discussed yesterday.

Those funds will be held in the SFC escrow account at NSB for the time being, until further direction is provided to SFC.

SFC will keep you posted as a final determination is made.

Thanks.

Brad J. Scott
Scott Financial Corporation
15010 Sundown Drive
Bismarck, ND 58503
W: 701.255.2215
M: 701.220.3999
F: 701.223.7299
brad@scottfinancialcorp.com

 Scott Financial Corporation	
Brad J. Scott, CRE President brad@scottfinancialcorp.com	15010 Sundown Drive Bismarck, ND 58503 Office: 701.255.2215 Fax: 701.223.7299 Cell: 701.220.3999
A licensed and bonded corporate finance company.	

4/1/2009

CAMCO-MW 00036

JA002589

APCO-TR-EX0138-0008

Exhibit "B"

Jennifer Olivares

From: Brad Scott [brad@scottfinancialcorp.com]
Sent: Monday, December 15, 2008 3:00 PM
To: Anne Dwyer; Jennifer Olivares
Cc: 'Alex Edelstein'; 'Peter Smith'; 'Jim Horning'; dparry@camcopacific.com
Subject: FW: ManhattanWest
Importance: High
Attachments: Document.pdf; 09004-20-04 Billing #4 2008-12-12.pdf; Wiring Instructions TO SFC at NSB.XLS

Jennifer & Anne:

NCS is hereby instructed by SFC to wire the previously advanced, but undispersed funds held on account at NCS in the amount of \$993,866.72 back to SFC using the attached wiring instructions.


This amount includes the current Heineman Payment request of \$66,827.29 as it has not been approved by SFC or its participants.

These funds will be held at SFC until further notice.

Please call with any questions.

Thanks.

Brad J. Scott
Scott Financial Corporation
15010 Sundown Drive
Bismarck, ND 58503
W: 701.255.2215
M: 701.220.3999
F: 701.223.7299
brad@scottfinancialcorp.com

	
Brad J. Scott, CRE President brad@scottfinancialcorp.com	15010 Sundown Drive Bismarck, ND 58503 Office: 701.255.2215 Fax: 701.223.7299 Cell: 701.220.3999
A licensed and bonded corporate finance company.	

Email is not always a secure transmission medium. Caution should always be used to communicate "confidential information". If you elect to send or receive information via email, Scott Financial Corporation cannot assure its security and will not be liable if it is intercepted or viewed by another party. By continuing to use e-mail, you are agreeing to accept this risk.

4/1/2009

CAMCO-MW 00037

JA002590

APCO-TR-EX0138-0009

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002591



2711 E Craig Rd Suite "A" Las Vegas, NV Phone (702) 649-1010
www.cabinetec.com

08/06/2008

Attn: APCO Construction
CC: Joe De Haas
CC: Randy Nickert

Re: Terms & Conditions

To Whom It May Concern,

Outlined here are the Terms & Conditions related to the following:

Cabinetec accepts any damages to cabinetry caused by heat or moisture for ManhattanWest Buildings 8 & 9 First Floor locations ONLY. Cabinetec is aware storing cabinetry on the jobsite may in fact put specific climate conditions on this product, but we assume any weather damages. APCO construction will be responsible for security of the cabinetry while storing them through installation.

Cabinetec will assume responsibility to replace and/or re-work any cabinet materials that become damaged due to prolonged storage via the current and future climate conditions at the Manhattan West project site so long as the following terms are agreed to and met:

- A) Cabinetec will be paid material & production costs for delivered First Floor cabinets 30 days from receipt of invoice, when APCO receives payment from General Contractor.
- B) APCO Construction will honor Terms presented on invoices clarifying payment amounts & timelines. Payment terms are set in the subcontract agreement and cannot be amended.
- C) That all future scheduled deliveries for remaining units are to be adequately scheduled by responsible APCO personnel, and if necessary, APCO & Cabinetec INC, agree to equal share of storage fees of up to \$150.00 per day so that Cabinetec may facilitate appropriate storage of materials in climate controlled zones to insure product integrity. Please notify APCO of pending fabrication schedule in advance to help resolve the type of issue.

Sincerely,

APCO CONSTRUCTION

Randy Nickert 8/11/08
Randy Nickert
Division Mgr.
APCO Construction

Cabinetec Inc.

Rob Trickett
V.P. Sales & Marketing

Milano *Tuscany* *UltraTec*
Rise Your Standards. Reproaches Engineers. Unleashed UltraTec.

NWP00721

JA002592



2-0001



2711 E. Craig Rd. Ste A • North Las Vegas, NV 89030 • Ph: (702) 649-1010 • Fax: (702) 649-7918

APCO Construction
Joe De Haas 702.379.2098

Cabinetec Inc
Cell: 702.408.8321
Fax: 702.649.7918

INVOICE UNIT			INVOICE AMOUNT			
Building	Unit	Plan	Unit Cost	Retention	Install and Delivery	Base Material Cost
9	151	S	\$ 3,165.00	\$ 316.50	\$ 316.50	\$ 2,532.00
9	152	B4A	\$ 3,720.00	\$ 372.00	\$ 372.00	\$ 2,976.00
9	153	B3	\$ 3,435.00	\$ 343.50	\$ 343.50	\$ 2,748.00
9	154	B1	\$ 5,975.00	\$ 597.50	\$ 597.50	\$ 4,780.00
9	155	B5	\$ 7,230.00	\$ 723.00	\$ 723.00	\$ 5,784.00
9	156	B6	\$ 6,885.00	\$ 688.50	\$ 688.50	\$ 5,508.00
9	158	A1	\$ 3,330.00	\$ 333.00	\$ 333.00	\$ 2,664.00
9	159	C1	\$ 4,860.00	\$ 486.00	\$ 486.00	\$ 3,888.00
9	160	B4B	\$ 3,720.00	\$ 372.00	\$ 372.00	\$ 2,976.00
9	161	B3	\$ 8,475.00	\$ 847.50	\$ 847.50	\$ 6,780.00
9	162	B4B	\$ 4,270.00	\$ 427.00	\$ 427.00	\$ 3,416.00
9	163	C1	\$ 3,405.00	\$ 340.50	\$ 340.50	\$ 2,724.00
9	164	B4	\$ 5,995.00	\$ 599.50	\$ 599.50	\$ 4,796.00
9	165	C2	\$ 3,945.00	\$ 394.50	\$ 394.50	\$ 3,156.00
9	166	B6	\$ 3,790.00	\$ 379.00	\$ 379.00	\$ 3,032.00
9	167	B5	\$ 3,785.00	\$ 378.50	\$ 378.50	\$ 3,028.00
9	168	B1	\$ 6,945.00	\$ 694.50	\$ 694.50	\$ 5,556.00
9	169	B3	\$ 3,435.00	\$ 343.50	\$ 343.50	\$ 2,748.00
9	177	C2A	\$ 2,375.00	\$ 237.50	\$ 237.50	\$ 1,900.00
9	187	C2B	\$ 1,935.00	\$ 193.50	\$ 193.50	\$ 1,548.00
			\$ 90,675.00	\$ 9,067.50	\$ 9,067.50	\$ 72,540.00

Included in July billing to developer. @

Cabinetec is billing for Base Material Cost at this time of: \$ 72,540.00
There will be a remaining balance of: \$ 18,135.00

NOTE:

\$ 72,540.00 ~~is due no later than 30 days from delivery (August 1st, 08)~~
\$ 9,067.50 ~~is due no later than 30 days from day of installation~~
\$ 9,067.50 ~~is due no later than 30 days from unit completion~~

APCO CONSTRUCTION

CABINETEC INC.

Printed Name

[Signature]

Printed Name

Signature

[Signature]

Signature

Date Title

[Signature]

Date Title

NWP00722

JA002593

APCO-TR-EX0152-0002



The Art Of Cabinetry

E. Craig Rd. Ste A • North Las Vegas, NV 89030 • Ph: (702) 649-1810 • Fax (702) 649-7918

APCO Construction

Joe De Haas

702.379.2098

Cabinetec Inc

Cell:

Fax:

Ross Cirindone

702.408.8321

702.649.7918

INVOICE UNIT

Building	Unit	Plan
8	151	S
8	152	B4A
8	153	B3
8	154	B1
8	155	B5
8	156	B6
8	158	A1
8	159	C1
8	160	B4B
8	161	B3
8	162	B4B
8	163	C1
8	164	B4-ANSI
8	165	C2
8	166	B6
8	167	B5
8	168	B1
8	169	B3
8	177	C2A
8	187	C2B

INVOICE AMOUNT

Unit Cost	Retention	Install and Delivery	Base Material Cost
\$ 2,270.00	\$ 227.00	\$ 227.00	\$ 1,816.00
\$ 4,740.00	\$ 474.00	\$ 474.00	\$ 3,792.00
\$ 3,335.00	\$ 333.50	\$ 333.50	\$ 2,668.00
\$ 4,605.00	\$ 460.50	\$ 460.50	\$ 3,684.00
\$ 3,685.00	\$ 368.50	\$ 368.50	\$ 2,948.00
\$ 6,040.00	\$ 604.00	\$ 604.00	\$ 4,832.00
\$ 3,330.00	\$ 333.00	\$ 333.00	\$ 2,664.00
\$ 5,215.00	\$ 521.50	\$ 521.50	\$ 4,172.00
\$ 3,720.00	\$ 372.00	\$ 372.00	\$ 2,976.00
\$ 7,780.00	\$ 778.00	\$ 778.00	\$ 6,224.00
\$ 3,720.00	\$ 372.00	\$ 372.00	\$ 2,976.00
\$ 5,560.00	\$ 556.00	\$ 556.00	\$ 4,448.00
\$ 7,065.00	\$ 706.50	\$ 706.50	\$ 5,652.00
\$ 6,995.00	\$ 699.50	\$ 699.50	\$ 5,596.00
\$ 5,340.00	\$ 534.00	\$ 534.00	\$ 4,272.00
\$ 3,685.00	\$ 368.50	\$ 368.50	\$ 2,948.00
\$ 3,465.00	\$ 346.50	\$ 346.50	\$ 2,772.00
\$ 3,485.00	\$ 348.50	\$ 348.50	\$ 2,788.00
\$ 2,475.00	\$ 247.50	\$ 247.50	\$ 1,980.00
\$ 2,035.00	\$ 203.50	\$ 203.50	\$ 1,628.00
\$ 88,545.00	\$ 8,854.50	\$ 8,854.50	\$ 70,836.00

Included in July billing
to developer. @

Cabinetec is billing for Base Material Cost at this time of: \$ 70,836.00
There will be a remaining balance of: \$ 17,709.00

NOTE:

\$ 70,836.00 is due no later than 30 days from delivery (August 1st, 06)
\$ 8,854.50 is due no later than 30 days from day of installation
\$ 8,854.50 is due no later than 30 days from unit completion

APCO CONSTRUCTION

CABINETEC INC.

Printed Name

Rob Tindall

Printed Name

Signature

[Signature]

Signature

Date Title

Date Title

V.P. Sales

NWP00723

JA002594

APCO-TR-EX0152-0003

Check#: 999529407	Date: 09/23/2008	Vendor#: 21310 CabineTec, Inc.			
<i>Invoice#</i>	<i>Job/Description</i>	<i>Balance</i>	<i>Retain</i>	<i>Discount</i>	<i>This Check</i>
PP#1 07/08	168 ManhattanWest Condo	179,180.00	17,918.00		161,262.00

09/23/2008 \$ *161,262.00

EXACTLY ONE HUNDRED SIXTY-ONE THOUSAND TWO HUNDRED SIXTY-TWO
DOLLARS

CabineTec, Inc.
2711 East Craig Road
North Las Vegas NV 89030

Check#: 999529407	Date: 09/23/2008	Amount: 161,262.00	Vendor: 21310 CabineTec, Inc.		
<i>Invoice#</i>	<i>Job/Description</i>	<i>Balance</i>	<i>Retain</i>	<i>Discount</i>	<i>This Check</i>
PP#1 07/08	168 ManhattanWest Condo	179,180.00	17,918.00		161,262.00

NWP00724

JA002595

APCO-TR-EX0152-0004

INVOICE	CAT. NO.	INV. DT.	AMOUNT	RETN.	NET AMOUNT	DESCRIPTION
CONDOS		09/22/88	179180.00	17915.00	161262.00	CONDOS ON SHLF OF GEMSTONE DEV. WEST
						VOUCHER# SR9.3-01
			CHK TOTAL: 161262.00			

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT.  CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM.

529407

***161,262.00*

APCO CONSTRUCTION AND
CABINETEC, INC.

0529407110 100224007240 04837299900

THE ORIGINAL DOCUMENT HAS A WHITE REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO SEE THE MARK WHEN CHECKING THE ENDORSEMENTS.

07/31/08	1023652-IN	BLDG	9	UNIT	155	7,230.00	7,230.00
07/31/08	1023653-IN	BLDG	9	UNIT	156	6,885.00	6,885.00
07/31/08	1023654-IN	BLDG	9	UNIT	158	3,330.00	3,330.00
07/31/08	1023655-IN	BLDG	9	UNIT	160	3,720.00	3,720.00
07/31/08	1023656-IN	BLDG	9	UNIT	161	8,475.00	8,475.00
07/31/08	1023657-IN	BLDG	9	UNIT	162	4,270.00	4,270.00
07/31/08	1023658-IN	BLDG	9	UNIT	164	5,955.00	5,955.00

CONTINUED

Lea 649-1010

IF YOU HAVE ANY QUESTIONS PLEASE CALL
ACCOUNTS RECEIVABLE AT 702-649-1010 EXT 2252

-unc. \$161,262.00 7/31/08

NWP00725

JA002596

APCO-TR-EX0152-0005

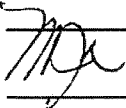
P- CONTRACT AGREEMENT
F- 3432 NORTH 5TH STREET

ManhattanWest

FOR PERIOD: 7/31/2008

APCO JOB # 168

ITEM NO	BILLING PHASE	DESCRIPTION	CONTRACT		UNIT PRICE	ESTIMATED CONTRACT DOLLARS	THIS REQUEST		TOTAL TO DATE	
			QUAN.	Unit			QUANTITY	DOLLARS	QUANTITY	DOLLARS
1	6220	Cabinets Bldgs 8	1	LS	264395	264,395.00	33%	88,545.00	33%	88,545.00
2	6220	Cabinets Bldgs 9	1	LS	264395	264,395.00	34%	90,635.00	34%	90,635.00
3	6220	Cabinets Bldgs 7	1	LS	261985	261,985.00	0%		0%	
						790,775.00				

PREVIOUS PAYMENT AMOUNTS	DATE	AMT THIS ESTIMATE	AMOUNT TO DATE
EST #		TOTAL AMOUNTS	179,180.00
EST #		LESS RETENTION 10%	<u>(17,918.00)</u>
EST #		SUBTOTAL	161,262.00
EST #		LESS PREVIOUS PAYMENTS >>>>>>>>>>	-
EST #		EARNED THIS ESTIMATE	161,262.00
EST #		<u>TOTAL AMOUNT DUE THIS PERIOD</u>	161,262.00
EST #		APPROVED FOR PYMNT _____	_ / _ / _
EST #		APPROVED FOR PYMNT _____	_ / _ / _
EST #		PREPARED BY  _____	9/3/2008
TOTAL	-		

SIS CERTIFIED TO:

LIAB CERTIFIED TO:

PLEASE MAKE CHECKS PAYABLE AS FOLLOWS:

161,262.00

TOTAL

161,262.00

NWP00726

JA002597

APCO-TR-EX0152-0006

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

JA002598

**Amended and Restated
ManhattanWest
General Construction Agreement**

This Amended and Restated General Construction Agreement (the "Agreement") is made as of August 25, 2008 (the "Effective Date") between Gemstone Development West, Inc. ("Developer") and Camco Pacific Construction Company, Inc. ("General Contractor") with the following Nevada General Contractor License Number: 37507 Unlimited.

Recitals

Developer and General Contractor entered into the ManhattanWest General Construction Agreement, dated August 15, 2008 (the "Original Agreement") for the completion of Buildings 2, 3, 7, 8, and 9 of the ManhattanWest mixed-use development project described in the Contract Documents (the "Project") and located at the following Assessors Parcel Numbers: 163-32-101-003, 163-32-101-004, 163-32-101-005, 163-32-101-010, and 163-32-101-014 (the "Project Site").

Developer and General Contractor wish to amend and restate the Original Agreement as set forth in this Agreement.

Agreement

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Developer and General Contractor hereby agree that the Original Agreement is hereby amended and restated as set forth below.

**ARTICLE I
GENERAL PROVISIONS**

1.01 Contract Documents. General Contractor has received the drawings and specifications for the Project set forth on the Planwell PDS site located at https://order.e-arc.com/arcEOC/PWELL_Project_main.asp?pvt=70-1-11863 as of the Effective Date (the "Contract Documents"). The intent of the Contract Documents is to include all items necessary for the proper execution and completion of the Project by General Contractor. Upon delivery to, and consent by, General Contractor of any updates to the Contract Documents, such updates shall be automatically incorporated into this Agreement.

1.02 Defined Terms. Unless otherwise defined in this Agreement, all capitalized terms contained in this Agreement are defined in the Glossary of Defined Terms attached to this Agreement as Exhibit A.

1.03 Schedule of Values. Attached to this Agreement as Exhibit B is the Schedule of Values.

ARTICLE II



Exhibit C
Existing Third-Party Service Providers

Accuracy Glass & Mirror, Inc
CabineTec
Carpets N More
Cell Crete Corporation
Concrete Visions
Creative Home Theaters, Inc.
Dependable Glass & Mirror
Distinctive Marble
Executive Plastering
Gilbert & Associates
Granite Construction
Granite Plus
Helix Electric
Hi Tech Fabrication
Isulpro Projects
Interstate Plumbing & Air
Jeff Heit Plumbing & Fire, LLC
Larry Methvin Installation
Las Vegas Pipeline
The Masonry Group Nevada, Inc
Nevada Gypsum
Nevada Pre Fab Engineers
OTIS Technologies
PDM Glass & Mirror
Pools by Grube
PR Construction
Sierra Reinforcing
Sierra Waterproofing
Storm Water Programs
Sunset Steel Erectors
H.A. Fabrications
California Drafting
Silver State Fireplaces
Sliding Door Company
The Painting Company
ThyssenKrupp Elevator
Tri-City Drywall
WRG Design, Inc.
Whirlpool Corporation
Zitting Construction
Wholesale Door & Window
Steel Engineers Incorporated

Purchase Orders
Calico Construction Supply



Curtain wall installation has not started
Drywall ribs are 15% complete
Shafts are 45% complete
Elevator is not installed and I have not seen it onsite
Stairs are 55%
None of the patio pour backs have been poured

Building 8

Concrete podium structure is complete
Framing is complete
Windows are complete
Hollow metal door frames are installed
Lath is 60% complete
Brown coat is 50 % complete
Stairs are 95% complete
Tubs have been installed
Shower pans are at 50%
1st through 3rd drywall is complete on walls and lids but not the soffits
4th drywall (walls only) are 55% complete
1st floor drywall taping is 70% complete
1st through 3rd rough electric is complete
1st through 3rd rough plumbing is complete
1st through 3rd rough HVAC is complete
1st through 3rd rough low volt is complete
4th floor soffits have not been installed
Elevators have not started
Corridors drywall has not started
Shafts are 75% complete
HVAC compressors are in place on the roof
Curb wall on podium has been poured water proofing is not complete
Post for balcony rails have been installed
Flashing for patio deck pour has been installed
Switchgear is in place

Building 9

Framing is complete
Windows are complete
Hollow metal door frames are installed
Lath is 90% complete
Stucco is 60 % complete
Stairs are 95% complete
Tubs have been installed
Shower pans are at 50%
1st through 3rd drywall is complete on walls and lids but not the soffits
4th drywall (walls only) are 55% complete
1st floor drywall taping is 65% complete
1st through 3rd rough electric is complete
1st through 3rd rough plumbing is complete





CABINETEC

The Art Of Cabinetry

2711 E. Craig Rd. Ste A • North Las Vegas, NV 89030 • Ph- (702) 649-1010 • Fax (702) 649-7918

APCO Construction
Joe De Haas

702.379,2098

Cabinetec Inc
Cell:
Fax:

Ross Cirincione
702.408.8321
702.649.7918

INVOICE UNIT

Building	Unit	Plan
8	151	S
8	152	B4A
8	153	B3
8	154	B1
8	155	B5
8	156	B6
8	158	A1
8	159	C1
8	160	B4B
8	161	B3
8	162	B4B
8	163	C1
8	164	B4-ANSI
8	165	C2
8	166	B6
8	167	B5
8	168	B1
8	169	B3
8	177	C2A
8	187	C2B

INVOICE AMOUNT

Unit Cost	Retention	Install and		Base Material Cost
		Delivery		
\$ 2,270.00	\$ 227.00	\$ 227.00	\$	1,816.00
\$ 4,740.00	\$ 474.00	\$ 474.00	\$	3,792.00
\$ 3,335.00	\$ 333.50	\$ 333.50	\$	2,668.00
\$ 4,605.00	\$ 460.50	\$ 460.50	\$	3,684.00
\$ 3,685.00	\$ 368.50	\$ 368.50	\$	2,948.00
\$ 6,040.00	\$ 604.00	\$ 604.00	\$	4,832.00
\$ 3,330.00	\$ 333.00	\$ 333.00	\$	2,664.00
\$ 5,215.00	\$ 521.50	\$ 521.50	\$	4,172.00
\$ 3,720.00	\$ 372.00	\$ 372.00	\$	2,976.00
\$ 7,780.00	\$ 778.00	\$ 778.00	\$	6,224.00
\$ 3,720.00	\$ 372.00	\$ 372.00	\$	2,976.00
\$ 5,560.00	\$ 556.00	\$ 556.00	\$	4,448.00
\$ 7,065.00	\$ 706.50	\$ 706.50	\$	5,652.00
\$ 6,995.00	\$ 699.50	\$ 699.50	\$	5,596.00
\$ 5,340.00	\$ 534.00	\$ 534.00	\$	4,272.00
\$ 3,685.00	\$ 368.50	\$ 368.50	\$	2,948.00
\$ 3,465.00	\$ 346.50	\$ 346.50	\$	2,772.00
\$ 3,485.00	\$ 348.50	\$ 348.50	\$	2,788.00
\$ 2,475.00	\$ 247.50	\$ 247.50	\$	1,980.00
\$ 2,035.00	\$ 203.50	\$ 203.50	\$	1,628.00
		\$	\$	
\$ 88,545.00	\$ 8,854.50	\$ 8,854.50	\$	70,836.00

Cabinetec is billing for Base Material Cost at this time of:
There will be a remaining balance of:

\$ 70,836.00 *paid*
\$ 17,709.00 *open*

NOTE:

\$ 70,836.00 Is due no later than 30 days from receiving this invoice
\$ 8,854.50 Is due no later than 30 days from day of installation
\$ 8,854.50 Is due no later than 30 days from unit completion

APCO CONSTRUCTION

CABINETEC INC.

Printed Name

Printed Name

Signature

Signature

Date Title

Date Title

NWP00001

APCO-TR-EX0160-0004

JA002602

CabineTec, Inc. - Las Vegas
2711 E CRAIG RD., SUITE A
NO LAS VEGAS, NV 89030
(702) 649-1010

STATEMENT DATE: 08/08/08

APCO CONSTRUCTION
3432 N. 5TH STREET
N. LAS VEGAS NV 89032

CUSTOMER NO.: APCO
TERMS: NET 30
LC

DATE	REFERENCE	DESCRIPTION	CHARGE	CREDIT	BALANCE
07/31/08	1023635-IN	BLDG 8 UNIT 152	4,740.00		4,740.00
07/31/08	1023636-IN	BLDG 8 UNIT 153	3,335.00		3,335.00
07/31/08	1023637-IN	BLDG 8 UNIT 154	4,605.00		4,605.00
07/31/08	1023638-IN	BLDG 8 UNIT 155	3,685.00		3,685.00
07/31/08	1023639-IN	BLDG 8 UNIT 156	6,040.00		6,040.00
07/31/08	1023640-IN	BLDG 8 UNIT 158	3,330.00		3,330.00
07/31/08	1023641-IN	BLDG 8 UNIT 160	3,720.00		3,720.00
07/31/08	1023642-IN	BLDG 8 UNIT 161	7,780.00		7,780.00
07/31/08	1023643-IN	BLDG 8 UNIT 162	3,720.00		3,720.00
07/31/08	1023644-IN	BLDG 8 UNIT 164	7,065.00		7,065.00
07/31/08	1023645-IN	BLDG 8 UNIT 166	5,340.00		5,340.00
07/31/08	1023646-IN	BLDG 8 UNIT 167	3,685.00		3,685.00
07/31/08	1023647-IN	BLDG 8 UNIT 168	3,465.00		3,465.00
07/31/08	1023648-IN	BUILDING 8 UNIT 169	3,485.00		3,485.00
07/31/08	1023649-IN	BLDG 9 UNIT 152	3,720.00		3,720.00
07/31/08	1023650-IN	BLDG 9 UNIT 153	3,435.00		3,435.00
07/31/08	1023651-IN	BLDG 9 UNIT 154	5,975.00		5,975.00
07/31/08	1023652-IN	BLDG 9 UNIT 155	7,230.00		7,230.00
07/31/08	1023653-IN	BLDG 9 UNIT 156	6,885.00		6,885.00
07/31/08	1023654-IN	BLDG 9 UNIT 158	3,330.00		3,330.00
07/31/08	1023655-IN	BLDG 9 UNIT 160	3,720.00		3,720.00
07/31/08	1023656-IN	BLDG 9 UNIT 161	8,475.00		8,475.00
07/31/08	1023657-IN	BLDG 9 UNIT 162	4,270.00		4,270.00
07/31/08	1023658-IN	BLDG 9 UNIT 164	5,955.00		5,955.00

CONTINUED



10#1 179,180.00
177,918.00
161,262.00

CONTRACT

VEN 21310

CC 6220



PLEASE CALL
1-649-1010 EXT 2252

APCO00036997

APCO-TR-EX0160-0005

JA002603

CabineTec, Inc. - Las Vegas
 2711 E CRAIG RD., SUITE A
 NO LAS VEGAS, NV 89030
 (702) 649-1010

STATEMENT DATE: 08/08/08

APCO CONSTRUCTION
 3432 N. 5TH STREET
 N. LAS VEGAS NV 89032

CUSTOMER NO.: APCO
 TERMS: NET 30
 LC

DATE	REFERENCE	DESCRIPTION	CHARGE	CREDIT	BALANCE
07/31/08	1023659-IN	BLDG 9 UNIT 166	3,790.00		3,790.00
07/31/08	1023660-IN	BLDG 9 UNIT 167	3,785.00		3,785.00
07/31/08	1023661-IN	BLDG 9 UNIT 168	6,945.00		6,945.00
07/31/08	1023662-IN	BLDG 9 UNIT 169	3,435.00		3,435.00
07/31/08	1023663-IN	BLDG 8 UNIT 151	2,270.00		2,270.00
07/31/08	1023664-IN	BLDG 8 UNIT 159	5,215.00		5,215.00
07/31/08	1023665-IN	BLDG 8 UNIT 163	5,560.00		5,560.00
07/31/08	1023666-IN	BLDG 8 UNIT 165	6,995.00		6,995.00
07/31/08	1023667-IN	BLDG 8 UNIT 177	2,475.00		2,475.00
07/31/08	1023668-IN	BLDG 8 UNIT 187	2,035.00		2,035.00
07/31/08	1023669-IN	BLDG 9 UNIT 151	3,165.00		3,165.00
07/31/08	1023670-IN	BLDG 9 UNIT 159	4,860.00		4,860.00
07/31/08	1023671-IN	BLDG 9 UNIT 163	3,405.00		3,405.00
07/31/08	1023672-IN	BLDG 9 UNIT 165	3,945.00		3,945.00
07/31/08	1023673-IN	BLDG 9 UNIT 177	2,375.00		2,375.00
07/31/08	1023674-IN	BLDG 9 UNIT 187	1,935.00		1,935.00

TOTAL: 179,180.00

CURRENT	30 DAYS	60 DAYS	90 DAYS	120 DAYS	BALANCE DUE
179,180.00	.00	.00	.00	.00	179,180.00

IF YOU HAVE ANY QUESTIONS PLEASE CALL
 ACCOUNTS RECEIVABLE AT 702-649-1010 EXT 2252

APCO00036998

APCO-TR-EX0160-0006

JA002604



CABINETEC

The Art Of Cabinetry

2711 E. Craig Rd. Ste A • North Las Vegas, NV 89030 • Ph- (702) 649-1010 • Fax (702) 649-7918

APCO Construction

Joe De Haas

702.379.2098

Cabinetec Inc

Cell:

Fax:

Ross Cirincione

702.408.8321

702.649.7918

INVOICE UNIT

Building	Unit	Plan
8	151	S
8	152	B4A
8	153	B3
8	154	B1
8	155	B5
8	156	B6
8	158	A1
8	159	C1
8	160	B4B
8	161	B3
8	162	B4B
8	163	C1
8	164	B4-ANSI
8	165	C2
8	166	B6
8	167	B5
8	168	B1
8	169	B3
8	177	C2A
8	187	C2B

INVOICE AMOUNT

Unit Cost	Retention	Install and Delivery	Base Material Cost
\$ 2,270.00	\$ 227.00	\$ 227.00	\$ 1,816.00
\$ 4,740.00	\$ 474.00	\$ 474.00	\$ 3,792.00
\$ 3,335.00	\$ 333.50	\$ 333.50	\$ 2,668.00
\$ 4,605.00	\$ 460.50	\$ 460.50	\$ 3,684.00
\$ 3,685.00	\$ 368.50	\$ 368.50	\$ 2,948.00
\$ 6,040.00	\$ 604.00	\$ 604.00	\$ 4,832.00
\$ 3,330.00	\$ 333.00	\$ 333.00	\$ 2,664.00
\$ 5,215.00	\$ 521.50	\$ 521.50	\$ 4,172.00
\$ 3,720.00	\$ 372.00	\$ 372.00	\$ 2,976.00
\$ 7,780.00	\$ 778.00	\$ 778.00	\$ 6,224.00
\$ 3,720.00	\$ 372.00	\$ 372.00	\$ 2,976.00
\$ 5,560.00	\$ 556.00	\$ 556.00	\$ 4,448.00
\$ 7,065.00	\$ 706.50	\$ 706.50	\$ 5,652.00
\$ 6,995.00	\$ 699.50	\$ 699.50	\$ 5,596.00
\$ 5,340.00	\$ 534.00	\$ 534.00	\$ 4,272.00
\$ 3,685.00	\$ 368.50	\$ 368.50	\$ 2,948.00
\$ 3,465.00	\$ 346.50	\$ 346.50	\$ 2,772.00
\$ 3,485.00	\$ 348.50	\$ 348.50	\$ 2,788.00
\$ 2,475.00	\$ 247.50	\$ 247.50	\$ 1,980.00
\$ 2,035.00	\$ 203.50	\$ 203.50	\$ 1,628.00
\$ -	\$ -	\$ -	\$ -
\$ 88,545.00	\$ 8,854.50	\$ 8,854.50	\$ 70,836.00

Cabinetec is billing for Base Material Cost at this time of: **\$ 70,836.00**

There will be a remaining balance of: **\$ 17,709.00**

NOTE:

\$ 70,836.00 is due no later than 30 days from delivery (August 1st, 08)
\$ 8,854.50 is due no later than 30 days from day of installation
\$ 8,854.50 is due no later than 30 days from unit completion

APCO CONSTRUCTION

Printed Name

Signature

Date

Title

CABINETEC INC.

Rob Truitt

Printed Name

[Signature]

Signature

Date

8/1/08

V.P. Sales & Marketing

Title

APCO00036999

APCO-TR-EX0160-0007

JA002605



2711 E. Craig Rd. Ste A • North Las Vegas, NV 89030 • Ph- (702) 649-1010 • Fax (702)649-7918

APCO Construction

Joe De Haas

702.379.2098

Cabinetec Inc

Cell:

Fax:

Ross Cirincione

702.408.8321

702.649.7918

INVOICE UNIT

Building	Unit	Plan
9	151	S
9	152	B4A
9	153	B3
9	154	B1
9	155	B5
9	156	B6
9	158	A1
9	159	C1
9	160	B4B
9	161	B3
9	162	B4B
9	163	C1
9	164	B4
9	165	C2
9	166	B6
9	167	B5
9	168	B1
9	169	B3
9	177	C2A
9	187	C2B

INVOICE AMOUNT

Unit Cost	Retention	Install and Delivery	Base Material Cost
\$ 3,165.00	\$ 316.50	\$ 316.50	\$ 2,532.00
\$ 3,720.00	\$ 372.00	\$ 372.00	\$ 2,976.00
\$ 3,435.00	\$ 343.50	\$ 343.50	\$ 2,748.00
\$ 5,975.00	\$ 597.50	\$ 597.50	\$ 4,780.00
\$ 7,230.00	\$ 723.00	\$ 723.00	\$ 5,784.00
\$ 6,885.00	\$ 688.50	\$ 688.50	\$ 5,508.00
\$ 3,330.00	\$ 333.00	\$ 333.00	\$ 2,664.00
\$ 4,860.00	\$ 486.00	\$ 486.00	\$ 3,888.00
\$ 3,720.00	\$ 372.00	\$ 372.00	\$ 2,976.00
\$ 8,475.00	\$ 847.50	\$ 847.50	\$ 6,780.00
\$ 4,270.00	\$ 427.00	\$ 427.00	\$ 3,416.00
\$ 3,405.00	\$ 340.50	\$ 340.50	\$ 2,724.00
\$ 5,995.00	\$ 599.50	\$ 599.50	\$ 4,796.00
\$ 3,945.00	\$ 394.50	\$ 394.50	\$ 3,156.00
\$ 3,790.00	\$ 379.00	\$ 379.00	\$ 3,032.00
\$ 3,785.00	\$ 378.50	\$ 378.50	\$ 3,028.00
\$ 6,945.00	\$ 694.50	\$ 694.50	\$ 5,556.00
\$ 3,435.00	\$ 343.50	\$ 343.50	\$ 2,748.00
\$ 2,375.00	\$ 237.50	\$ 237.50	\$ 1,900.00
\$ 1,935.00	\$ 193.50	\$ 193.50	\$ 1,548.00
\$ -	\$ -	\$ -	\$ -
\$ 90,675.00	\$ 9,067.50	\$ 9,067.50	\$ 72,540.00

Cabinetec is billing for Base Material Cost at this time of: **\$ 72,540.00**
 There will be a remaining balance of: **\$ 18,135.00**

NOTE:

\$ 72,540.00 is due no later than 30 days from delivery (August 1st, 08)
\$ 9,067.50 is due no later than 30 days from day of installation
\$ 9,067.50 is due no later than 30 days from unit completion

APCO CONSTRUCTION

Printed Name

Signature

Date

Title

CABINETEC INC.

Rob Trickett

Printed Name

Signature

Date

Title

APCO00037000

APCO-TR-EX0160-0008

JA002606

**MANHATTAN WEST
BILLINGS SUBMITTED TO OWNER BY APCO
ON BEHALF OF
CABINETEC**

APCO PAY APP. #	MONTH OF PAY APP.	GROSS AMT. BILLED OWNER	LESS 10% RETENTION	NET AMT. BILLED OWNER
1	Oct. 2007	0.00		0.00
2	Nov. 2007	0.00		0.00
3	Dec. 2007	0.00		0.00
4	Jan. 2008	0.00		0.00
5	Feb. 2008	0.00		0.00
6	Mar. 2008	0.00		0.00
7	Apr. 2008	0.00		0.00
8	May 2008	0.00		0.00
9	June 2008	0.00		0.00
10	July 2008	179,180.00	(17,918.00)	161,262.00
11	Aug. 2008	0.00		0.00
	TOTALS	179,180.00	(17,918.00)	161,262.00

APCO-TR-EX0160-0009

JA002607

INVOICE	CAT. NO.	INV. DT.	AMOUNT	RETN.	NET AMOUNT	DESCRIPTION
	CONDOS	09/22/88	73160.00	17515.00 ^t	161862.00	CONDOS ON SHLF OF GEMSTONE DEV. WEST VOUCHER# SR9.3-01
CHK TOTAL: 161862.00						

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT. CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM.

529407

CHECK DATE 09/23/08

AMOUNT

***151,262.00*

№ 52940700 1:2224007241: 04637299900

THE ORIGINAL DOCUMENT HAS A WHITE REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO SEE THE MARK WHEN CHECKING THE ENDORSEMENTS.

DATE	AMOUNT	DESCRIPTION	DEBIT	CREDIT	BALANCE
07/31/08	1023652	IN BLDG 9 UNIT 155		7,230.00	7,230.00
07/31/08	1023653	IN BLDG 9 UNIT 156		6,885.00	6,885.00
07/31/08	1023654	IN BLDG 9 UNIT 158		3,330.00	3,330.00
07/31/08	1023655	IN BLDG 9 UNIT 160		3,720.00	3,720.00
07/31/08	1023656	IN BLDG 9 UNIT 161		8,475.00	8,475.00
07/31/08	1023657	IN BLDG 9 UNIT 162		4,270.00	4,270.00
07/31/08	1023658	IN BLDG 9 UNIT 164		5,955.00	5,955.00

CONTINUED

Lea 649-1010

IF YOU HAVE ANY QUESTIONS PLEASE CALL
ACCOUNTS RECEIVABLE AT 702-649-1010 EXT 2252

-unc. \$161,262.00 7/31/08

APCO00036995

APCO-TR-EX0160-0010

JA002608

**UNCONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT**

Property Name Manhattan West
Property Location Russell Road/Rocky Hill Street
Undersigned's Customer Apco Construction
Invoice/Payment Application Number All invoices through 7/31/08
Payment Amount \$161,262.00

The undersigned has been paid and has received a progress payment in the above referenced Payment Amount for all work, materials and equipment the undersigned furnished to his Customer for the above described Property and does hereby waive and release any notice of lien, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to payment rights that the undersigned has on the above described Property to the following extent:

This release covers a progress payment for the work, materials and equipment furnished by the undersigned to the Property or to the Undersigned's Customer which are the subject of the Invoice or Payment Application, but only to the extent of the Payment Amount or such portion of the Payment Amount as the undersigned is actually paid, and does not cover any retention withheld, any items, modifications or changes pending approval, disputed items and claims, or items furnished *that are not paid*. The undersigned warrants that he either has already paid or will use the money he receives from this progress payment promptly to pay in full all his laborers, subcontractors, materialmen and suppliers for all the work, materials or equipment that are the subject of this waiver and release.

Dated

9/23/08

Cabinetec, Inc.

(Company Name)

Cabintel Inc.

By

Rob Parker

Title

Sales

Notice: This document waives rights unconditionally and states that you have been paid for giving up those rights. This document is enforceable against you if you sign it to the extent of the Payment Amount or the amount received. If you have not been paid, use a conditional release form.

06926

APCO-TR-EX0160-0011

JA002609



2711 E Craig Rd Suite "A" Las Vegas, NV Phone (702) 649-1010
www.cabinetec.com

08/06/2008

Attn: APCO Construction
CC: Joe De Haas
CC: Randy Nickert

Re: Terms & Conditions

To Whom It May Concern,

Outlined here are the Terms & Conditions related to the following:

Cabinetec accepts any damages to cabinetry caused by heat or moisture for ManhattanWest Buildings 8 & 9 First Floor locations ONLY. Cabinetec is aware storing cabinetry on the jobsite may in fact put specific climate conditions on this product, but we assume any weather damages. APCO construction will be responsible for security of the cabinetry while storing them through installation.

Cabinetec will assume responsibility to replace and/or re-work any cabinet materials that become damaged due to prolonged storage via the current and future climate conditions at the Manhattan West project site so long as the following terms are agreed to and met;

- A) ~~Cabinetec will be paid material & production costs for delivered First Floor cabinets 30 days from receipt of invoices.~~ *when APCO receives payment from Granite per subcontract*
- B) ~~APCO Construction will honor Terms presented on invoices clarifying payment amounts & timelines. Payment terms are set in the subcontract agreement and cannot be amended.~~
- C) That all future scheduled deliveries for remaining units are to be adequately scheduled by responsible APCO personnel, and if necessary, APCO & Cabinetec INC. agree to equal share of storage fees of up to \$150.00 per day so that Cabinetec may facilitate appropriate storage of materials in climate controlled zones to insure product integrity. *Please notify APCO of pending fabrication schedule in advance to help resolve this type of issue*

Sincerely,

APCO CONSTRUCTION

x Randy Nickert 8/11/08
Randy Nickert
Division Mgr.
APCO Construction

Cabinetec Inc.

Rob Trickett
[Signature]
V.P. Sales & Marketing

Milano *Tuscany* *UltraTec*
Raise Your Standards. Trustless Fingertec. UltraModern, Ultra.

APCO00044958

APCO-TR-EX0160-0012

JA002610

appears that labor, material or other costs incurred in the performance of the Subcontract Work are not being paid when due, Contractor may take whatever steps it deems necessary to insure that the progress payments will be utilized to pay such costs, including, but not limited to, the issuance of joint checks payable to the claimant after written notice to Subcontractor, or additionally, making payment directly to claimant after written notice to Subcontractor. If such payment by Contractor exceeds the balance of payments due or to become due to Subcontractor from Contractor, then Subcontractor shall be liable to Contractor for the difference.

- 3.7 Contractor is hereby expressly granted the right to off set any sums due the Subcontractor under the provisions of this Subcontract against any obligation that may be due from Subcontractor to Contractor regardless of the source of said obligation. When requested by Contractor, Subcontractor shall furnish to Contractor a verified and itemized statement showing the names and addresses of all entities who have furnished or may furnish labor, materials, and/or equipment for the Subcontract Work together with the amount due or to become due for such work.
- 3.8 The 10 percent withheld retention shall be payable to Subcontractor upon, and only upon the occurrence of all the following events, each of which is a condition precedent to Subcontractor's right to receive final payment hereunder and payment of such retention: (a) Completion of the entire project described in the Contract Documents; (b) The approval and final acceptance of the project Work by Owner; (c) Receipt of final payment by Contractor from Owner; (d) Delivery to Contractor from Subcontractor all as-built drawings for it's scope of work and other close out documents; (e) Delivery to Contractor from Subcontractor a Release and Waiver of Claims from all of Subcontractor's laborers, material and equipment suppliers, and subcontractors providing labor, materials or services to the Project, (Forms attached). If any sub-subcontractor, supplier or other person refuses to furnish a release or waiver required by the Owner or Contractor, the Subcontractor shall, upon the request of Contractor, furnish a bond satisfactory to the owner and Contractor to indemnify them against any such claim or lien. Should the existence of any unsatisfied or undischarged claim, obligation or lien arising in conjunction with Subcontractor's Work become known after final payment is received from Contractor, Subcontractor shall promptly pay on demand all actual amounts Contractor and/or Owner pay in bonding around, satisfying, discharging or defending any such claim, obligation or lien, including all costs and attorney's fees incurred in connection therewith. Final payment shall not relieve Subcontractor from liability, or for warranty or guaranty, or for indemnity obligations for faulty or defective Work.
- 3.9 Subcontractor agrees that Contractor shall have no obligation to pay Subcontractor for any changed or extra work performed by Subcontractor until or unless Contractor has actually been paid for such work by the Owner.
- 3.10 Progress payments and Final Payment shall not be considered or construed as evidence of acceptance of any part of Subcontractor's work until final acceptance of the Project by Owner.
4. Prosecution of Work
- 4.1 TIME IS OF THE ESSENCE OF THIS SUBCONTRACT.
- (a) Seven (7) copies of all Subcontractor submittals shall be received by Contractor to suit the requirements of the approved CPM target schedule unless otherwise agreed to in writing by Contractor. Subcontractor agrees to provide plan-sized sheets for all submittals of required size 24"x36" including one (1) sepia & five (5) blue line prints. Product specifications shall be provided in standard 8-1/2" by 11" paper, three hole punched and inserted into three ring binders labeled "The Manhattanwest Condominiums". Any required re-submittals shall be submitted within five working days of receipt of request from the Owner.

APCO Construction
Subcontractor 

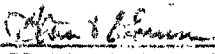
Page 4 of 17

APCO00036979

APCO-TR-EX0160-0013

JA002611

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE


CLERK OF THE COURT

JA002612

APPLICATION AND CERTIFICATE FOR PAYMENT

PAGE 1 OF 2

TO OWNER: Manhattan West
9121 W. Russell Rd.
Las Vegas, NV 89148

PROJECT: Manhattan West
Phase 1

OWNER DRAW NO:
APPLICATION NO: 15
PERIOD: 12/31/2008
PROJECT: 168
CONTRACT DATE: 09/15/08

Distribution to:
☐ OWNER
☐ ARCHITECT
☐ CONTRACTOR
☐ NCS
☐ Pete Smith

FROM CONTRACTOR: Camco Pacific Construction
2925 E. Patrick Lane, Suite G
Las Vegas, Nevada 89120

VIA ARCHITECT: OZ Architects

CONTRACT FOR: Manhattan West Phase 1

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation sheet is attached.

The undersigned contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payments were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM\$ 88,219,915.26
2. Net change by Change Orders\$ 8,003,395.83
3. CONTRACT SUM TO DATE (Line 1 + 2)\$ 96,223,311.09
4. TOTAL COMPLETED & STORED TO DATE\$ 82,427,804.84
(Column G on G703)
5. RETAINAGE
a. 10 % of completed work\$ 7,404,853.31
(Buildings)
b. 5 % of Site Work\$ 200,422.50
Total Retainage (line 5a 5b) 7,605,275.81
6. TOTAL EARNED LESS RETAINAGE\$ 74,822,529.03
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
(Line 6 form prior Certificate)\$ 73,160,378.46
8. CURRENT PAYMENT DUE\$ 1,662,150.55
9. BALANCE TO FINISH, INCLUDING RETAINAGE
(Line 3 less Line 6)\$ 21,400,782.06

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
TOTAL CHARGES APPROVED IN PREVIOUS MONTHS BY OWNER	8,923,860.47	
Total approved this Month	1,079,735.36	
TOTALS	8,003,395.83	
NET CHANGES by change order		8,003,395.83

8,003,395.83

CONTRACTOR

By: [Signature] Date: 1-26-09

State of: Nevada
County of: Clark
Subscribed and sworn to before me this
11 day of Jan, 2009

Notary Public:

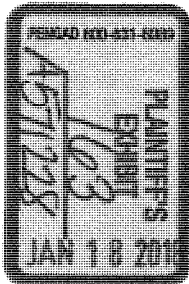
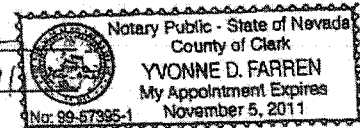
My Commission expires: 11-5-2011

ARCHITECT

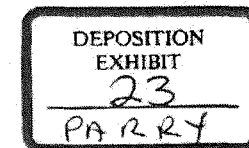
By: _____ Date: _____

OWNER

By: _____ Date: _____



CANCO-MW 01249



JA002613

CONTINUATION SHEET

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed certification, is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use column I on contracts where variable retaining for line items may apply.

Schedule of Values Phase 1 Manhattan West

Owner Loan No.: 0
Billing Number: 15
Period: 12/31/2008

A.1		B		C		D		E		F		G		H		I		J		K		L	
ITEM NO.		DESCRIPTION OF		SCHEDULED VALUE		REVISED SCHEDULE		WORK COMPLETED		MATERIALS STORED		TOTAL COMPLETED AND STORED		PERCENTAGE COMPLETE		BALANCE TO FINISH		CURRENT RETENTION WITHHELD		TOTAL RETENTION WITHHELD			
								FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED												
GRADING OFF & ON-SITE IMPROVEMENTS																							
20	1	2200	Mobilization	45,000.00	45,000.00	45,000.00	-	-	-	45,000.00	100%	-	-	-	-	-	-	-	-	-	-	-	2,250.00
20	2	2200	Site Preparat	1,739,233.00	1,739,233.00	1,739,233.00	-	-	-	1,739,233.00	100%	-	-	-	-	-	-	-	-	-	-	-	86,961.85
20	2.001	2200	Site Preparat	80,590.00	80,590.00	80,590.00	-	-	-	80,590.00	100%	-	-	-	-	-	-	-	-	-	-	-	4,029.50
20	2.002	2200	Site Preparat	739,177.00	739,177.00	739,177.00	-	-	-	739,177.00	100%	-	-	-	-	-	-	-	-	-	-	-	36,958.85
20	3	2510	Site Water	75,020.00	75,020.00	75,020.00	-	-	-	75,020.00	100%	-	-	-	-	-	-	-	-	-	-	-	3,751.00
P	3.001	2510	Site Water	427,750.00	427,750.00	427,750.00	-	-	-	427,750.00	100%	-	-	-	-	-	-	-	-	-	-	-	21,387.50
20	4	2500	Site Storm S	511,000.00	511,000.00	500,780.00	-	-	-	500,780.00	98%	10,220.00	-	-	-	-	-	-	-	-	-	-	25,039.00
P	5	2530	Site Sanitary	92,250.00	92,250.00	92,250.00	-	-	-	92,250.00	100%	-	-	-	-	-	-	-	-	-	-	-	4,612.50
20	5.001	2530	Site Sanitary	157,950.00	157,950.00	157,950.00	-	-	-	157,950.00	100%	-	-	-	-	-	-	-	-	-	-	-	7,897.50
20	6	2200	Insurance	150,700.00	150,700.00	150,700.00	-	-	-	150,700.00	100%	-	-	-	-	-	-	-	-	-	-	-	7,555.00
20	6.1	2200	Survey	165,000.00	165,000.00	21,285.00	1,500.00	-	-	22,785.00	14%	142,235.00	-	-	-	-	-	-	-	-	-	-	-
20	7	2740	Grading	233,000.00	233,000.00	233,000.00	-	-	-	233,000.00	100%	-	-	-	-	-	-	-	-	-	-	-	23,300.00
20	7.1	2740	Demolition W	29,900.00	29,900.00	29,900.00	-	-	-	29,900.00	100%	-	-	-	-	-	-	-	-	-	-	-	2,990.00
20	8	2770	Offsites Curb	77,000.00	77,000.00	33,165.50	-	-	-	33,165.50	43%	43,834.50	-	-	-	-	-	-	-	-	-	-	3,316.55
20	9	2775	Offsites Side	10,000.00	10,000.00	-	-	-	-	-	0%	10,000.00	-	-	-	-	-	-	-	-	-	-	-
20	10	2740	Asphalt Offsit	266,810.00	266,810.00	266,301.60	-	-	-	266,301.60	93%	20,508.40	-	-	-	-	-	-	-	-	-	-	26,830.16
20	10.001	2740	Asphalt Pavic	-	-	-	-	-	-	-	#DIV/0!	-	-	-	-	-	-	-	-	-	-	-	-
20	10.002	2740	Asphalt Pavic	-	-	-	-	-	-	-	#DIV/0!	-	-	-	-	-	-	-	-	-	-	-	3,542.75
20	10.003	2740	Asphalt Pavic	35,427.50	35,427.50	35,427.50	-	-	-	35,427.50	100%	-	-	-	-	-	-	-	-	-	-	-	-
20	10.1	2740	Onsite Gradle	407,539.20	407,539.20	-	4,075.00	-	-	4,075.00	1%	403,464.20	407.50	-	-	-	-	-	-	-	-	-	407.50
20	10.2	2740	Fencing and	183,000.00	183,000.00	-	-	-	-	-	0%	183,000.00	-	-	-	-	-	-	-	-	-	-	-
20	10.3	2740	Site Handrail	75,000.00	75,000.00	-	-	-	-	-	0%	75,000.00	-	-	-	-	-	-	-	-	-	-	-
20	11	2770	Curb and Gu	113,020.00	113,020.00	12,320.00	-	-	-	12,320.00	11%	100,700.00	-	-	-	-	-	-	-	-	-	-	1,232.00
20	12	2775	Sidewalks Ph	220,000.00	220,000.00	-	-	-	-	-	0%	220,000.00	-	-	-	-	-	-	-	-	-	-	-
20	13	2780	Brick Pavers	76,558.65	76,558.65	-	-	-	-	-	0%	76,558.65	-	-	-	-	-	-	-	-	-	-	-
20	14	2870	Site furnishin	100,000.00	100,000.00	-	-	-	-	-	0%	100,000.00	-	-	-	-	-	-	-	-	-	-	-
20	15	18000	Pools	529,950.00	529,950.00	65,222.00	-	-	-	65,222.00	12%	464,728.00	-	-	-	-	-	-	-	-	-	-	6,522.20

A.1			B		C		D		E		F		G		H		I		J		K		L	
ITEM NO.			DESCRIPTION OF		SCHEDULED VALUE		REVISED SCHEDULE		WORK COMPLETED		MATERIALS STORED		TOTAL COMPLETED AND STORED		PERCENTAGE COMPLETE		BALANCE TO FINISH		CURRENT RETENTION WITHHELD		TOTAL RETENTION WITHHELD			
									FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED												
Pool	15.001	18000	Pool		-	-			25,000.00	-	-	-		25,000.00	#DIV/0!		(25,000.00)	-	-			2,500.00		
E&E	15.1	15010	Fire Pumps-0	12,400.00	12,400.00			12,400.00	-	-	-		12,400.00	100%		-	-	-	-			1,240.00		
E&E	15.2	15010	Fire Pumps-F	170,775.00	170,775.00			162,236.25	-	-	-		162,236.25	95%		8,538.75	-	-	-			16,223.63		
E&E	15.3	15010	Fire Pumps-F	5,000.00	5,000.00			2,500.00	-	-	-		2,500.00	50%		2,500.00	-	-	-			250.00		
E&E	15.4	15010	Fire Pumps-T	4,500.00	4,500.00			-	-	-	-		-	0%		4,500.00	-	-	-			-		
hebx	16	16000	Electrical En	25,834.00	25,834.00			15,816.67	-	-	-		15,816.67	60%		10,217.33	-	-	-			1,561.67		
hebx	17	16000	Electrical Mo	10,000.00	10,000.00			10,000.00	-	-	-		10,000.00	100%		-	-	-	-			1,000.00		
hebx	18	16000	Electrical Off	20,000.00	20,000.00			15,000.00	5,000.00	-	-		20,000.00	100%		(0.00)	500.00	-	-			2,000.00		
hebx	19	16000	Electrical Pro	12,500.00	12,500.00			12,500.00	-	-	-		12,500.00	100%		0.00	-	-	-			1,250.00		
hebx	20	16000	Electrical Pas	10,833.00	10,833.00			10,833.32	-	-	-		10,833.32	100%		(0.32)	-	-	-			1,083.33		
hebx	21	16000	Electrical Su	1,666.00	1,666.00			1,666.00	-	-	-		1,666.00	100%		-	-	-	-			166.60		
hebx	22	16000	Electrical Su	20,000.00	20,000.00			20,000.00	-	-	-		20,000.00	100%		-	-	-	-			2,000.00		
hebx	23	16000	Furnish Land	257,000.00	257,000.00			-	-	-	-		-	0%		257,000.00	-	-	-			-		
hebx	24	16000	Furnish Cour	59,000.00	59,000.00			-	-	-	-		-	0%		59,000.00	-	-	-			-		
hebx	25	16000	Furnish Spor	6,000.00	6,000.00			-	-	-	-		-	0%		6,000.00	-	-	-			-		
hebx	26	16000	Furnish Park	64,000.00	64,000.00			-	-	-	-		-	0%		64,000.00	-	-	-			-		
Contr	27	1000	Contractor Fe	3,833.20	3,833.20			3,833.20	-	-	-		3,833.20	100%		-	-	-	-			383.32		
Comm	27.001	1000	Camco Contr	220,599.05	220,599.05			114,446.04	16,662.76	-	-		132,508.60	60%		88,190.25	-	-	-			-		
Comm	27.002	1000	Gemstone Ca	229,449.75	229,449.75			151,675.03	-	-	-		151,675.03	66%		77,774.72	-	-	-			-		
			GRADING OFF & ON-SITE IMP		7,694,363.35	7,694,363.35			5,282,758.11	28,637.76	-	-		5,291,395.67	#DIV/0!		2,402,967.48		907.50			289,022.20		
BUILDING #2																								
JP L	28.00	2800	Landscaping	126,780.00	126,780.00			33,190.00	-	-	-		33,190.00	26%		93,600.00	-	-	-			3,316.00		
Steel	29.00	3100	Reinforcing Ste	300,671.50	300,671.50			300,671.50	-	-	-		300,671.50	100%		-	-	-	-			30,067.16		
Rein	29.06	3100	Apco	2,837.30	2,837.30			2,837.30	-	-	-		2,837.30	100%		-	-	-	-			283.73		
Rein	30.00	3100	Reinforcing Ste	506,612.50	506,612.50			506,612.50	-	-	-		506,612.50	100%		-	-	-	-			50,661.25		
Rein	30.06	3100	Reinforcing Ste	-	-			-	-	-	-		-	#DIV/0!		-	-	-	-			-		
Conc	31.00	3300	Concrete Excav	248,500.00	248,500.00			248,500.00	-	-	-		248,500.00	100%		-	-	-	-			24,850.00		
Conc	32.00	3300	Concrete Place	200,000.00	200,000.00			200,000.00	-	-	-		200,000.00	100%		-	-	-	-			20,000.00		
Conc	33.00	3300	Concrete Form	300,000.00	300,000.00			300,000.00	-	-	-		300,000.00	100%		-	-	-	-			30,000.00		
Conc	34.00	3300	Concrete Form	85,000.00	85,000.00			85,000.00	-	-	-		85,000.00	100%		-	-	-	-			8,500.00		
Conc	35.00	3300	Concrete Place	130,000.00	130,000.00			130,000.00	-	-	-		130,000.00	100%		-	-	-	-			13,000.00		
Conc	36.00	3300	Concrete Form	450,000.00	450,000.00			450,000.00	-	-	-		450,000.00	100%		-	-	-	-			45,000.00		

A.1		B	C	D		E	F		G	H	I	J	K	L
ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	REVISED SCHEDULE	WORK COMPLETED		THIS PERIOD	MATERIALS STORED		CURRENT TOTAL STORED	TOTAL COMPLETED AND STORED	PERCENTAGE COMPLETE	BALANCE TO FINISH	CURRENT RETENTION WITHHELD	TOTAL RETENTION WITHHELD
				FROM PREVIOUS APPLICATIONS	THIS PERIOD		THIS PERIOD	CURRENT TOTAL STORED						
37.00	3300 Concrete Form	300,000.00	300,000.00	300,000.00	-	-	-	-	300,000.00	100%	-	-	-	30,000.00
38.00	3300 Concrete Form	85,000.00	85,000.00	85,000.00	-	-	-	-	85,000.00	100%	-	-	-	8,500.00
39.00	3300 Concrete Form	450,000.00	450,000.00	450,000.00	-	-	-	-	450,000.00	100%	-	-	-	45,000.00
39.50	3300 Concrete Form	25,180.50	25,180.50	25,180.50	-	-	-	-	25,180.50	100%	-	-	-	2,518.05
40.00	3450 Precast Concrete	53,000.00	53,000.00	22,700.00	-	-	-	-	22,700.00	43%	30,300.00	-	-	2,270.00
41.00	3450 Precast Concrete	53,000.00	53,000.00	22,700.00	-	-	-	-	22,700.00	43%	30,300.00	-	-	2,270.00
42.00	3450 Precast Concrete	53,000.00	53,000.00	22,700.00	-	-	-	-	22,700.00	43%	30,300.00	-	-	2,270.00
43.00	3450 Precast Concrete	53,000.00	53,000.00	22,700.00	-	-	-	-	22,700.00	43%	30,300.00	-	-	2,270.00
43.10	3450 Northstar Concrete	32,739.00	32,739.00	-	-	-	-	-	-	0%	32,739.00	-	-	-
44.00	4100 Masonry CMU	32,100.00	32,100.00	32,100.00	-	-	-	-	32,100.00	100%	-	-	-	3,210.00
45.00	4100 Masonry Thin B	151,200.00	151,200.00	136,200.00	-	-	-	-	136,200.00	90%	15,000.00	-	-	13,820.00
45.10	5100 Ornamental Metal	323,070.00	323,070.00	289,070.00	-	-	-	-	289,070.00	89%	34,000.00	-	-	28,907.00
45.20	5100 Exterior Spires	10,000.00	10,000.00	9,500.00	-	-	-	-	9,500.00	95%	500.00	-	-	950.00
45.30	5100 Ext Base Flash	12,000.00	12,000.00	12,000.00	-	-	-	-	12,000.00	100%	-	-	-	1,200.00
45.40	5100 Exterior Roof Cl	20,424.00	20,424.00	18,381.00	1,021.00	-	-	-	19,402.00	95%	1,021.00	102.10	-	1,940.26
45.50	5100 Ornamental Metal	10,000.00	10,000.00	10,000.00	-	-	-	-	10,000.00	100%	-	-	-	1,000.00
46.00	8415 Granite - Liner rd	-	-	-	-	-	-	-	-	#DIV/0!	-	-	-	-
47.00	5100 Steel	880,655.50	880,655.50	880,655.50	-	-	-	-	880,655.50	100%	-	-	-	-
47.00	5100 NY Prefab Steel	1,155,123.93	1,155,123.93	1,221,072.00	-	-	-	-	1,221,072.00	100%	(85,748.87)	-	-	122,107.26
47.00	5100 Noords billed	-	-	-	-	-	-	-	-	#DIV/0!	-	-	-	-
47.00	5100 OSS's billed	-	-	6,622.00	-	-	-	-	6,622.00	#DIV/0!	(6,622.00)	-	-	662.26
47.00	5100 Apco billed	44,603.00	44,603.00	44,603.00	-	-	-	-	44,603.00	100%	-	-	-	97,611.05
47.01	5100 Gilbert billed	70,852.00	70,852.00	70,852.00	-	-	-	-	70,852.00	100%	-	-	-	-
48.00	6200 Doors & Trim -A	38,361.00	38,361.00	29,825.61	-	-	-	-	29,825.61	78%	8,535.39	-	-	1,982.55
48.10	6200 Doors & Trim -L	5,088.00	5,088.00	3,975.00	-	-	-	-	3,975.00	78%	1,093.00	-	-	397.50
49.00	7810 Fireproofing	34,200.00	34,200.00	34,200.00	-	-	-	-	34,200.00	100%	-	-	-	3,420.00
50.00	7220 Insulation	43,674.00	43,674.00	37,280.00	-	-	-	-	37,280.00	131%	(13,406.00)	-	-	6,728.00
51.00	7720 Roofing	242,860.00	242,860.00	242,860.00	-	-	-	-	242,860.00	100%	-	-	-	24,286.00
52.00	7100 Waterproofing	152,558.50	152,558.50	132,558.50	-	-	-	-	132,558.50	82%	32,300.39	-	-	15,255.85
52.00	7100 Cactus Rose bl	-	-	-	-	-	-	-	-	#DIV/0!	-	-	-	-
53.00	7240 Stucco	316,857.00	316,857.00	331,100.00	-	-	-	-	331,100.00	105%	(14,443.00)	-	-	33,110.00
54.00	8360 Windows	248,000.00	248,000.00	248,000.00	-	-	-	-	248,000.00	100%	-	-	-	24,800.00

A.1	B	C	D	E	F	G	H	I	J	K	L
ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	REVISED SCHEDULE	FROM PREVIOUS APPLICATIONS	THIS PERIOD	CURRENT TOTAL STORED	TOTAL COMPLETED AND STORED	PERCENTAGE COMPLETE	BALANCE TO FINISH	CURRENT RETENTION WITHHELD	TOTAL RETENTION WITHHELD
284	54.00 Windows	20,500.00	20,500.00	20,500.00	-	-	20,500.00	100%	-	-	2,068.00
285	54.00 Windows	-	-	-	-	-	-	80N/D	-	-	-
286	54.00 Windows	72,885.00	72,885.00	72,885.00	-	-	72,885.00	100%	-	-	7,288.50
287	54.00 Windows	88,900.00	88,900.00	88,900.00	-	-	88,900.00	90%	8,900.00	-	7,900.00
288	54.00 Windows	8,375.43	8,375.43	8,375.43	-	-	8,375.43	3582%	(281,854.57)	-	30,000.00
289	54.00 Windows	107,600.00	107,600.00	107,600.00	-	-	107,600.00	0%	107,600.00	-	-
290	54.00 Windows	83,800.00	83,800.00	83,800.00	-	-	83,800.00	100%	-	838.00	8,388.00
291	54.00 Windows	7,500.00	7,500.00	7,500.00	-	-	7,500.00	0%	7,500.00	-	-
292	54.00 Windows	48,879.00	48,879.00	48,879.00	-	-	48,879.00	24%	35,882.00	1,107.79	1,107.79
293	54.00 Windows	8,000.00	8,000.00	8,000.00	-	-	8,000.00	0%	8,000.00	-	-
294	54.00 Windows	18,850.80	18,850.80	18,850.80	-	-	18,850.80	50%	9,345.00	-	934.50
295	54.00 Windows	308,582.00	308,582.00	308,582.00	-	-	308,582.00	72%	84,482.38	-	22,209.96
296	54.00 Windows	-	-	-	-	-	-	80N/D	-	-	-
297	54.00 Windows	3,750.00	3,750.00	3,750.00	-	-	3,750.00	100%	-	-	375.00
298	54.00 Windows	203.00	203.00	203.00	-	-	203.00	100%	-	-	51.50
299	54.00 Windows	381.84	381.84	381.84	-	-	381.84	150%	-	-	38.18
300	54.00 Windows	300.00	300.00	300.00	-	-	300.00	0%	300.00	-	-
301	54.00 Windows	1,200.00	1,200.00	1,200.00	-	-	1,200.00	100%	-	-	120.00
302	54.00 Windows	37,450.00	37,450.00	37,450.00	-	-	37,450.00	100%	-	-	3,745.00
303	54.00 Windows	29,980.00	29,980.00	29,980.00	-	-	29,980.00	100%	-	-	2,998.00
304	54.00 Windows	26,964.00	26,964.00	26,964.00	-	-	26,964.00	90%	2,992.00	-	2,992.40
305	54.00 Windows	29,860.00	29,860.00	29,860.00	-	-	29,860.00	150%	-	-	2,986.00
306	54.00 Windows	7,490.00	7,490.00	7,490.00	-	-	7,490.00	0%	7,490.00	-	-
307	54.00 Windows	7,490.00	7,490.00	7,490.00	-	-	7,490.00	0%	7,490.00	-	-
308	54.00 Windows	7,490.00	7,490.00	7,490.00	-	-	7,490.00	0%	7,490.00	-	-
309	54.00 Windows	2,870.00	2,870.00	2,870.00	-	-	2,870.00	100%	-	2.87	287.00
310	54.00 Windows	48,982.00	48,982.00	48,982.00	-	-	48,982.00	100%	(0.00)	48.89	4,898.20
311	54.00 Windows	24,800.00	24,800.00	24,800.00	-	-	24,800.00	100%	-	24.85	2,480.00
312	54.00 Windows	83,311.00	83,311.00	83,311.00	-	-	83,311.00	100%	-	83.31	8,331.10
313	54.00 Windows	29,378.25	29,378.25	29,378.25	-	-	29,378.25	100%	-	29.38	2,937.50
314	54.00 Windows	3,182.25	3,182.25	3,182.25	-	-	3,182.25	100%	-	3.23	318.25
315	54.00 Windows	7,680.00	7,680.00	7,680.00	-	-	7,680.00	100%	0.40	7.69	768.00

A.1	B	C	D	E	F	G	H	I	J	K	L
ITEM NO.	DESCRIPTION OF SCHEDULED VALUE	REMOVED SCHEDULE	FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	MATERIALS STORED	TOTAL COMPLETED AND STORED	PERCENTAGE COMPLETE	BALANCE TO FINISH	CURRENT RETENTION WITHHELD	TOTAL RETENTION WITHHELD
78.00	15010 Plumbing AG 5	54,920.00	53,480.00	540.00			54,920.00	100%	10,257.00	34.00	5,407.02
79.00	15010 Plumbing Drain	25,827.00	25,827.00				25,827.00	100%	10,273.00	73.53	2,852.73
80.00	15010 Plumbing AG 5	45,508.00	45,508.00				45,508.00	100%	0.42	40.66	4,550.76
81.00	15010 Plumbing AG 5	78,788.00	78,788.00				78,788.00	100%		78.77	7,678.90
82.00	15010 Plumbing Test	8,164.00	8,164.00				8,164.00	100%		0.10	816.40
83.00	15010 Plumbing Test	44,502.00	44,502.00				44,502.00	100%			4,007.86
84.00	15010 Plumbing Test	28,100.00	28,100.00				28,100.00	100%			2,254.42
85.00	15010 Plumbing Equip	4,403.00	4,403.00				4,403.00	100%			443.00
86.00	15010 Plumbing Equip	15,900.00	15,900.00				15,900.00	100%			1,500.00
87.00	15010 Plumbing Equip	140,245.00	140,245.00				140,245.00	100%			14,534.00
88.00	15010 Plumbing Equip	18,000.00	18,000.00				18,000.00	100%			1,800.00
89.00	15010 Plumbing Equip	21,800.00	21,800.00				21,800.00	100%			
90.00	15010 Plumbing Equip	4,400.00	4,400.00				4,400.00	100%			440.00
91.00	15010 Plumbing Equip	11,500.00	11,500.00				11,500.00	100%			388.00
92.00	15010 Plumbing Equip	28,300.00	28,300.00				28,300.00	100%			2,830.45
93.00	15010 Plumbing Equip	49,000.00	49,000.00				49,000.00	100%			4,900.00
94.00	15010 Plumbing Equip	8,300.00	8,300.00				8,300.00	100%			830.00
95.00	15010 Plumbing Equip	2,000.00	2,000.00				2,000.00	100%			
96.00	15010 Plumbing Equip	17,000.00	17,000.00				17,000.00	100%			
97.00	15010 Plumbing Equip	25,834.00	25,834.00				25,834.00	100%			1,581.57
98.00	15010 Plumbing Equip	10,000.00	10,000.00				10,000.00	100%			1,000.00
99.00	15010 Plumbing Equip	20,000.00	20,000.00				20,000.00	100%			1,800.00
100.00	15010 Plumbing Equip	12,500.00	12,500.00				12,500.00	100%			1,250.00
101.00	15010 Plumbing Equip	10,500.00	10,500.00				10,500.00	100%			1,050.00
102.00	15010 Plumbing Equip	1,500.00	1,500.00				1,500.00	100%			150.00
103.00	15010 Plumbing Equip	20,000.00	20,000.00				20,000.00	100%			2,000.00
104.00	15010 Plumbing Equip	65,000.00	65,000.00				65,000.00	100%			6,500.00
105.00	15010 Plumbing Equip	23,000.00	23,000.00				23,000.00	100%			2,300.00

CAMCO MW 01254

ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	REVISED SCHEDULE	D WORK COMPLETED		F MATERIALS STORED		H TOTAL COMPLETED AND STORED	I PERCENTAGE COMPLETE	J BALANCE TO FINISH	K CURRENT RETENTION WITHHELD	L TOTAL RETENTION WITHHELD
				FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED					
118.00	3400 Precast Concrete	53,000.00	53,000.00	22,700.00	-	-	-	22,700.00	43%	30,300.00	-	2,270.00
118.00	3400 Precast Concrete	53,000.00	53,000.00	22,700.00	-	-	-	22,700.00	43%	30,300.00	-	2,270.00
120.00	3400 Precast Concrete	53,000.00	53,000.00	22,700.00	-	-	-	22,700.00	43%	30,300.00	-	2,270.00
120.10	3400 Northstar Concrete	32,739.00	32,739.00	-	-	-	-	-	0%	32,739.00	-	-
121.00	4100 Masonry CMU	32,100.00	32,100.00	32,100.00	-	-	-	32,100.00	100%	-	-	3,210.00
122.00	4100 Masonry Thin B	151,200.00	151,200.00	90,280.00	52,920.00	-	-	151,200.00	100%	-	5,290.00	15,120.00
122.10	5100 Ornamental Mbr	323,070.00	323,070.00	197,808.00	-	-	-	197,808.00	61%	125,262.00	-	19,780.80
122.20	5100 Exterior Siding	10,000.00	10,000.00	500.00	-	-	-	500.00	5%	9,500.00	-	50.00
122.30	5100 Red Base Finish	12,000.00	12,000.00	1,200.00	2,800.00	-	-	4,000.00	33%	8,000.00	280.00	600.00
122.40	5100 Exterior Paint C	20,424.00	20,424.00	7,038.00	-	-	-	7,038.00	34%	13,386.00	-	770.80
122.50	5100 Ornamental Mbr	10,000.00	10,000.00	-	-	-	-	-	0%	10,000.00	-	-
123.00	8415 Ornate (Budget)	-	-	-	-	-	-	-	80%/0%	-	-	-
124.00	5100 Siding	969,112.50	969,112.50	969,112.50	-	-	-	969,112.50	100%	-	-	96,911.25
124.00	5100 NY Prefab Siding	1,058,834.50	1,058,834.50	1,058,834.50	-	-	-	1,058,834.50	100%	-	-	105,883.45
124.00	5100 Nevada Siding	-	-	-	-	-	-	-	40%/0%	-	-	-
124.00	5100 Ornate Siding	-	-	27,227.20	-	-	-	27,227.20	80%/0%	27,227.20	-	2,722.72
124.00	5100 Gilbert Siding	70,832.00	70,832.00	70,832.00	-	-	-	70,832.00	100%	-	-	7,083.20
124.01	5100 Aspen	-	-	-	-	-	-	-	60%/0%	-	-	-
125.00	8200 Polish Capacity	30,261.00	30,261.00	20,514.40	-	-	-	20,514.40	70%	9,746.60	-	2,961.44
125.10	8200 Doors & Trim	3,098.00	3,098.00	3,098.00	-	-	-	3,098.00	77%	1,418.00	-	388.00
126.00	7810 Prepainting	34,200.00	34,200.00	34,200.00	-	-	-	34,200.00	100%	-	-	3,420.00
127.00	7220 Insulation	111,698.00	111,698.00	-	-	-	-	-	0%	111,698.00	-	-
128.00	7720 Roofing	242,890.00	242,890.00	231,187.80	-	-	-	231,187.80	95%	11,702.20	-	23,118.78
128.00	7100 Waterproofing	183,363.89	183,363.89	131,891.30	-	-	-	131,891.30	71%	51,472.59	-	13,189.13
129.00	7100 Cedar Rose br	-	-	-	-	-	-	-	80%/0%	-	-	-
130.00	7940 Shingles	316,657.00	316,657.00	289,351.45	-	-	-	289,351.45	91%	27,305.55	-	28,985.13
131.00	8950 Windows	248,000.00	248,000.00	248,000.00	-	-	-	248,000.00	100%	-	-	24,800.00
131.00	8950 Windows	-	-	-	-	-	-	-	80%/0%	-	-	-
132.00	8400 Scaffolding Deck	54,450.00	54,450.00	54,450.00	-	-	-	54,450.00	100%	-	-	5,445.00
132.00	8400 Scaffolding Deck	111,000.00	111,000.00	83,500.00	-	-	-	83,500.00	75%	27,500.00	-	8,500.00
133.00	8200 LUMP and Dry	250,000.00	250,000.00	250,000.00	-	-	-	250,000.00	100%	-	-	25,000.00
134.00	9800 Flooring	107,600.00	107,600.00	-	-	-	-	-	0%	107,600.00	-	-

A.1	B	C	D	E	F	G	H	I	J	K	L
ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	WORK COMPLETED		MATERIALS STORED		TOTAL COMPLETED AND STORED	PERCENTAGE COMPLETE	BALANCE TO FINISH	CURRENT RETENTION WITHHELD	TOTAL RETENTION WITHHELD
			FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED					
131.00	9900 Painting	83,800.00	75,430.00	8,370.00	-	-	83,800.00	100%	-	838.00	9,200.00
132.10	9900 Trusschule	7,600.00	-	-	-	-	-	0%	7,600.00	-	-
132.20	9900 Toilet structure	48,879.00	-	-	-	-	-	0%	48,879.00	-	-
132.30	9900 Fire Edging	9,000.00	-	-	-	-	-	0%	9,000.00	-	-
132.40	9900 Signage	18,890.00	-	-	-	-	-	0%	18,890.00	-	-
132.50	14200 Elevators	309,482.00	278,500.96	-	-	-	278,500.96	91%	30,981.04	-	27,882.10
132.60	14200 Elevators	-	-	-	-	-	-	NOV/07	-	-	-
132.70	1000 Mechanical Unit	3,750.00	3,750.00	-	-	-	3,750.00	100%	-	-	375.00
132.80	1000 Mechanical Sub	337.50	205.00	-	-	-	205.00	61%	132.50	-	205.00
132.90	12100 Mechanical Gas	532.13	382.00	-	-	-	382.00	68%	150.13	-	382.00
133.00	17800 Mechanical Cn	300.00	-	-	-	-	-	0%	300.00	-	-
133.10	18000 HVAC Permit	1,200.00	1,200.00	-	-	-	1,200.00	100%	-	-	120.00
133.20	18000 HVAC Pre-Proc	37,450.00	20,897.50	14,552.50	-	-	35,577.50	95%	1,872.50	1,498.00	3,367.25
133.30	18000 HVAC Envelope	29,960.00	11,594.00	-	-	-	11,594.00	40%	17,976.00	-	1,189.40
133.40	18000 HVAC Rough D	29,960.00	-	-	-	-	-	0%	29,960.00	-	-
133.50	18000 HVAC Set Equip	29,960.00	-	-	-	-	-	0%	29,960.00	-	-
133.60	18000 HVAC Set Equip	7,490.00	-	-	-	-	-	0%	7,490.00	-	-
133.70	18000 HVAC PBD - DC	7,490.00	-	-	-	-	-	0%	7,490.00	-	-
133.80	18000 HVAC Start-Up	7,490.00	-	-	-	-	-	0%	7,490.00	-	-
133.90	18010 Building 3 - Plu	2,870.00	2,841.00	29.00	-	-	2,870.00	100%	-	2.90	297.20
134.00	18010 Plumbing Envelope	48,992.00	48,992.00	-	-	-	48,992.00	100%	-	48.99	4,998.20
134.10	18010 Plumbing UGS E	24,850.00	24,850.00	-	-	-	24,850.00	100%	-	24.89	2,485.00
134.20	18010 Plumbing UGS S	83,311.00	82,477.28	833.72	-	-	83,311.00	100%	-	83.31	8,331.10
134.30	18010 Plumbing Pre-C	29,873.00	29,863.08	298.75	-	-	29,873.00	99%	298.28	29.88	2,872.88
134.40	18010 Plumbing Build	3,213.00	3,193.85	32.15	-	-	3,213.00	100%	-	3.22	321.90
134.50	18010 Plumbing Shave	7,860.00	7,853.00	-	-	-	7,860.00	99%	77.00	-	788.30
134.60	18010 Plumbing A/C V	84,000.00	37,814.00	-	-	-	37,814.00	45%	18,206.00	-	3,791.40
134.70	18010 Plumbing Drain	23,827.00	24,503.85	-	-	-	24,503.85	90%	1,291.35	-	2,453.57
134.80	18010 Plumbing A/C S	45,828.00	45,828.00	-	-	-	45,828.00	100%	-	45.83	4,582.80
134.90	18010 Plumbing A/C C	70,788.00	81,108.40	-	-	-	51,138.40	50%	27,587.80	-	5,119.84
135.00	18010 Plumbing Toilet	8,164.00	4,082.20	-	-	-	4,082.20	50%	3,885.40	81.84	408.86
135.10	18010 Plumbing Floor	44,532.00	-	-	-	-	3,508.40	20%	35,023.60	890.84	890.84

CARGO MW 0125

CANCO MW 01257

ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	REVISED SCHEDULE	WORK COMPLETED		MATERIALS STORED		TOTAL COMPLETED AND STORED	PERCENTAGE COMPLETE	BALANCE TO FINISH	CURRENT RETENTION WITHHELD	TOTAL RETENTION WITHHELD
				FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED					
Inter 162.00	15010 Plumbing Equip	26,180.00	26,180.00	18,311.80	-	-	-	18,311.80	70%	7,848.20	-	1,831.18
E&E 162.10	15010 Fire Protection	4,400.00	4,400.00	4,400.00	-	-	-	4,400.00	100%	-	-	440.00
E&E 162.20	15010 Fire Protection	15,000.00	15,000.00	15,000.00	-	-	-	15,000.00	100%	-	-	1,500.00
E&E 162.30	15010 Overhead Rocc	152,300.00	152,300.00	152,300.00	-	-	-	152,300.00	100%	-	-	15,230.00
E&E 162.40	15010 Finish and Trim	10,000.00	10,000.00	10,000.00	-	-	-	10,000.00	100%	-	-	1,000.00
E&E 162.50	15010 Testing Flr 1-J	21,600.00	21,600.00	-	-	-	-	-	0%	21,600.00	-	-
E&E 162.60	15010 Fire Protection	4,400.00	4,400.00	4,400.00	-	-	-	4,400.00	100%	-	-	440.00
E&E 162.70	15010 Overhead Rocc	49,500.00	49,500.00	49,500.00	-	-	-	49,500.00	100%	-	-	4,950.00
Inter 163.00	15010 Plumbing Insula	11,500.00	11,500.00	4,650.00	-	-	-	4,650.00	40%	6,850.00	-	465.00
Jeff 163.00	15010 Plumbing Insula	25,295.30	25,295.30	25,295.30	-	-	-	25,295.30	100%	-	-	2,529.53
E&E 163.00	15010 Plumbing Insula	-	-	-	-	-	-	-	SDV/DI	-	-	-
E&E 163.10	15010 Finish and Trim	8,300.00	8,300.00	8,300.00	-	-	-	8,300.00	100%	-	-	830.00
E&E 163.20	15010 Testing - Stand	2,000.00	2,000.00	-	-	-	-	-	0%	2,500.00	-	-
E&E 163.30	15010 Fire Protection	13,150.00	13,150.00	13,150.00	-	-	-	13,150.00	100%	-	-	1,315.00
E&E 163.40	15010 Overhead Rocc	132,825.00	132,825.00	132,825.00	-	-	-	132,825.00	100%	-	-	13,282.50
E&E 163.50	15010 Finish and Trim	2,500.00	2,500.00	2,500.00	-	-	-	2,500.00	100%	-	-	250.00
E&E 163.60	18010 Testing - Stand	5,750.00	5,750.00	-	-	-	-	-	0%	5,750.00	-	-
helfx 164.00	16000 Electrical Engin	25,834.00	25,834.00	19,616.67	-	-	-	19,616.67	60%	10,217.33	-	1,661.67
helfx 165.00	16000 Electrical Mobil	10,000.00	10,000.00	10,000.00	-	-	-	10,000.00	100%	-	-	1,000.00
helfx 166.00	16000 Electrical Office	20,000.00	20,000.00	16,000.00	-	-	-	16,000.00	80%	4,000.00	-	1,600.00
helfx 167.00	16000 Electrical Proj E	12,500.00	12,500.00	12,500.00	-	-	-	12,500.00	100%	-	-	1,250.00
helfx 168.00	16000 Electrical Parns	10,834.00	10,834.00	10,833.32	-	-	-	10,833.32	100%	0.68	-	1,083.33
helfx 169.00	16000 Electrical Subm	1,668.00	1,668.00	1,668.00	-	-	-	1,668.00	100%	-	-	166.80
helfx 170.00	16000 Electrical Super	20,000.00	20,000.00	20,000.00	-	-	-	20,000.00	100%	-	-	2,000.00
helfx 171.00	16000 Electrical Light	65,500.00	65,500.00	61,850.00	-	-	-	61,850.00	94%	3,550.00	-	6,185.00
helfx 172.00	16000 Electrical Distrib	25,000.00	25,000.00	25,000.00	-	-	-	25,000.00	100%	-	-	2,500.00
helfx 173.00	16000 Low Voltage Sys	50,000.00	50,000.00	47,500.00	-	-	-	47,500.00	95%	2,500.00	-	4,750.00
helfx 174.00	16000 Electrical 2nd S	200,000.00	200,000.00	190,000.00	5,000.00	-	-	195,000.00	98%	5,000.00	500.00	19,500.00
helfx 175.00	16000 Electrical 1st Su	255,000.00	255,000.00	250,000.00	-	-	-	250,000.00	98%	5,000.00	-	25,000.00
helfx 176.00	16000 Electrical 1st FX	25,000.00	25,000.00	23,750.00	-	-	-	23,750.00	95%	1,250.00	-	2,375.00
helfx 177.00	16000 Electrical 2nd F	25,000.00	25,000.00	23,750.00	-	-	-	23,750.00	95%	1,250.00	-	2,375.00
helfx 178.00	16000 Electrical 3rd F	25,000.00	25,000.00	23,750.00	-	-	-	23,750.00	95%	1,250.00	-	2,375.00

A.1	B		C		D		E		F		G		H		I		J		K		L	
ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	REVISED SCHEDULE	WORK COMPLETED		MATERIALS STORED		TOTAL COMPLETED AND STORED	PERCENTAGE COMPLETE	BALANCE TO FINISH	CURRENT RETENTION WITHHELD	TOTAL RETENTION WITHHELD										
				FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED															
179.00	18000 Electrical 4th Fl	25,000.00	25,000.00	23,750.00	2,000.00	-	-	25,750.00	103%	(750.00)	200.00	2,575.00										
180.00	18000 Electrical Roof	2,500.00	2,500.00	-	-	-	-	-	0%	2,500.00	-	-										
180.10	16000 Rough and Fine	13,600.00	13,600.00	-	-	-	-	-	0%	13,600.00	-	-										
181.00	1900 Contractor Fee	385,031.40	385,031.40	385,031.40	-	-	-	385,031.40	100%	-	-	38,503.14										
181.00	1000 Canco Contract	220,699.05	220,699.05	86,011.86	10,995.96	-	-	97,007.82	44%	123,691.23	-	-										
181.00	1000 Gemstone Cont	228,449.75	228,449.75	104,621.48	-	-	-	104,621.48	46%	124,828.27	-	-										
	BUILDIN	11,187,695.62	11,187,695.62	9,702,508.88	109,184.32	-	-	9,811,693.20	88%	1,376,002.41	9,818.64	961,006.39										

BUILDING #7

JP L	182.00	2600 Landscaping	58,500.00	58,500.00	-	-	-	-	0%	58,500.00	-	-
Sier	183.00	6100 Reinforcing Ste	208,382.00	208,382.00	208,382.00	-	-	208,382.00	100%	-	-	20,838.20
Apoc	183.00	5100 Reinforcing Ste	8,418.00	8,418.00	8,418.00	-	-	8,418.00	100%	(0.00)	-	841.80
elic	184.00	5100 Reinforcing Ste	178,415.00	178,415.00	178,415.00	-	-	178,415.00	100%	-	-	17,841.50
Apoc	184.00	5100 Reinforcing Ste	102,406.00	102,406.00	102,406.00	-	-	102,406.00	100%	-	-	10,240.60
Cont	186.00	3300 Concrete Excav	250,000.00	250,000.00	250,000.00	-	-	250,000.00	100%	-	-	25,000.00
Cont	186.00	3300 Concrete Place	250,000.00	250,000.00	250,000.00	-	-	250,000.00	100%	-	-	25,000.00
Cont	187.00	3300 Concrete Form	443,000.00	443,000.00	443,000.00	-	-	443,000.00	100%	-	-	44,300.00
Apoc	187.00	3300 Concrete Form	100,746.00	100,746.00	100,746.00	-	-	100,746.00	100%	-	-	10,074.60
Cont	188.00	3300 Concrete Form	120,000.00	120,000.00	120,000.00	-	-	120,000.00	100%	-	-	12,000.00
Cont	189.00	3200 Concrete Place	145,000.00	145,000.00	145,000.00	-	-	145,000.00	100%	-	-	14,500.00
Cont	190.00	3300 Concrete Form	350,000.00	350,000.00	350,000.00	-	-	350,000.00	100%	-	-	35,000.00
Apoc	190.00	3300 Concrete Form	12,477.00	12,477.00	12,477.00	-	-	12,477.00	100%	-	-	1,247.70
Cont	191.00	3300 Concrete Place	29,537.00	29,537.00	29,537.00	-	-	29,537.00	100%	-	-	2,953.70
Apoc	191.00	3300 Concrete Place	16,300.00	16,300.00	16,300.00	-	-	16,300.00	100%	-	-	1,630.00
Cont	192.00	3300 Concrete Place	28,500.00	28,500.00	28,500.00	-	-	28,500.00	100%	-	-	2,850.00
Cont	193.00	3300 Concrete Place	28,500.00	28,500.00	28,500.00	-	-	28,500.00	100%	-	-	2,850.00
Cont	194.00	3300 Concrete Place	28,500.00	28,500.00	28,500.00	-	-	28,500.00	100%	-	-	2,850.00
Cont	195.00	3300 Concrete Place	28,500.00	28,500.00	28,500.00	-	-	28,500.00	100%	-	-	2,850.00
Cont	196.00	3300 Concrete Place	28,500.00	28,500.00	28,500.00	-	-	28,500.00	100%	-	-	2,850.00
Cont	197.00	3300 Concrete Place	28,500.00	28,500.00	28,500.00	-	-	28,500.00	100%	-	-	2,850.00
Cont	198.00	3300 Concrete Place	7,000.00	7,000.00	7,000.00	-	-	7,000.00	100%	-	-	700.00
Cont	198.10	3300	32,739.00	32,739.00	-	-	-	-	0%	32,739.00	-	-
Cont	199.00	4100 Masonry CMU	45,200.00	45,200.00	45,200.00	-	-	45,200.00	100%	-	-	4,520.00

A.1	B	C	D	E	F	G	H	I	J	K	L
ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	WORK COMPLETED		MATERIALS STORED		TOTAL COMPLETED AND STORED	PERCENTAGE COMPLETE	BALANCE TO FINISH	CURRENT RETENTION WITHHELD	TOTAL RETENTION WITHHELD
			FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	TOTAL STORED					
DMS	200.00	8415 Granite (Budget)	155,278.02	155,278.02	8,100.00	-	8,100.00	5%	147,178.02	-	810.00
Misc	201.00	3100 Steel	2,443,772.00	2,443,772.00	2,443,772.00	-	2,443,772.00	100%	-	-	244,277.20
Misc	201.00	3100 MV Prefab Wall	1,959,306.80	1,959,306.80	1,959,306.80	-	1,959,306.80	100%	(0.00)	-	185,900.80
HA F	201.00	3100 HA Wall	901,573.20	901,573.20	901,573.20	-	901,573.20	100%	-	-	94,187.32
Apcc	201.00	3100 Apcc	53,090.00	53,090.00	53,090.00	-	53,090.00	100%	-	-	5,309.00
TBO	202.00	3100 Miscellaneous	2,481.00	2,481.00	-	-	-	0%	2,481.00	-	-
TBO	202.00	3100 Misc. Steel	75,000.00	75,000.00	-	-	-	0%	75,000.00	-	-
PDW	203.00	6200 Doors & Trim -	367,135.95	367,135.95	281,245.52	-	281,245.52	71%	105,890.42	-	25,134.50
PDW	203.10	6200 Doors & Trim -	118,613.00	118,613.00	83,261.75	-	83,261.75	71%	34,351.24	-	8,982.18
Curb	203.20	6200 Cabinets	281,995.00	281,995.00	208,143.50	-	208,143.50	73%	83,851.50	-	50,814.35
Curb	204.00	7010 Flashing	191,600.00	191,600.00	191,600.00	-	191,600.00	100%	-	-	18,160.00
slab	205.00	7200 Insulation	172,655.00	172,655.00	95,008.00	-	95,008.00	29%	122,647.00	-	5,000.00
Insul	205.10	7200 Insulation	-	-	7,502.00	-	7,502.00	90%/01	(7,502.00)	-	780.00
RT	206.00	7720 Roofing	148,574.00	148,574.00	78,266.20	-	78,266.20	54%	67,318.80	-	7,803.02
Blnd	207.00	7100 Waterproofing	191,489.20	191,489.20	84,122.70	-	84,122.70	39%	117,366.50	-	8,412.27
Curb	207.00	7100 Concrete Base of	-	-	-	-	-	0%	38,868.00	-	-
LLR	207.20	7100 Shower Doors &	38,868.00	38,868.00	-	-	-	0%	38,868.00	-	-
Accu	208.00	8600 Glazing - Origin	2,095,073.89	2,095,073.89	3,502,200.00	-	3,502,200.00	123%	(807,124.11)	-	300,230.00
Apcc	208.00	8600 -	-	-	(63,818.80)	-	(63,818.80)	0%/00	63,818.80	-	(6,582.00)
Misc	208.10	8600 Glazing Materials	820,430.00	820,430.00	879,457.50	148,373.35	821,330.75	89%	118,827.25	-	38,845.75
Apcc	208.20	8600 Glazing Frames	2,194,673.00	2,194,673.00	188,700.00	360,000.00	1,618,750.00	46%	1,174,923.00	-	-
Clf C	208.30	8600 Glazing Glass &	864,840.00	864,840.00	-	-	-	0%	864,840.00	-	-
TP-C	209.00	9200 LGAP and Dry	1,091,400.00	1,091,400.00	1,091,400.00	-	1,091,400.00	100%	-	-	109,140.00
Clf C	209.10	9200 -	837,740.00	837,740.00	200,000.00	-	200,000.00	31%	637,740.00	-	20,000.00
TP-C	210.00	9400 Roofing	813,123.00	813,123.00	315,000.00	-	315,000.00	39%	498,123.00	-	31,500.00
Apcc	211.00	9600 Painting	317,899.00	317,899.00	16,890.00	-	16,890.00	3%	302,009.00	-	1,890.00
Apcc	211.10	9600 Stucco	37,494.00	37,494.00	-	-	-	0%	37,494.00	-	-
Apcc	212.00	11000 Asph/Flt	123,216.19	123,216.19	-	-	-	0%	123,216.19	-	-
TP-C	212.10	11000 Trashboxes	7,900.00	7,900.00	-	-	-	0%	7,900.00	-	-
Misc	212.20	11000 Total amount	48,878.00	48,878.00	-	-	-	0%	48,878.00	-	-
TP-C	212.30	11000 Flow Edging/Pla	9,000.00	9,000.00	-	-	-	0%	9,000.00	-	-
Misc	212.40	11000 Signage	16,890.00	16,890.00	-	-	-	0%	16,890.00	-	-

CALICO MW 01260

	A.1		B	C	D		E	F	G	H	I	J	K	L
	ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	REVISED SCHEDULE	WORK COMPLETED		MATERIALS STORED		TOTAL COMPLETED AND STORED	PERCENTAGE COMPLETE	BALANCE TO FINISH	CURRENT RETENTION WITHHELD	TOTAL RETENTION WITHHELD	
					FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED						
oils	213.00	14200 Elevators	587,003.00	587,003.00	320,357.00	-	-	-	320,357.00	57%	246,646.00	-	32,035.70	
inter	214.00	15001 Mechanical Mot	17,500.00	17,500.00	17,500.00	-	-	-	17,500.00	100%	-	-	1,790.00	
inter	215.00	13301 Mechanical Suf	1,575.00	1,575.00	1,212.07	-	-	-	1,212.07	77%	362.93	-	121.21	
inter	216.00	13101 Mechanical Ger	2,786.25	2,786.25	2,318.57	-	-	-	2,318.57	83%	467.68	-	231.88	
inter	217.00	17801 Mechanical Cbr	1,400.00	1,400.00	-	-	-	-	-	0%	1,400.00	-	-	
inter	-	HVAC 1st Floor	-	-	-	-	-	-	-	#DIV/0!	-	-	-	
inter	218.00	19020 HVAC Permit	10,493.00	10,493.00	10,493.00	-	-	-	10,493.00	100%	0.00	-	1,049.30	
inter	219.00	15020 HVAC Pre-Roof	4,202.25	4,202.25	3,902.14	210.11	-	-	4,202.25	100%	-	21.01	420.23	
inter	220.00	15020 HVAC FAU Mat	3,361.80	3,361.80	3,361.80	-	-	-	3,361.80	100%	0.00	-	336.18	
inter	221.00	15020 HVAC Rough D	3,361.80	3,361.80	3,361.80	-	-	-	3,361.80	100%	0.00	-	336.18	
inter	222.00	15020 HVAC Condens	3,361.80	3,361.80	3,361.80	-	-	-	3,361.80	100%	0.00	-	336.18	
inter	223.00	15020 HVAC Set Conc	840.45	840.45	840.45	-	-	-	840.45	100%	-	-	84.05	
inter	224.00	15020 HVAC Set Trim	840.45	840.45	-	-	-	-	-	0%	840.45	-	-	
inter	225.00	15020 HVAC Start-Up	840.45	840.45	-	-	-	-	-	0%	840.45	-	-	
inter	-	HVAC 2nd Floor	-	-	-	-	-	-	-	#DIV/0!	-	-	-	
inter	226.00	15020 HVAC Pre-Roof	14,007.50	14,007.50	13,307.14	700.36	-	-	14,007.50	100%	-	70.04	1,400.75	
inter	227.00	15020 HVAC FAU Mat	11,203.00	11,203.00	11,203.00	-	-	-	11,203.00	100%	0.00	-	1,120.30	
inter	228.00	15020 HVAC Rough D	11,206.00	11,206.00	11,206.00	-	-	-	11,206.00	100%	0.00	-	1,120.60	
inter	229.00	15020 HVAC Condens	11,206.00	11,206.00	11,206.00	-	-	-	11,206.00	100%	0.00	-	1,120.60	
inter	230.00	15020 HVAC Set Conc	2,801.50	2,801.50	2,801.50	-	-	-	2,801.50	100%	-	-	280.15	
inter	231.00	15020 HVAC Set Trim	2,801.50	2,801.50	-	-	-	-	-	0%	2,801.50	-	-	
inter	232.00	15020 HVAC Start-Up	2,801.50	2,801.50	-	-	-	-	-	0%	2,801.50	-	-	
inter	-	HVAC 3rd Floor	-	-	-	-	-	-	-	#DIV/0!	-	-	-	
inter	233.00	15020 HVAC Pre-Roof	14,007.50	14,007.50	13,307.14	700.36	-	-	14,007.50	100%	-	70.04	1,400.75	
inter	234.00	15020 HVAC FAU Mat	11,203.00	11,203.00	11,203.00	-	-	-	11,203.00	100%	0.00	-	1,120.30	
inter	235.00	15020 HVAC Rough D	11,206.00	11,206.00	11,206.00	-	-	-	11,206.00	100%	0.00	-	1,120.60	
inter	236.00	15020 HVAC Condens	11,206.00	11,206.00	11,206.00	-	-	-	11,206.00	100%	0.00	-	1,120.60	
inter	237.00	15020 HVAC Set Conc	2,801.50	2,801.50	2,801.50	-	-	-	2,801.50	100%	-	-	280.15	
inter	238.00	15020 HVAC Set Trim	2,801.50	2,801.50	-	-	-	-	-	0%	2,801.50	-	-	
inter	239.00	15020 HVAC Start-Up	2,801.50	2,801.50	-	-	-	-	-	0%	2,801.50	-	-	
inter	-	HVAC 4th Floor	-	-	-	-	-	-	-	#DIV/0!	-	-	-	
inter	240.00	15020 HVAC Pre-Roof	14,007.50	14,007.50	13,307.14	700.36	-	-	14,007.50	100%	-	70.04	1,400.75	

SAFECO-MW-01261

A.1 ITEM NO.	B DESCRIPTION OF SCHEDULED VALUE	C SCHEDULED VALUE	D WORK COMPLETED FROM PREVIOUS APPLICATIONS	E THIS PERIOD	F MATERIALS STORED		H TOTAL COMPLETED AND STORED	I PERCENTAGE COMPLETE	J BALANCE TO FINISH	K CURRENT RETENTION WITHHELD	L TOTAL RETENTION WITHHELD
					THIS PERIOD	CURRENT TOTAL STORED					
Inter	241.00	19020	HVAC FAU Mat	11,203.00	-	-	11,203.00	100%	0.00	-	1,120.30
Inter	242.00	19030	HVAC Rough D	11,206.00	-	-	11,206.00	100%	0.00	-	1,120.60
Inter	243.00	19030	HVAC Confere	11,206.00	2,801.50	-	11,206.00	100%	-	280.15	1,120.60
Inter	244.00	19020	HVAC Sat Cond	2,801.50	-	-	2,801.50	25%	2,101.32	-	70.04
Inter	245.00	19020	HVAC Sat Trim	2,801.50	-	-	2,801.50	0%	2,801.50	-	-
Inter	246.00	19030	HVAC Start-Up	2,801.50	-	-	2,801.50	0%	2,801.50	-	-
Inter	247.00	19030	HVAC 9th Floor	-	-	-	-	100%	-	-	-
Inter	248.00	19020	HVAC Pre-Roof	14,007.50	700.38	-	14,007.50	100%	-	70.04	1,400.75
Inter	249.00	19020	HVAC FAU Mat	11,203.00	-	-	11,203.00	100%	0.00	-	1,120.30
Inter	250.00	19020	HVAC Rough D	11,206.00	-	-	11,206.00	100%	0.00	-	1,120.60
Inter	251.00	19020	HVAC Confere	11,206.00	2,801.50	-	11,206.00	100%	-	280.15	1,120.60
Inter	252.00	19020	HVAC Sat Cond	2,801.50	-	-	2,801.50	25%	2,101.12	-	70.04
Inter	253.00	19020	HVAC Sat Trim	2,801.50	-	-	2,801.50	0%	2,801.50	-	-
Inter	254.00	19030	HVAC Start-Up	2,801.50	-	-	2,801.50	0%	2,801.50	-	-
Inter	255.00	19030	HVAC 7th Floor	-	-	-	-	100%	-	-	-
Inter	256.00	19020	HVAC Pre-Roof	14,007.50	700.38	-	14,007.50	100%	-	70.04	1,400.75
Inter	257.00	19020	HVAC FAU Mat	11,203.00	-	-	11,203.00	100%	0.00	-	1,120.30
Inter	258.00	19020	HVAC Rough D	11,206.00	-	-	11,206.00	100%	0.00	-	1,120.60
Inter	259.00	19020	HVAC Confere	11,206.00	2,801.50	-	11,206.00	100%	-	280.15	1,120.60
Inter	260.00	19020	HVAC Sat Cond	2,801.50	-	-	2,801.50	25%	2,101.12	-	70.04
Inter	261.00	19020	HVAC Sat Trim	2,801.50	-	-	2,801.50	0%	2,801.50	-	-
Inter	262.00	19030	HVAC Start-Up	2,801.50	-	-	2,801.50	0%	2,801.50	-	-
Inter	263.00	19030	HVAC 7th Floor	-	-	-	-	100%	-	-	-
Inter	264.00	19020	HVAC Pre-Roof	14,007.50	700.38	-	14,007.50	100%	-	70.04	1,400.75
Inter	265.00	19020	HVAC FAU Mat	11,203.00	-	-	11,203.00	100%	0.00	-	1,120.30
Inter	266.00	19020	HVAC Rough D	11,206.00	-	-	11,206.00	100%	0.00	-	1,120.60
Inter	267.00	19020	HVAC Confere	11,206.00	2,801.50	-	11,206.00	100%	-	280.15	1,120.60
Inter	268.00	19020	HVAC Sat Cond	2,801.50	-	-	2,801.50	25%	2,101.12	-	70.04
Inter	269.00	19020	HVAC Sat Trim	2,801.50	-	-	2,801.50	0%	2,801.50	-	-
Inter	270.00	19020	HVAC Start-Up	2,801.50	-	-	2,801.50	0%	2,801.50	-	-
Inter	271.00	19030	HVAC 8th Floor	-	-	-	-	100%	-	-	-
Inter	272.00	19020	HVAC Pre-Roof	14,007.50	700.38	-	14,007.50	100%	-	70.04	1,400.75

CAMCO-MW-01262

ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	REVISED SCHEDULE	WORK COMPLETED		MATERIALS STORED		TOTAL COMPLETED AND STORED	PERCENTAGE COMPLETE	BALANCE TO FINISH	CURRENT RETENTION WITHHELD	TOTAL RETENTION WITHHELD
				FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED					
Inter	269.00	15020 HVAC FAU Man	11,203.00	11,203.00	11,203.00	-	-	11,203.00	100%	0.00	-	1,120.30
Inter	270.00	15020 HVAC Rough D	11,206.00	11,206.00	5,603.00	5,603.00	-	11,206.00	100%	-	860.30	1,120.60
Inter	271.00	15020 HVAC Condens	11,206.00	11,206.00	9,244.95	-	-	9,244.95	83%	1,961.05	-	824.80
Inter	272.00	15020 HVAC Set Cond	2,801.50	2,801.50	-	2,801.50	-	2,801.50	100%	-	280.15	280.15
Inter	273.00	15020 HVAC Set Trim	2,801.50	2,801.50	-	-	-	-	0%	2,801.50	-	-
Inter	274.00	15020 HVAC Start-Up	2,801.50	2,801.50	-	-	-	-	0%	2,801.50	-	-
Inter	-	HVAC 9th Floor	-	-	-	-	-	-	#DRV/01	-	-	-
Inter	275.00	15020 HVAC Pre-Roof	4,202.25	4,202.25	3,992.14	210.11	-	4,202.25	100%	-	21.01	420.23
Inter	276.00	15020 HVAC FAU Man	3,361.80	3,361.80	3,361.80	-	-	3,361.80	100%	0.00	-	336.18
Inter	277.00	15020 HVAC Rough D	3,361.80	3,361.80	840.45	2,521.35	-	3,361.80	100%	-	262.14	336.18
Inter	278.00	15020 HVAC Condens	3,361.80	3,361.80	2,521.35	840.45	-	3,361.80	100%	-	84.05	336.18
Inter	279.00	15020 HVAC Set Cond	840.45	840.45	-	-	-	-	0%	840.45	-	-
Inter	280.00	15020 HVAC Set Trim	840.45	840.45	-	-	-	-	0%	840.45	-	-
Inter	281.00	15020 HVAC Start-Up	840.45	840.45	-	-	-	-	0%	840.45	-	-
Inter	-	HVAC Common	-	-	-	-	-	-	#DRV/XL	-	-	-
Inter	282.00	15020 HVAC Pre-Roof	151,250.00	151,250.00	151,250.00	-	-	151,250.00	100%	-	-	15,125.00
Inter	283.00	15020 HVAC FAU Man	121,000.00	121,000.00	121,000.00	-	-	121,000.00	100%	-	-	12,100.00
Inter	284.00	15020 HVAC Rough D	121,000.00	121,000.00	108,900.00	-	-	108,900.00	90%	12,100.00	-	10,890.00
Inter	285.00	15020 HVAC Condens	121,000.00	121,000.00	73,000.00	-	-	73,000.00	60%	48,000.00	-	7,300.00
Inter	286.00	15020 HVAC Set Cond	30,250.00	30,250.00	-	-	-	-	0%	30,250.00	-	-
Inter	287.00	15020 HVAC Set Trim	30,250.00	30,250.00	-	-	-	-	0%	30,250.00	-	-
Inter	288.00	15020 HVAC Start-Up	30,250.00	30,250.00	-	-	-	-	0%	30,250.00	-	-
Inter	-	Plumbing Sylon	-	-	-	-	-	-	#DRV/R	-	-	-
Inter	289.00	15010 Plumbing Pans	10,173.00	10,173.00	9,969.54	203.46	-	10,173.00	100%	-	20.26	1,017.26
Inter	290.00	15010 Plumbing Essex	53,200.00	53,200.00	52,136.00	1,064.00	-	53,200.00	100%	-	106.40	5,320.00
Inter	291.00	15010 Plumbing U/G S	32,207.00	32,207.00	31,562.88	644.14	-	32,207.00	100%	-	64.41	3,220.70
Inter	292.00	15010 Plumbing U/G S	37,378.00	37,378.00	36,628.48	749.52	-	37,378.00	100%	-	74.75	3,737.80
Inter	293.00	15010 Plumbing Pre-C	13,524.00	13,524.00	13,253.52	270.48	-	13,524.00	100%	-	27.05	1,352.40
Inter	294.00	15010 Building Water	3,577.00	3,577.00	3,505.50	71.50	-	3,577.00	100%	-	7.15	357.70
Inter	294.00	15010 Building Water	70,956.00	70,956.00	70,956.00	-	-	70,956.00	100%	-	-	7,095.60
Inter	294.00	15010 Building Water	-	-	-	-	-	-	#DRV/X	-	-	-
Inter	294.10	15010 Fire Protection	45,000.00	45,000.00	45,000.00	-	-	45,000.00	100%	-	-	4,500.00

ITEM NO.	DESCRIPTION OF	SCHEDULED VALUE	REVISED SCHEDULE	D WORK COMPLETED		F MATERIALS STORED		H TOTAL COMPLETED AND STORED	I PERCENTAGE COMPLETE	J BALANCE TO FINISH	K CURRENT RETENTION WITHHELD	L TOTAL RETENTION WITHHELD
				FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED					
284.20	15010 Overhead Road	574,300.00	574,300.00	574,300.00	-	-	-	574,300.00	100%	-	-	574,300.00
284.30	15010 Patch and Trim	136,000.00	136,000.00	136,000.00	-	-	-	136,000.00	100%	27,200.00	-	10,800.00
284.40	15010 Testing For P-g	28,500.00	28,500.00	28,500.00	-	-	-	-	0%	28,500.00	-	-
284.50	15010 Mes Protection	7,800.00	7,800.00	7,800.00	-	-	-	7,800.00	100%	-	-	780.00
284.60	15010 Overhead Road	114,630.00	114,630.00	114,630.00	-	-	-	114,630.00	100%	-	-	11,463.00
284.70	15010 Patch and Trim	10,000.00	10,000.00	10,000.00	-	-	-	10,000.00	100%	-	-	1,000.00
284.80	15010 Testing - Slurk	4,800.00	4,800.00	4,800.00	-	-	-	-	0%	4,800.00	-	-
284.90	15010 Patching 1st Fl	-	-	-	-	-	-	-	0%	-	-	-
285.00	15010 Patching AVG 1	43,730.00	43,730.00	43,730.00	-	874.80	-	43,730.00	100%	0.00	87.48	4,373.00
285.05	15010 Patching Drain	6,207.00	6,207.00	6,207.00	-	124.14	-	6,207.00	100%	-	12.41	620.70
285.10	15010 Patching Steer	3,707.00	3,707.00	3,707.00	-	74.14	-	3,707.00	100%	-	7.41	370.70
285.15	15010 Patching AVG S	5,237.00	5,237.00	5,237.00	-	105.74	-	5,237.00	100%	-	10.57	523.70
285.20	15010 Patching AVG C	65,889.00	65,889.00	65,889.00	-	1,318.96	-	65,889.00	100%	-	132.00	6,589.00
285.25	15010 Patching AVG G	12,025.00	12,025.00	12,025.00	-	240.53	-	12,025.00	100%	-	24.05	1,202.50
285.30	15010 Patching Ties	10,834.00	10,834.00	10,834.00	-	1,008.40	-	10,834.00	100%	0.00	100.84	1,083.40
285.35	15010 Patching Phase	18,118.00	18,118.00	18,118.00	-	9,558.60	-	9,558.60	50%	9,558.40	-	955.86
285.40	15010 Patching Drain	11,872.00	11,872.00	11,872.00	-	1,187.20	-	11,872.00	50%	1,107.20	110.72	1,107.20
285.45	15010 Patching Cord	5,107.00	5,107.00	5,107.00	-	100.63	-	5,107.00	100%	-	10.06	510.70
285.50	15010 Patching Ties	3,868.00	3,868.00	3,868.00	-	180.40	-	3,868.00	100%	0.00	18.34	386.80
285.55	15010 Patching Drain	7,500.00	7,500.00	7,500.00	-	-	-	-	0%	7,500.00	-	-
285.60	15010 Patching Inside	3,759.00	3,759.00	3,759.00	-	73.40	-	3,759.00	100%	-	7.54	375.90
285.65	15010 Patching Inside	7,545.00	7,545.00	7,545.00	-	-	-	7,545.00	100%	-	-	754.50
285.70	15010 Patching Inside	-	-	-	-	-	-	-	100% (E30/E3)	-	-	-
285.75	15010 Patching 2nd Fl	-	-	-	-	-	-	-	0%	-	-	-
285.80	15010 Patching AVG Y	43,730.00	43,730.00	43,730.00	-	43,835.40	-	43,835.40	98%	874.80	-	4,285.44
285.85	15010 Patching Drain	8,207.00	8,207.00	8,207.00	-	8,082.86	-	8,082.86	98%	124.14	-	688.28
285.90	15010 Patching Steer	3,707.00	3,707.00	3,707.00	-	3,632.86	-	3,632.86	98%	74.14	-	363.29
285.95	15010 Patching AVG E	5,237.00	5,237.00	5,237.00	-	5,287.00	-	5,287.00	100%	-	-	528.70
286.00	15010 Patching AVG C	65,889.00	65,889.00	65,889.00	-	64,843.37	-	64,843.37	98%	1,045.63	-	8,494.34
286.05	15010 Patching AVG C	12,025.00	12,025.00	12,025.00	-	11,786.45	-	11,786.45	98%	240.55	-	1,778.84
286.10	15010 Patching Ties	10,834.00	10,834.00	10,834.00	-	10,148.80	-	10,148.80	95%	685.20	-	1,014.88
286.15	15010 Patching Phase	18,118.00	18,118.00	18,118.00	-	9,559.00	-	9,559.00	50%	9,559.00	-	955.90

A.1		B		C		D		E		F		G		H		I		J		K		L	
ITEM NO.		DESCRIPTION OF		SCHEDULED VALUE		REVISED SCHEDULE		WORK COMPLETED		MATERIALS STORED		TOTAL COMPLETED AND STORED		PERCENTAGE COMPLETE		BALANCE TO FINISH		CURRENT RETENTION WITHHELD		TOTAL RETENTION WITHHELD			
								FROM PREVIOUS APPLICATIONS	THIS PERIOD	THIS PERIOD	CURRENT TOTAL STORED												
Inter	316.00	15010	Plumbing Equip	11,672.00	11,672.00	5,836.00	-	-	-	5,836.00	50%	5,836.00	-	-	583.60	-	-	-	-	-	-	583.60	
Inter	317.00	15010	Plumbing Cond	5,107.00	5,107.00	4,851.65	-	-	-	4,851.65	95%	255.35	-	-	485.17	-	-	-	-	-	-	485.17	
Inter	318.00	15010	Plumbing Testtr	3,868.00	3,868.00	3,481.20	-	-	-	3,481.20	90%	386.80	-	-	348.12	-	-	-	-	-	-	348.12	
Inter	319.00	15010	Plumbing Ident	750.00	750.00	-	-	-	-	-	0%	750.00	-	-	-	-	-	-	-	-	-	-	
Inter	320.00	15010	Plumbing Insula	3,769.00	3,769.00	3,693.60	-	-	-	3,693.60	98%	75.40	-	-	369.38	-	-	-	-	-	-	369.38	
Jeff	320.00	15010	Plumbing Insula	7,545.00	7,545.00	7,545.00	-	-	-	7,545.00	100%	-	-	-	754.50	-	-	-	-	-	-	754.50	
SAE	320.00	15010	Plumbing Insula	-	-	-	-	-	-	-	NOV01	-	-	-	-	-	-	-	-	-	-	-	
Inter	-	-	Plumbing 3rd Fl	-	-	-	-	-	-	-	0%	-	-	-	-	-	-	-	-	-	-	-	
Inter	321.00	15010	Plumbing A/G V	43,730.00	43,730.00	42,855.40	874.60	-	-	43,730.00	100%	0.00	-	-	57.48	-	-	-	-	-	-	4,373.00	
Inter	322.00	15010	Plumbing Drain	6,207.00	6,207.00	6,082.86	124.14	-	-	6,207.00	100%	-	-	-	12.41	-	-	-	-	-	-	620.70	
Inter	323.00	15010	Plumbing Slow	3,707.00	3,707.00	3,632.86	74.14	-	-	3,707.00	100%	-	-	-	7.41	-	-	-	-	-	-	370.70	
Inter	324.00	15010	Plumbing A/G S	5,287.00	5,287.00	5,181.25	105.74	-	-	5,287.00	100%	-	-	-	10.57	-	-	-	-	-	-	528.70	
Inter	325.00	15010	Plumbing A/G C	65,999.00	65,999.00	64,679.02	1,319.98	-	-	65,999.00	100%	-	-	-	132.00	-	-	-	-	-	-	6,599.90	
Inter	326.00	15010	Plumbing A/G G	12,029.00	12,029.00	11,788.42	240.58	-	-	12,029.00	100%	-	-	-	24.06	-	-	-	-	-	-	1,202.90	
Inter	327.00	15010	Plumbing Tube	10,684.00	10,684.00	10,149.80	534.20	-	-	10,684.00	100%	-	-	-	53.42	-	-	-	-	-	-	1,068.40	
Inter	328.00	15010	Plumbing Fictur	19,118.00	19,118.00	7,647.20	1,911.80	-	-	9,559.00	50%	9,559.00	191.18	-	-	293.90	-	-	-	-	-	293.90	
Inter	329.00	15010	Plumbing Equip	11,672.00	11,672.00	5,836.00	-	-	-	5,836.00	50%	5,836.00	-	-	583.60	-	-	-	-	-	-	583.60	
Inter	330.00	15010	Plumbing Cond	5,107.00	5,107.00	4,851.65	410.70	-	-	5,107.00	100%	-	-	-	41.07	-	-	-	-	-	-	510.70	
Inter	331.00	15010	Plumbing Testtr	3,868.00	3,868.00	3,481.20	196.40	-	-	3,677.60	95%	190.40	19.54	-	367.78	-	-	-	-	-	-	367.78	
Inter	332.00	15010	Plumbing Ident	750.00	750.00	-	-	-	-	-	0%	750.00	-	-	-	-	-	-	-	-	-	-	
Inter	333.00	15010	Plumbing Insula	3,769.00	3,769.00	3,692.10	376.90	-	-	3,769.00	100%	-	-	-	37.69	-	-	-	-	-	-	376.90	
Jeff	333.00	15010	Plumbing Insula	7,545.00	7,545.00	7,545.00	-	-	-	7,545.00	100%	-	-	-	754.50	-	-	-	-	-	-	754.50	
SAE	333.00	15010	Plumbing Insula	-	-	-	-	-	-	-	NOV01	-	-	-	-	-	-	-	-	-	-	-	
Inter	-	-	Plumbing 4th Fl	-	-	-	-	-	-	-	NOV01	-	-	-	-	-	-	-	-	-	-	-	
Inter	334.00	15010	Plumbing A/G V	43,730.00	43,730.00	42,855.40	874.60	-	-	43,730.00	100%	0.00	-	-	57.48	-	-	-	-	-	-	4,373.00	
Inter	335.00	15010	Plumbing Drain	6,207.00	6,207.00	6,082.86	124.14	-	-	6,207.00	100%	-	-	-	12.41	-	-	-	-	-	-	620.70	
Inter	336.00	15010	Plumbing Slow	3,707.00	3,707.00	3,632.86	74.14	-	-	3,707.00	100%	-	-	-	7.41	-	-	-	-	-	-	370.70	
Inter	337.00	15010	Plumbing A/G S	5,287.00	5,287.00	5,181.25	105.74	-	-	5,287.00	100%	-	-	-	10.57	-	-	-	-	-	-	528.70	
Inter	338.00	15010	Plumbing A/G C	65,999.00	65,999.00	64,679.02	1,319.98	-	-	65,999.00	100%	-	-	-	132.00	-	-	-	-	-	-	6,599.90	
Inter	339.00	15010	Plumbing A/G G	12,029.00	12,029.00	11,788.42	240.58	-	-	12,029.00	100%	-	-	-	24.06	-	-	-	-	-	-	1,202.90	
Inter	340.00	15010	Plumbing Tube	10,684.00	10,684.00	9,615.60	1,068.40	-	-	10,684.00	100%	0.00	106.84	-	-	1,068.40	-	-	-	-	-	1,068.40	
Inter	341.00	15010	Plumbing Fictur	19,118.00	19,118.00	7,647.20	-	-	-	7,647.20	40%	11,470.80	-	-	784.72	-	-	-	-	-	-	784.72	

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