

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Supreme Court Case No. 77320  
*Consolidated with 80508*

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Clerk of Supreme Court

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**HELIX ELECTRIC OF NEVADA, LLC,**

Appellant,

v.

**APCO CONSTRUCTION, INC., A NEVADA CORPORATION,**

Respondent.

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**JOINT APPENDIX  
VOLUME 90**

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## **CHRONOLOGICAL APPENDIX OF EXHIBITS**

| <b><u>Date</u></b> | <b><u>Description</u></b>   | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
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| 06-24-09           | Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint   | JA000001-<br>JA000015          | 1                       |
| 08-05-09           | APCO's Answer to Helix's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA000016 –<br>JA000030         | 1                       |
| 04-26-10           | CAMCO and Fidelity's Answer and CAMCO's Counterclaim  | JA000031-<br>JA000041          | 1                       |
| 07-02-10           | Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default   | JA000042-<br>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-<br>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-<br>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-<br>JA000326          | 6                       |

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| 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-<br>JA000342   | 6                |
|             | Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories   | JA000343-<br>JA000379   | 6                |
|             | Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories  | JA000380-<br>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-<br>JA000409   | 6/7              |
|             | Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017  | JA000410-<br>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-<br>JA000418   | 7                |
| 11-06-17    | Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6   | JA000419-<br>JA000428   | 7                |

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



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

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

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

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

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

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|                 | <b>Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</b>  |                               |                  |
| <b>01-10-18</b> | <b>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</b> | <b>JA001561-<br/>JA001573</b> | <b>27</b>        |
| <b>01-12-18</b> | <b>Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]</b>   | <b>JA001574-<br/>JA001594</b> | <b>27/28</b>     |
|                 | Exhibit 1 – Exhibit List APCO   | JA001595-<br>JA001614         | 28               |
|                 | Exhibit 2 – Helix Trial Exhibits  | JA001615-<br>JA001616         | 28               |
|                 | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.   | JA001617-<br>JA001635         | 28               |
|                 | Exhibit 4 – Cactus Rose Trial Exhibits  | JA001636-<br>JA001637         | 28               |
|                 | Exhibit 5 – Heinaman Trial Exhibits   | JA001638-<br>JA001639         | 28               |
|                 | Exhibit 6 – Fast Glass Trial Exhibits   | JA001640-<br>JA001641         | 28               |
|                 | Exhibit 7 – SWPPP Trial Exhibits  | JA001642-<br>JA001643         | 28               |
|                 | Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>  | JA001644-<br>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-<br>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-<br>JA001653         | 28               |
|                 | Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)                     | JA001654-<br>JA001657         | 28               |
|                 | Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>                                    | JA001658-<br>JA001660         | 28               |
|                 | Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements | JA001661-<br>JA00167          | 28/9/29          |
| <b>01-17-18</b> | <b>Transcript Bench Trial (Day 1)<sup>1</sup></b>  | <b>JA001668-<br/>JA001802</b> | <b>29/30</b>     |
|                 | Trial Exhibit 1 - Grading Agreement ( <i>Admitted</i> )  | JA001803-<br>JA001825         | 30               |
|                 | Trial Exhibit 2 – APCO/Gemstone General Construction Agreement ( <i>Admitted</i> )   | JA001826-<br>JA001868         | 30               |
|                 | Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement ( <i>Admitted</i> )                       | JA001869-<br>JA001884         | 30               |

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<sup>1</sup> Filed January 31, 2018

| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone ( <i>Admitted</i> )   | JA001885-<br>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-<br>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-<br>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-<br>JA001987          | 32                      |
|                    | Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) ( <i>Admitted</i> )  | JA001988-<br>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-<br>JA002010          | 33                      |
|                    | Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices ( <i>Admitted</i> )  | JA002011-<br>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-<br>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-<br>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-<br>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-<br>JA002120          | 34/35                   |
|                    | Trial Exhibit 45 - Subcontractor Agreement ( <i>Admitted</i> )  | JA002121-<br>JA002146          | 35                      |
|                    | Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO ( <i>Admitted</i> )                              | JA002147-<br>JA002176          | 35/36                   |
|                    | Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice ( <i>Admitted</i> )  | JA002177-<br>JA002181          | 36                      |
|                    | Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice ( <i>Admitted</i> )                                     | JA002182-<br>JA002185          | 36                      |
|                    | Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors ( <i>Admitted</i> )  | JA002186-<br>JA002188          | 36                      |
|                    | Trial Exhibit 506 – Email and Contract Revisions ( <i>Admitted</i> )  | JA002189 –<br>JA002198         | 36                      |

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| 01-18-18    | <b>Stipulation and Order Regarding Trial Exhibit Admitted into Evidence</b>                    | <b>JA002199-<br/>JA002201</b> | <b>36</b>        |
|             | Exhibit 1 – Exhibit List APCO  | JA002208-<br>JA002221         | 36               |
|             | Exhibit 2 – Helix Trial Exhibits   | JA002222-<br>JA002223         | 36               |
|             | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.                | JA002224-<br>JA002242         | 36/37            |
|             | <b>APCO TRIAL EXHIBITS:</b>  |                               |                  |
|             | <b>APCO Related Exhibits:</b>  |                               |                  |
|             | 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-<br>JA002282         | 37/38            |
|             | Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns | JA002283-<br>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-<br>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-<br>JA002308   | 39               |
|             | Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)  | JA002309-<br>JA002310   | 39               |
|             | Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)   | JA002311-<br>JA002312-  | 40               |
|             | Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)          | JA002313-<br>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-<br>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-<br>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-<br>JA002320   | 41               |

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

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

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

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

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|                    | Trial Exhibit 110 - Photo of Video (Construction Project)  | JA002534-<br>JA002535          | 44                      |
|                    | Trial Exhibit 111 - Photo of Video (Construction Project)  | JA002536-<br>JA002537          | 44                      |
|                    | Trial Exhibit 112 - Photo of Video (Construction Project)  | JA002538-<br>JA002539          | 44                      |
|                    | Trial Exhibit 113 -Photo of Video (Construction Project)   | JA002550-<br>JA002541          | 44                      |
|                    | Trial Exhibit 114 -Photo of Video (Construction Project)   | JA002542-<br>JA002543          | 44                      |
|                    | Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting   | JA002544-<br>JA002545          | 44                      |
|                    | Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco                              | JA002546-<br>JA002550          | 44                      |
|                    | Trial Exhibit 117 - C to the Ratification  | JA002551-<br>JA002563          | 44                      |
|                    | Trial Exhibit 118 - Q&A from Gemstone to subcontracts  | JA002564-<br>JA002567          | 44                      |
|                    | Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2                          | JA002568-<br>JA002571          | 44                      |
|                    | Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting | JA002572-<br>JA002575          | 44/45                   |
|                    | Trial Exhibit 127 - Photo of Video (Construction Project)  | JA002576-<br>JA002577          | 45/46                   |
|                    | Trial Exhibit 128 - Photo of Video (Construction Project)  | JA002578-<br>JA002579          | 46                      |
|                    | Trial Exhibit 129 - Photo of Video (Construction Project)  | JA002580-<br>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-<br>JA002591   | 46               |
|             | Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment  | JA002592-<br>JA002598   | 46               |
|             | <b>National Wood Products Related Exhibits:</b>   |                         |                  |
|             | Trial Exhibit 160 - Documents provided for settlement   | JA002599-<br>JA002612   | 46               |
|             | <b>CAMCO Related Exhibits:</b>  |                         |                  |
|             | Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone  | JA002613-<br>JA002651   | 46/47            |
|             | Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project  | JA002652-<br>JA002653   | 47               |
|             | Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding   | JA002654<br>JA002656    | 47               |
|             | <b>Helix Related Exhibits:</b>  |                         | 47               |
|             | Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco  | JA 002665<br>JA002676   | 47/48            |
|             | Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)  | JA002677-<br>JA002713   | 48               |
|             | Trial Exhibit 171 - Work Order No. 100  | JA002714-<br>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-<br>JA002730   | 48               |

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

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

<sup>2</sup> Filed January 31, 201879

<sup>3</sup> Filed January 31, 2018

| <u><b>Date</b></u> | <u><b>Description</b></u>   | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | 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-<br>JA005808          | 80                      |
|                    | Trial Exhibit 804 – Camco Correspondence ( <i>Admitted</i> )  | JA005809-<br>JA005816          | 80                      |
|                    | Trial Exhibit 3176 – APCO Notice of Lien ( <i>Admitted</i> )  | JA005817-<br>JA005819          | 81                      |
| <b>01-24-18</b>    | <b>Transcript – Bench Trial (Day 5)<sup>4</sup></b>   | <b>JA005820-<br/>JA005952</b>  | 81                      |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting Helix Electric of Nevada, LLC’s (Proposed) Findings of Fact and Conclusions of Law</b> | <b>JA005953-<br/>JA005985</b>  | <b>81</b>               |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting APCO Construction, Inc.’s Proposed Findings of Fact and Conclusions of Law</b>         | <b>JA005986-<br/>JA006058</b>  | <b>8/821</b>            |
| <b>03-08-18</b>    | <b>APCO Construction Inc.’s Post-Trial Brief</b>  | <b>JA006059-<br/>JA006124</b>  | <b>82/83</b>            |
| <b>03-23-18</b>    | <b>APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law</b>                           | <b>JA006125-<br/>JA006172</b>  | <b>83/84</b>            |
| <b>03-23-18</b>    | <b>Helix Electric of Nevada, LLC’s Responses to APCO Construction’s Post-Trial Brief</b>                                    | <b>JA006173-<br/>JA006193</b>  | <b>84</b>               |
| <b>04-25-18</b>    | <b>Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO</b>         | <b>JA006194-<br/>JA006264</b>  | <b>84/85</b>            |

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<sup>4</sup> Filed January 31, 201883

| <u>Date</u> | <u>Description</u>   | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
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| 05-08-18    | <b>APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.</b> | <b>JA006265-<br/>JA006284</b> | <b>85</b>        |
|             | Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenotec Against APCO  | JA006285-<br>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-<br>JA006369         | 86               |
|             | Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)   | JA006370-<br>JA006385         | 86/87            |
|             | Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco  | JA006386-<br>JA006398         | 87               |
|             | Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC   | JA006399-<br>JA006402         | 87               |
|             | Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.  | JA006403-<br>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-<br>JA006411         | 87               |
|             | Exhibit 7A – Billing Entries   | JA006412-<br>JA006442         | 87/88            |

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|                 | Exhibit 7B – Time Recap   | JA006443-<br>JA006474         | 88               |
|                 | Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs   | JA006475-<br>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-<br>JA006487         | 88               |
|                 | Exhibit 10 – Depository Index   | JA006488-<br>JA006508         | 88/89            |
| <b>05-08-18</b> | <b>Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements</b>  | <b>JA006509-<br/>JA006521</b> | <b>89</b>        |
| <b>05-31-18</b> | <b>Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]</b>  | <b>JA006522<br/>JA006540</b>  | <b>89</b>        |
| <b>06-01-18</b> | <b>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.]</b> | <b>JA006541<br/>JA006550</b>  | <b>90</b>        |
| <b>06-01-18</b> | <b>Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs</b>   | <b>JA006551-<br/>JA006563</b> | <b>90</b>        |
|                 | 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-<br>JA006574         | 90               |

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|                 | Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)  | JA006575-<br>JA006580          | 90                   |
|                 | Exhibit 3 – Prime Interest Rate  | JA006581-<br>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-<br>JA006588          | 90                   |
|                 | Exhibit 5 – Summary of Fees  | JA006589-<br>JA006614          | 90                   |
| <b>06-15-18</b> | <b>APCO Construction, Inc.’s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Motions to Retax Costs</b> | <b>JA006615-<br/>JA006637</b>  | <b>90/91</b>         |
|                 | Exhibit 1-A Declaration of Mary Bacon in Support of APCO’s Supplement to its Motion for Attorney’s Fees  | JA006635<br>JA006638           | 91                   |
|                 | Exhibit 1-B – Declaration of Cody Munteer in Support of APCO’s Supplement to its Motion for Attorney’s Fees  | JA006639-<br>JA006916          | 91/92/93<br>94/95/96 |
| <b>06-15-18</b> | <b>Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs</b>  | <b>JA006917 –<br/>JA006942</b> | <b>96</b>            |
|                 | 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-<br>JA006948          | 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-<br>JA006954   | 96               |
|             | Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed  | JA006955-<br>JA006958   | 96               |
|             | Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration   | JA006959-<br>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-<br>JA006978   | 96               |
|             | Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire  | JA006977-<br>JA006980   | 96               |
|             | Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire  | JA006981-<br>JA006984   | 96               |
|             | Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire  | JA006985-<br>JA006993   | 96/97            |
|             | Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance   | JA006994<br>JA007001    | 97               |
|             | Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire   | JA007002-<br>JA007005   | 97               |
|             | Exhibit 7A – Motion to Appoint Special Master  | JA007006-<br>JA007036   | 97               |
|             | Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016  | JA007037-<br>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-<br>JA007046   | 97               |
|             | Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss   | JA007047<br>JA007053    | 97               |
|             | Exhibit 9 – Stipulation and Order for Dismissal with Prejudice  | JA007054-<br>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-<br>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-<br>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-<br>JA007078   | 97               |
|             | Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims                                 | JA007079-<br>JA007084   | 97               |
|             | Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary                                    | JA007085-<br>JA007087   | 97               |

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

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
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| <b>06-29-18</b>    | <b>Helix Electric of Nevada, LLC's Reply Re: Motion to Retax</b>   | <b>JA007225-<br/>JA007237</b>  | <b>100</b>              |
| <b>07-02-18</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA007238-<br/>JA007245</b>  | <b>100</b>              |
| <b>07-19-18</b>    | <b>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</b>   | <b>JA007246-<br/>JA007261</b>  | <b>100</b>              |
| <b>08-08-18</b>    | <b>Court's Decision on Attorneys' Fees and Cost Motions</b>  | <b>JA007262-<br/>JA007280</b>  | <b>100</b>              |
| <b>09-28-18</b>    | <b>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</b> | <b>JA007281-<br/>JA007299</b>  | <b>100</b>              |
| <b>01-24-19</b>    | <b>Transcript for All Pending Fee Motions on July 19, 2018</b>   | <b>JA007300-<br/>JA007312</b>  | <b>100/101</b>          |
| <b>07-12-19</b>    | <b>Order Dismissing Appeal (Case No. 76276)</b>  | <b>JA007313-<br/>JA007315</b>  | <b>101</b>              |

| <u>Date</u> | <u>Description</u>  | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
|-------------|---|-------------------------------|------------------|
| 08-06-19    | <b>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</b>   | <b>JA007316-<br/>JA007331</b> | <b>101</b>       |
|             | 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-<br>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-<br>JA007344         | 101              |
|             | Exhibit 3 - Notice of Appeal  | JA007345-<br>JA007394         | 101/102          |
|             | Exhibit 4 – Amended Notice of Appeal  | JA007395-<br>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-<br>JA007517         | 102/103          |

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|--------------------|--|--------------------------------|-------------------------------------|
|                    | Solutions, Inc., E&E Fire Protection   |                                |                                     |
|                    | Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)   | JA007518-<br>JA007519          | 103                                 |
|                    | Exhibit 7 – Order to Show Cause  | JA007520-<br>JA007542          | 103                                 |
|                    | Exhibit 8 -Order Dismissing Appeal (Case No. 76276)  | JA007524-<br>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-<br>JA007541         | 103                                 |
|                    | Exhibit 10 (Part One)  | JA007537-<br>JA007542          | 103                                 |
|                    | Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)   | JA007543-<br>JA007585          | 103                                 |
|                    | Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)   | JA007586-<br>JA008129          | 103/104/105<br>/106/107<br>/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-<br>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-<br>JA008141          | 109                                 |
|                    | Exhibit 10 (Part Two)  | JA008142-<br>JA008149          | 109                                 |

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

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | 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<br>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-<br>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-<br>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-<br>JA008450          | 110/111                 |
|                    | Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008451-<br>JA008486          | 111                     |
|                    | Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008468-<br>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-<br>JA008504          | 111                     |

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



| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | 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-<br>JA008624          | 112                     |
|                    | Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008625-<br>JA008642          | 112                     |
|                    | Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008643-<br>JA008657          | 112                     |
|                    | Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008658-<br>JA008664          | 112                     |
|                    | Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008665-<br>JA008681          | 112                     |
|                    | Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below  | JA008682-<br>JA008685          | 112                     |
|                    | Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice   | JA008686-<br>JA008693          | 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-<br>JA008717          | 112/113                 |
|                    | Exhibit 10NN-Notice of Appeal   | JA008718<br>JA008723           | 113                     |
|                    | Exhibit 10OO – Amended Notice of Appeal   | JA008724-<br>JA008729          | 113                     |
|                    | Exhibit 10PP – Notice of Cross Appeal   | JA008730-<br>JA008736          | 113                     |
|                    | Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276  | JA008737-<br>JA008746          | 113                     |
|                    | Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195                               | JA008747-<br>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-<br>JA008758           | 113                     |
|                    | Exhibit 13 – Stipulation and Order with Prejudice   | JA008759-<br>JA008780          | 113                     |
|                    | Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment                                | JA008762-<br>JA008788          | 113                     |
|                    | Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal   | JA008789-<br>JA008798          | 113                     |

| <u>Date</u>     | <u>Description</u>   | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
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|                 | Exhibit 16 – Notice of Appeal  | JA008799-<br>JA008810         | 113              |
| <b>08-16-19</b> | <b>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</b> | <b>JA008811-<br/>JA008821</b> | <b>114</b>       |
|                 | Exhibit 1 – Order to File Amended Docketing Statement  | JA008822-<br>JA008824         | 114              |
|                 | Exhibit 2 – Order to Show Cause  | JA008825-<br>JA008828         | 114              |
|                 | Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause   | JA008829-<br>JA008892         | 114/115/116      |
|                 | Exhibit 4 – Order Dismissing Appeal  | JA008893-<br>JA008896         | 116              |
|                 | Exhibit 5 – Chart of Claims  | JA008897-<br>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-<br>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-<br>JA008965         | 117              |
|                 | Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco   | JA008966-<br>JA008986         | 117/118          |

| <u>Date</u>     | <u>Description</u>  | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
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|                 | Pacific Construction's Counterclaim   |                               |                  |
|                 | 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-<br>JA008998         | 118              |
|                 | Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.   | JA008998-<br>JA009010         | 118              |
|                 | Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing  | JA009011-<br>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-<br>JA009038         | 118              |
|                 | Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO  | JA009039-<br>JA009110         | 118/119          |
|                 | Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal  | JA009111-<br>JA009113         | 119              |
|                 | Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond  | JA009114-<br>JA009116         | 119              |
| <b>08-29-19</b> | <b>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)</b>    | <b>JA009117-<br/>JA009123</b> | <b>119</b>       |

| <u>Date</u>     | <u>Description</u>   | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
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|                 | <b>Dismiss All Unresolved Claims and/or (III) In The Alternative for a Rule 54(B) Certification as to Helix and APCO</b>   |                               |                  |
| <b>01-03-20</b> | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification</b>   | <b>JA009124-<br/>JA009131</b> | <b>119</b>       |
| <b>01-29-20</b> | <b>Notice of Appeal</b>  | <b>JA009132-<br/>JA009136</b> | <b>119/120</b>   |
|                 | 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-<br>JA009166         | 120              |
|                 | Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification  | JA009148-<br>JA009156         | 120              |
| <b>02-11-20</b> | <b>Case Appeal Statement</b>   | <b>JA009157-<br/>JA009163</b> | 120              |
| <b>02-11-20</b> | <b>APCO's Notice of Cross Appeal</b>   | <b>JA009164-<br/>JA010310</b> | 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-<br>JA009182         | 120              |

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|                    | Exhibit 2 – Notice of Entry of Order Granting Helix Electric of Nevada’s Motion for Rule 54(b) Certification | JA009183-<br>JA00991           | 120                     |

## **ALPHABETICAL APPENDIX OF EXHIBITS**

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

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|                    |   | JA006442                       |                         |
|                    | Exhibit 7B – Time Recap   | JA006443-<br>JA006474          | 88                      |
|                    | Exhibit 8 – Declaration of Cody S. Mounter, Esq. in Support of Motion for Attorney’s Fees and Costs   | JA006475-<br>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-<br>JA006487          | 88                      |
|                    | Exhibit 10 – Depository Index   | JA006488-<br>JA006508          | 88/89                   |
| <b>06-06-13</b>    | <b>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</b>   | <b>JA000044-<br/>JA000054</b>  | <b>1</b>                |
|                    | 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-<br>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-<br>JA000326          | 6                       |
| <b>02-11-20</b>    | <b>APCO’s Notice of Cross Appeal</b>  | <b>JA009164-<br/>JA010310</b>  | <b>120</b>              |
|                    | 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-<br>JA009182          | 114                     |



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

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|                    | Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1   | JA000849-<br>JA000856          | 12                      |
|                    | Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1  | JA000857-<br>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-<br>JA000873          | 12                      |
|                    | Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017  | JA000874-<br>JA000897          | 12                      |
| <b>03-23-18</b>    | <b>APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law</b>  | <b>JA006125-<br/>JA006172</b>  | <b>83/84</b>            |
| <b>08-16-19</b>    | <b>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</b> | <b>JA008811-<br/>JA008821</b>  | <b>114</b>              |
|                    | Exhibit 1 – Order to File Amended Docketing Statement  | JA008822-<br>JA008824          | 114                     |
|                    | Exhibit 2 – Order to Show Cause  | JA008825-<br>JA008828          | 114                     |
|                    | Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause   | JA008829-<br>JA008892          | 114/115/116             |
|                    | Exhibit 4 – Order Dismissing Appeal  | JA008893-<br>JA008896          | 116                     |
|                    | Exhibit 5 – Chart of Claims  | JA008897-<br>JA008924          | 116                     |
|                    | Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco  | JA008925-<br>JA008947          | 116/117                 |

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|                    | 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-<br>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-<br>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-<br>JA008998          | 118                     |
|                    | Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.  | JA008998-<br>JA009010          | 118                     |
|                    | Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing   | JA009011-<br>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-<br>JA009038          | 118                     |
|                    | Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO   | JA009039-<br>JA009110          | 118/119                 |
|                    | Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal   | JA009111-<br>JA009113          | 119                     |
|                    | Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond   | JA009114-<br>JA009116          | 119                     |

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

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|                    | Exhibit 1 – Special Master Report Regarding Discovery Status   | JA001149-<br>JA001151          | 21                      |
|                    | Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.  | JA001152-<br>JA001160          | 21                      |
| <b>06-29-18</b>    | <b>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.</b> | <b>JA007198-<br/>JA007220</b>  | <b>99</b>               |
|                    | Exhibit 1 – Invoice Summary by Matter Selection  | JA007221-<br>JA007222          | 99                      |
|                    | Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018   | JA007223-<br>JA007224          | 99                      |
| <b>04-26-10</b>    | <b>CAMCO and Fidelity’s Answer and CAMCO’s Counterclaim</b>  | <b>JA000031-<br/>JA000041</b>  | <b>1</b>                |
| <b>11-14-17</b>    | <b>Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6</b>   | <b>JA000898-<br/>JA000905</b>  | <b>12</b>               |
|                    | Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement   | JA000906-<br>JA000907          | 12                      |
|                    | Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board   | JA000908-<br>JA000915          | 2/13                    |
|                    | Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs  | JA000916-<br>JA000917          | 13                      |
|                    | Exhibit D – Camco Pacific’s letter dated December 22, 2008   | JA000918-<br>JA000920          | 13                      |
|                    | Exhibit E – Order Approving Sale of Property   | JA000921-<br>JA000928          | 13                      |
| <b>02-11-20</b>    | <b>Case Appeal Statement</b>   | <b>JA009157-<br/>JA009163</b>  | <b>120</b>              |

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| <b>08-08-18</b>    | <b>Court's Decision on Attorneys' Fees and Cost Motions</b>  | <b>JA007262-<br/>JA007280</b>  | <b>100</b>              |
| <b>06-15-18</b>    | <b>Declaration of S. Judy Hirahara in support of National Woods's Opposition to APCO Construction's Motion for Attorneys' Fees and Costs</b>             | <b>JA007121-<br/>JA007189</b>  | <b>98</b>               |
| <b>06-13-13</b>    | <b>Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone</b>  | <b>JA000327</b>                | <b>6</b>                |
| <b>04-25-18</b>    | <b>Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO</b>                                      | <b>JA006194-<br/>JA006264</b>  | <b>84/85</b>            |
| <b>11-06-17</b>    | <b>Helix Electric of Nevada's Motion <i>in Limine</i> Nos. 1-4</b>   | <b>JA000534-<br/>JA000542</b>  | <b>8</b>                |
|                    | Exhibit 1 – Notice of Entry of Order   | JA000543-<br>JA000549          | 8                       |
|                    | Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction   | JA000550<br>JA000558           | 8/9                     |
|                    | Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017  | JA000559<br>JA000574           | 9                       |
|                    | Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017  | JA000575-<br>JA000589          | 9                       |
| <b>06-01-18</b>    | <b>Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA006551-<br/>JA006563</b>  | <b>90</b>               |
|                    | 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-<br>JA006574          | 90                      |
|                    | Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)  | JA006575-<br>JA006580          | 90                      |
|                    | Exhibit 3 – Prime Interest Rate  | JA006581-<br>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-<br>JA006588         | 90               |
|                 | Exhibit 5 – Summary of Fees   | JA006589-<br>JA006614         | 90               |
| <b>08-06-19</b> | <b>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</b>   | <b>JA007316-<br/>JA007331</b> | <b>101</b>       |
|                 | 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-<br>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-<br>JA007344         | 101              |
|                 | Exhibit 3 - Notice of Appeal  | JA007345-<br>JA007394         | 101/102          |
|                 | Exhibit 4 – Amended Notice of Appeal  | JA007395-<br>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-<br>JA007517         | 102/103          |

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|                    | Nevada, LLC, SWPPP Compliance Solutions, Inc., E&E Fire Protection   |                                |                                    |
|                    | Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)   | JA007518-<br>JA007519          | 103                                |
|                    | Exhibit 7 – Order to Show Cause  | JA007520-<br>JA007542          | 103                                |
|                    | Exhibit 8 -Order Dismissing Appeal (Case No. 76276)  | JA007524-<br>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-<br>JA007541         | 103                                |
|                    | Exhibit 10 (Part One)  | JA007537-<br>JA007542          | 103                                |
|                    | Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)   | JA007543-<br>JA007585          | 103                                |
|                    | Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)   | JA007586-<br>JA008129          | 103/104/105/<br>106/107/108<br>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-<br>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-<br>JA008141          | 109                                |
|                    | Exhibit 10 (Part Two)  | JA008142-<br>JA008149          | 109                                |
|                    | Exhibit 10E – 131 Nev. Advance Opinion 70  | JA008150-<br>JA008167          | 109                                |
|                    | Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status   | JA008168-<br>JA008170          | 109                                |



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|                    | Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss   | JA008171-<br>JA008177          | 109                     |
|                    | Exhibit 10H – Complaint re Foreclosure   | JA008178-<br>JA008214          | 109                     |
|                    | Exhibit 10I – First Amended Complaint re Foreclosure   | JA008215-<br>JA008230          | 109                     |
|                    | Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure   | JA008231-<br>JA008265          | 109/110                 |
|                    | Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim                                      | JA008266-<br>JA008285          | 110                     |
|                    | Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim  | JA008286-<br>JA008290          | 110                     |
|                    | Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008291-<br>JA008306          | 110                     |
|                    | Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint                                | JA008307-<br>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-<br>JA008338          | 110                     |
|                    | Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs  | JA008339<br>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-<br>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-<br>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-<br>JA008450          | 110/111                 |
|                    | Exhibit 10T -WRG Design, Inc.’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008451-<br>JA008486          | 111                     |
|                    | Exhibit 10U – APCO Construction’s Answer to WRG Design Inc.’s amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008468-<br>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-<br>JA008504          | 111                     |
|                    | Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal   | JA008505-<br>JA008512          | 111                     |
|                    | Exhibit 10X – WRG Design, Inc.’s Answer to Camco Pacific Construction Company, Inc.’s Counterclaim   | JA008513<br>JA008517           | 111                     |
|                    | Exhibit 10Y – Heinaman Contract Glazing’s Amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008518-<br>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-<br>JA008551          | 111                     |

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|                    | Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing’s Motion for Attorneys’s Fees, Interest and Costs  | JA008552-<br>JA008579          | 111/112                 |
|                    | Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]   | JA008561-<br>JA008582          | 112                     |
|                    | Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim   | JA008583<br>JA008588           | 112                     |
|                    | Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008589-<br>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-<br>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-<br>JA008624          | 112                     |
|                    | Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008625-<br>JA008642          | 112                     |
|                    | Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008643-<br>JA008657          | 112                     |
|                    | Exhibit 10II – Amended Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008658-<br>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-<br>JA008681          | 112                     |
|                    | Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below   | JA008682-<br>JA008685          | 112                     |
|                    | Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice  | JA008686-<br>JA008693          | 112                     |
|                    | Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint               | JA008694-<br>JA008717          | 112/113                 |
|                    | Exhibit 10NN-Notice of Appeal   | JA008718<br>JA008723           | 113                     |
|                    | Exhibit 10OO – Amended Notice of Appeal   | JA008724-<br>JA008729          | 113                     |
|                    | Exhibit 10PP – Notice of Cross Appeal   | JA008730-<br>JA008736          | 113                     |
|                    | Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276  | JA008737-<br>JA008746          | 113                     |
|                    | Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195                               | JA008747-<br>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-<br>JA008758           | 113                     |
|                    | Exhibit 13 – Stipulation and Order with Prejudice   | JA008759-<br>JA008780          | 113                     |

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

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|                    | Precluding Defenses Based on Pay-if-Paid Agreements   |                                |                         |
|                    | Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire   | JA006977-<br>JA006980          | 96                      |
|                    | Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire   | JA006981-<br>JA006984          | 96                      |
|                    | Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire   | JA006985-<br>JA006993          | 96/97                   |
|                    | Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance  | JA006994<br>JA007001           | 97                      |
|                    | Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire  | JA007002-<br>JA007005          | 97                      |
|                    | Exhibit 7A – Motion to Appoint Special Master   | JA007006-<br>JA007036          | 97                      |
|                    | Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016   | JA007037-<br>JA007060          | 97                      |
|                    | Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda      | JA007042-<br>JA007046          | 97                      |
|                    | Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss   | JA007047<br>JA007053           | 97                      |
|                    | Exhibit 9 – Stipulation and Order for Dismissal with Prejudice  | JA007054-<br>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-<br>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-<br>JA007088          | 97                      |

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|--------------------|---|--------------------------------|-------------------------|
|                    | 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-<br>JA007078          | 97                      |
|                    | Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims   | JA007079-<br>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-<br>JA007087          | 97                      |
|                    | Exhibit 15 – Notice of Association of Counsel   | JA007088-<br>JA007094          | 97                      |
| <b>11-14-17</b>    | <b>Helix Electric of Nevada’s Opposition to APCO Construction’s Omnibus Motion in Limine</b>  | <b>JA000994-<br/>JA001008</b>  | <b>20</b>               |
|                    | Exhibit 1 – Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017  | JA001009-<br>JA001042          | 20                      |
|                    | Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017  | JA001043-<br>JA001055          | 20                      |
|                    | Exhibit 3 – Special Master Order Requiring Completion of Questionnaire  | JA001056-<br>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-<br>JA001064          | 20                      |
|                    | Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017   | JA001065<br>JA001132           | 20/21                   |
| <b>08-29-19</b>    | <b>Helix Electric of Nevada LLC’s Reply to APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-</b>  | <b>JA009117-<br/>JA009123</b>  | <b>119</b>              |

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|                    | <b>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</b> |                                |                         |
| <b>06-29-18</b>    | <b>Helix Electric of Nevada, LLC's Reply Re: Motion to Retax</b>  | <b>JA007225-<br/>JA007237</b>  | <b>100</b>              |
| <b>03-23-18</b>    | <b>Helix Electric of Nevada, LLC's Responses to APCO Construction's Post-Trial Brief</b>  | <b>JA006173-<br/>JA006193</b>  | <b>84</b>               |
| 06-24-09           | <b>Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint</b>  | <b>JA000001-<br/>JA000015</b>  | <b>1</b>                |
| <b>01-12-18</b>    | <b>Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]</b>                         | <b>JA001574-<br/>JA001594</b>  | <b>27/28</b>            |
|                    | Exhibit 1 – Exhibit List APCO   | JA001595-<br>JA001614          | 28                      |
|                    | Exhibit 2 – Helix Trial Exhibits  | JA001615-<br>JA001616          | 28                      |
|                    | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.   | JA001617-<br>JA001635          | 28                      |
|                    | Exhibit 4 – Cactus Rose Trial Exhibits  | JA001636-<br>JA001637          | 28                      |
|                    | Exhibit 5 – Heinaman Trial Exhibits   | JA001638-<br>JA001639          | 28                      |
|                    | Exhibit 6 – Fast Glass Trial Exhibits   | JA001640-<br>JA001641          | 28                      |
|                    | Exhibit 7 – SWPPP Trial Exhibits  | JA001642-<br>JA001643          | 28                      |
|                    | Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>  | JA001644-<br>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-<br>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-<br>JA001653          | 28                      |
|                    | Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)   | JA001654-<br>JA001657          | 28                      |
|                    | Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>  | JA001658-<br>JA001660          | 28                      |
|                    | Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements   | JA001661-<br>JA001667          | 28/9/29                 |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law</b>  | <b>JA005986-<br/>JA006058</b>  | <b>8/821</b>            |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law</b>  | <b>JA005953-<br/>JA005985</b>  | <b>81</b>               |
| <b>01-04-18</b>    | <b>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</b> | <b>JA001199-<br/>JA001217</b>  | <b>22</b>               |
|                    | Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)  | JA001218-<br>JA001245          | 22/23/24                |
|                    | Exhibit 2 – Subcontract Agreement (Zitting Brothers)   | JA001246-<br>JA001263          | 24                      |

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|                    | Exhibit 3 – Subcontract Agreement (CabineTec)  | JA001264-<br>JA001281          | 24/25                   |
|                    | Exhibit 4 – Amended Notice of Lien   | JA001282-<br>JA001297          | 25                      |
|                    | Exhibit 5 - Amended NOL  | JA001298-<br>JA001309          | 25                      |
|                    | Exhibit 6 – Notice of Lien   | JA001310-<br>JA001313          | 25                      |
|                    | Exhibit 7 – Order Approving Sale of Property   | JA001314-<br>JA001376          | 25/26                   |
|                    | Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account   | JA001377-<br>JA001380          | 26                      |
|                    | Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration   | JA001381-<br>JA001385          | 26                      |
|                    | Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements | JA001386-<br>JA001392          | 26                      |
|                    | Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment   | JA001393-<br>JA001430          | 26                      |
|                    | Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment                                | JA001431-<br>JA001435          | 26                      |
|                    | Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)  | JA001436-<br>JA001469          | 26                      |
|                    | Exhibit 14 – Respondent’s Answering Brief  | JA001470-<br>JA001516          | 26/27                   |
|                    | Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)  | JA001517-<br>JA001551          | 27                      |
|                    | <b>Notice of Appeal</b>  | <b>JA009132-<br/>JA009136</b>  | <b>119/120</b>          |
|                    | Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention                         | JA009137-<br>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-<br>JA009156          | 120                     |
| <b>05-31-18</b>    | <b>Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]</b>   | <b>JA006522<br/>JA006540</b>   | <b>89</b>               |
| <b>06-01-18</b>    | <b>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.]</b>  | <b>JA006541<br/>JA006550</b>   | <b>90</b>               |
| <b>09-28-18</b>    | <b>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</b> | <b>JA007281-<br/>JA007299</b>  | <b>100</b>              |
| <b>12-29-17</b>    | <b>Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i></b>   | <b>JA001178-<br/>JA001186</b>  | <b>22</b>               |
| <b>07-02-18</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA007238-<br/>JA007245</b>  | <b>100</b>              |
| <b>01-03-20</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification</b>   | <b>JA009124-<br/>JA009131</b>  | <b>119</b>              |

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| 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-<br>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-<br>JA001177          | 22                      |
| 12-29-17           | Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion <i>in Limine</i> 1-6   | JA001161-<br>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-<br>JA005283          | 78                      |
| 07-12-19           | Order Dismissing Appeal (Case No. 76276)   | JA007332-<br>JA007334          | 101                     |
| 07-02-10           | Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default  | JA000042-<br>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-<br>JA000342          | 6                       |
|                    | Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories   | JA000343-<br>JA000379          | 6                       |
|                    | Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories  | JA000380-<br>JA000392          | 6                       |
| 11-06-17           | Peel Brimley Lien Claimants' Motion <i>in Limine</i> Nos. 1-6  | JA000419-<br>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-<br>JA000472          | 7/8                     |
|                    | Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017   | JA000473<br>JA00489            | 8                       |
|                    | Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction  | JA00490<br>JA000500            | 8                       |
|                    | Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction  | JA000501-<br>JA000511          | 8                       |
|                    | Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction   | JA000512-<br>JA000522          | 8                       |
|                    | Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction   | JA000523-<br>JA000533          | 8                       |
| <b>09-28-17</b>    | <b>Peel Brimley Lien Claimants’ Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</b>   | <b>JA000413-<br/>JA00418</b>   | <b>7</b>                |
| <b>01-09-18</b>    | <b>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</b>                             | <b>JA001552-<br/>JA001560</b>  | <b>27</b>               |
| <b>06-18-18</b>    | <b>Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition</b>   | <b>JA007190-<br/>JA007192</b>  | <b>99</b>               |

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|             | 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-<br>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-<br>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-<br>JA001573   | 27               |
| 01-18-18    | Stipulation and Order Regarding Trial Exhibit Admitted into Evidence   | JA002199-<br>JA002201   | 36               |
|             | Exhibit 1 – Exhibit List APCO  | JA002208-<br>JA002221   | 36               |
|             | Exhibit 2 – Helix Trial Exhibits   | JA002222-<br>JA002223   | 36               |
|             | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.  | JA002224-<br>JA002242   | 36/37            |
|             | <b>APCO TRIAL EXHIBITS:</b>  |                         |                  |
|             | <b>APCO Related Exhibits:</b>  |                         |                  |
|             | 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-<br>JA002282   | 37/38            |
|             | Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns   | JA002283-<br>JA002284   | 38               |

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|                    | 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-<br>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-<br>JA002308          | 39                      |
|                    | Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)  | JA002309-<br>JA002310          | 39                      |
|                    | Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)   | JA002311-<br>JA002312-         | 40                      |
|                    | Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)        | JA002313-<br>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-<br>JA002316          | 40                      |

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



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

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

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

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

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

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

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<sup>5</sup> Filed January 31, 2018

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) ( <i>Admitted</i> )  | JA001988-<br>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-<br>JA002010          | 33                      |
|                    | Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices ( <i>Admitted</i> )  | JA002011-<br>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-<br>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-<br>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-<br>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-<br>JA002120          | 34/35                   |
|                    | Trial Exhibit 45 - Subcontractor Agreement ( <i>Admitted</i> )   | JA002121-<br>JA002146          | 35                      |

| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO ( <i>Admitted</i> )                         | JA002147-<br>JA002176          | 35/36                   |
|                    | Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice ( <i>Admitted</i> )   | JA002177-<br>JA002181          | 36                      |
|                    | Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice ( <i>Admitted</i> )                                | JA002182-<br>JA002185          | 36                      |
|                    | Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors ( <i>Admitted</i> )   | JA002186-<br>JA002188          | 36                      |
|                    | Trial Exhibit 506 – Email and Contract Revisions ( <i>Admitted</i> )   | JA002189 –<br>JA002198         | 36                      |
| <b>01-18-18</b>    | <b>Transcript – Bench Trial (Day 2)<sup>6</sup></b>  | JA005284-<br>JA005370          | 78                      |
|                    | Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) ( <i>Admitted</i> )  | JA005371-<br>JA005623          | 78/79/80                |
| <b>01-19-18</b>    | <b>Transcript – Bench Trial (Day 3)<sup>7</sup></b>  | JA005624-<br>JA005785          | 80                      |
|                    | Trial Exhibit 231 – Helix Electric’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint ( <i>Admitted</i> )      | JA005786-<br>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-<br>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                      |

<sup>6</sup> Filed January 31, 201879

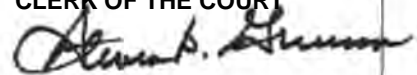
<sup>7</sup> Filed January 31, 2018



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

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<sup>8</sup> Filed January 31, 2018



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13 Attorneys for APCO Construction, Inc.

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 APCO CONSTRUCTION, a Nevada  
11 corporation,

12 Plaintiff,

13 v.

14 GEMSTONE DEVELOPMENT WEST, INC., A  
15 Nevada corporation,

16 Defendant.

Case No.: A571228

Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;  
A587168; A580889; A584730; A589195;  
A595552; A597089; A592826; A589677;  
A596924; A584960; A608717; A608718; and  
A590319

**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.]**

20 AND ALL RELATED MATTERS

22 PLEASE TAKE NOTICE that a JUDGMENT [AS TO THE CLAIMS OF HELIX  
23 ELECTRIC OF NEVADA, LLC AND PLAINTIFF IN INTERVENTION NATIONAL WOOD  
24 PRODUCTS, INC.'S AGAINST APCO CONSTRUCTION, INC.] was filed on May 31, 2018, a


25 ///

27 ///

1 copy of which is attached as **Exhibit A**.

2  
3 Dated this 1st day of June, 2018.

4 SPENCER FANE LLP

5   
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11 *Attorneys for APCO Construction, Inc.*

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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Spencer Fane LLP and that a copy of the foregoing **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.]** was served by electronic transmission through the E-Filing system pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26 or by mailing a copy to their last known address, first class mail, postage prepaid for non-registered users, on this 1<sup>st</sup> day of June, 2018, as follows:

**Counter Claimant: Camco Pacific Construction Co Inc**

Steven L. Morris (steve@gmdlegal.com)

**Intervenor Plaintiff: Cactus Rose Construction Inc**

Eric B. Zimbelman (ezimbelman@peelbrimley.com)

**Intervenor Plaintiff: Interstate Plumbing & Air Conditioning Inc**

Jonathan S. Dabbieri (dabbieri@sullivanhill.com)

**Intervenor: National Wood Products, Inc.'s**

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Richard L Tobler (rltldck@hotmail.com)

Richard Reincke (rreincke@caddenfuller.com)

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Tammy Cortez (tcortez@caddenfuller.com)

**Other: Chapter 7 Trustee**

Elizabeth Stephens (stephens@sullivanhill.com)

Gianna Garcia (ggarcia@sullivanhill.com)

Jennifer Saurer (Saurer@sullivanhill.com)

Jonathan Dabbieri (dabbieri@sullivanhill.com)

**Plaintiff: Apco Construction**

Rosie Wesp (rwesp@maclaw.com)

**Third Party Plaintiff: E & E Fire Protection LLC**

TRACY JAMES TRUMAN (DISTRICT@TRUMANLEGAL.COM)

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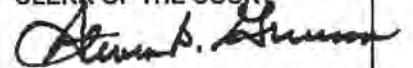
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# EXHIBIT A





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Attorneys for Apco Construction, Inc.

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

APCO CONSTRUCTION, a Nevada  
corporation,

Plaintiff,

v.

GEMSTONE DEVELOPMENT WEST, INC., A  
Nevada corporation,

Defendant.

Case No.: A571228

Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;  
A587168; A580889; A584730; A589195;  
A595552; A597089; A592826; A589677;  
A596924; A584960; A608717; A608718; and  
A590319

**JUDGMENT**

**AS TO THE CLAIMS OF HELIX**  
**ELECTRIC OF NEVADA, LLC AND**  
**PLAINTIFF IN INTERVENTION**  
**NATIONAL WOOD PRODUCTS, INC.'S**  
**AGAINST APCO CONSTRUCTION, INC.]**

AND ALL RELATED MATTERS

This matter having come on for a non-jury trial on the merits on January 17-19, 23,  
24 and February 6, 2018, APCO Construction, Inc. ("APCO"), appearing through Spencer  
Fane, LLP and Marquis & Aurbach; Camco Construction, Inc., ("Camco") through Grant  
Morris Dodds; National Wood Products, Inc. ("National Wood" or "CabineTec") through  
Cadden & Fuller LLP and Richard L. Tobler, Ltd.; United Subcontractors, Inc. through  
Fabian Vancott; and Helix Electric of Nevada, LLC ("Helix"), SWPP Compliance  
Solution, Cactus Rose Construction, Inc., Fast Glass, Inc., Heinaman Contract Glazing all

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DISTRICT COURT DEPT# 13

1 through Peel Brimley; and, the Court having heard the testimony of witnesses through  
2 examination and cross-examination by the parties' counsel, having reviewed the evidence  
3 provided by the parties, having heard the arguments of counsel, and having read and  
4 considered the briefs of counsel, the parties' pleadings, and various other filings, and good  
5 cause appearing; the Court hereby makes the following:

6 The Court having taken the matter under consideration and advisement;

7 The Court having entered its April 25, 2018 Findings of Fact and Conclusions of  
8 Law as to the Claims of Helix Electric and CabineTec against APCO, incorporated  
9 herein by this reference ("the APCO FFCL");

10 The Court enters the following Judgment as to the claims of Helix and National  
11 Wood against APCO;

12 IT IS ORDERED, ADJUDGED, AND DECREED that, as set forth on the APCO  
13 FFCL, judgment is to be entered in favor of APCO and against Helix and National Wood  
14 on all of Helix's and National Wood's claims against APCO and that (i) Helix's April 14,  
15 2009 Statement of Facts Constituting Notice of Lien and Third-Party Complaint, (ii)  
16 Helix's June 24, 2009 Amended Statement of Facts Constituting Notice of Lien and Third-Party  
17 Complaint and (iii) CabineTec's February 6, 2009 Statement of Facts Constituting Lien  
18 Claim and Complaint in Intervention shall be dismissed with prejudice, but only to the  
19 extent they state claims against APCO.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court may  
21 issue an amended judgment after the Court has heard and decided APCO's Motion for  
22 Attorney's Fees and Costs Against Helix and National Wood and any related motion to

23 ///

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28 ///

1 determine APCO's costs, currently pending before the Court.<sup>1</sup>


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Dated this 29<sup>th</sup> day of May, 2018.

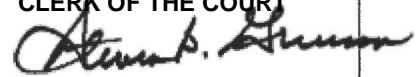
  
DISTRICT COURT JUDGE

Respectfully submitted by:

SPENCER FANE LLP

  
John H. Mowbray, Esq. (Bar No. 1140)  
John Randall Jefferies, Esq. (Bar No. 3512)  
Mary E. Bacon, Esq. (Bar No. 12686)  
300 S. Fourth Street, Suite 950  
Las Vegas, NV 89101  
*Attorneys for Apco Construction, Inc.*

28 <sup>1</sup> The amended judgment will be in accordance with the court's decisions on the pending motion for attorney's fees and any motion/pleadings for costs.



1 **MAFC**  
ERIC B. ZIMBELMAN, ESQ  
2 Nevada Bar No. 9407  
RICHARD L. PEEL, ESQ.  
3 Nevada Bar No. 4359  
**PEEL BRIMLEY LLP**  
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[rpeel@peelbrimley.com](mailto:rpeel@peelbrimley.com)  
7 *Attorneys for Helix Electric of Nevada, LLC*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 APCO CONSTRUCTION, a Nevada  
corporation,

11 Plaintiff,

12 vs

13 GEMSTONE DEVELOPMENT WEST, INC.,  
14 Nevada corporation; NEVADA  
CONSTRUCTION SERVICES, a Nevada  
15 corporation; SCOTT FINANCIAL  
CORPORATION, a North Dakota  
16 corporation; COMMONWEALTH LAND  
TITLE INSURANCE COMPANY; FIRST  
17 AMERICAN TITLE INSURANCE  
COMPANY and DOES I through X,

18 Defendants.

19  
20 AND ALL RELATED MATTERS.  
21

CASE NO.: A571228

DEPT. NO.: XIII

*Consolidated with:*  
A571792, A574391, A577623, A580889,  
A583289, A584730, and A587168

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

22 Helix Electric of Nevada, LLC ("Helix") by and through its counsel of record, the  
23 law firm of PEEL BRIMLEY LLP, hereby respectfully submits the following Motion for  
24 Attorney's Fees, Interest and Costs.

25 ///

26 ///

27 ///

This Motion is made and based on the points and authorities provided below, the papers and pleadings on file herein, and any oral argument to be heard by this Court at the hearing on this matter.

Respectfully submitted this 31 day of May, 2018.

PEEL BRIMLEY LLP

 #11776  
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Nevada Bar No. 9407

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*Attorneys for Helix Electric of Nevada, LLC*

**NOTICE OF MOTION**

TO: ALL PARTIES IN INTEREST:

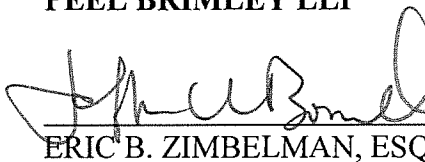
Please take notice that the undersigned will bring the foregoing MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS on for hearing before the Court on the

\_\_\_\_\_ day of July 2, 2018, at the time of 9:00 a.m./p.m. in

Department XIII.

DATED this 31 day of May 2018.

PEEL BRIMLEY LLP

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*Attorneys for Helix Electric of Nevada, LLC*

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 On April 26, 2018, this Court issued Findings of Fact and Conclusions of Law in favor of  
4 Helix Electric of Nevada, LLC. (“Helix”) and against Camco Pacific Construction Co.,  
5 Inc.(“Camco”).<sup>1</sup> Among other things the Court found the following facts and issued the  
6 following conclusions:

- 7 • Camco and Helix entered into contractor/subcontractor relationship and  
8 agreement whereby they agreed on the materials terms of a contract, which  
9 Camco breached by failing to pay Helix the sum of \$834,476.45. [See FF ¶ 14;  
10 CL ¶ 2];
- 11 • Helix timely recorded a mechanic’s lien, as amended (“the Helix Lien”), pursuant  
12 to NRS Chapter 108 and perfected the same. [See FF ¶ 15];
- 13 • Helix is entitled to an award of the principal sum of \$834,476.45 (i.e., exclusive  
14 of interest, costs and attorney’s fees) against Camco and may apply for judgment  
15 as to the same. [See CL ¶ 6];<sup>2</sup>
- 16 • The Court denies all of Camco’s affirmative defenses. [See CL ¶ 8];
- 17 • Helix is entitled to prejudgment interest pursuant to NRS 108.237 and/or NRS  
18 17.130 and is granted leave to apply for the same by way of an amendment or  
19 supplement to these Findings of Fact and Conclusions of Law and for judgment as  
20 to the same. [See CL ¶ 9];
- 21 • Helix is the prevailing party and/or prevailing lien claimant as to Camco and is  
22 entitled to an award of reasonable attorney’s fees pursuant to NRS 108.237 and/or  
23 Camco Subcontract. Helix is granted leave to apply for the same. [See CL ¶ 9];  
24 and

25 ///

26 ///

27 \_\_\_\_\_  
<sup>1</sup> See Exhibit 1.

28 <sup>2</sup> The Court has since entered a judgment. By way of this motion, Helix seeks an amended judgment as anticipated  
by the Findings of Fact and Conclusions of Law.

- As the prevailing party, Helix may also apply for an award of costs in accordance with the relevant statutes and for judgment as to the same. [See CL ¶ 10].

As set forth below, Helix hereby requests that the Court award it attorney's fees, costs and interest against Camco.

## **II. ARGUMENT/AUTHORITY**

### **A. Helix is entitled to Costs.**

NRS 18.110(1) provides:

The party in whose favor judgment is rendered, and who claims costs, must file with the clerk, and serve a copy upon the adverse party, within 5 days after the entry of judgment, or such further time as the court or judge may grant, a memorandum of the items of the costs in the action or proceeding, which memorandum must be verified by the oath of the party, or the party's attorney or agent, or by the clerk of the party's attorney, stating that to the best of his or her knowledge and belief the items are correct, and that the costs have been necessarily incurred in the action or proceeding.

Attached to this Motion as **Exhibit 2** is Helix's Verified Memorandum of Costs ("Verified Memorandum") identifying the costs that may and should be awarded to Helix pursuant to NRS 17.005 in the amount of \$19,021.90.

Helix's Verified Memorandum was submitted to this Court on May 3, 2018. Pursuant to NRS 18.110(4), Camco was required to file a motion to retax costs within two days thereafter. Having failed to do so, Camco has waived its right to object and the costs should be awarded. Irrespective of such waiver, these costs were, as set forth in the Verified Memorandum, (i) expended by or on behalf of Helix, (ii) necessarily incurred and paid in this action and (iii) awardable as costs pursuant to NRS 18.005. [See Ex. 2]. Accordingly, Helix respectfully requests that the Court award costs in the amount of \$19,021.90.

### **B. Helix is Entitled to Prejudgment Interest.**

Helix is entitled to prejudgment interest pursuant to NRS 108.237. Pursuant to NRS 108.237, the Court shall calculate interest based upon the rate agreed upon in the lien claimant's contract, if any, or at prime plus 4 percent. *See* NRS 108.237(2). While NRS 108.237 does not expressly identify the date upon which interest begins to run, that date is presumably the date of the Notice of Lien, which for Helix was December 18, 2008. [See Trial Exhibit 805-001]. Here,

the Camco Subcontract does not contain an interest provision.

Because the statutory interest will result in a higher recovery, the Court should award interest pursuant to NRS 108.237(2) – i.e., prime plus 4 percent calculated from the date its lien was first recorded, January 12, 2009. [See Trial Exhibit 512-007]. Interest is calculated as follows in accordance with the prime rate as ascertained by the Commissioner of Financial Institutions of Nevada:<sup>3</sup>

| <u>Period</u>                    | <u>Prime Rate</u> | <u>Interest Earned</u> |
|----------------------------------|-------------------|------------------------|
| January 13, 2009 - June 30, 2009 | 3.25%             | \$12,482.85            |
| July 1, 2009 – December 31, 2009 | 3.25%             | \$13,608.99            |
| January 1, 2010 – June 30, 2010  | 3.25%             | \$13,608.99            |
| July 1, 2010 – December 31, 2010 | 3.25%             | \$13,608.99            |
| January 1, 2011 – June 30, 2011  | 3.25%             | \$13,608.99            |
| July 1, 2011 – December 31, 2012 | 3.25%             | \$13,608.99            |
| January 1, 2012 – June 30, 2012  | 3.25%             | \$13,608.99            |
| July 1, 2012 – December 31, 2012 | 3.25%             | \$13,608.99            |
| January 1, 2013 – June 30, 2013  | 3.25%             | \$13,608.99            |
| July 1, 2013 – December 31, 2013 | 3.25%             | \$13,608.99            |
| January 1, 2014 – June 30, 2014  | 3.25%             | \$13,608.99            |
| July 1, 2014 – December 31, 2014 | 3.25%             | \$13,608.99            |
| January 1, 2015 – June 30, 2015  | 3.25%             | \$13,608.99            |
| July 1, 2015 – December 31, 2015 | 3.25%             | \$13,608.99            |
| January 1, 2016 – June 30, 2016  | 3.50%             | \$14,603.33            |
| July 1, 2016 – December 31, 2016 | 3.50%             | \$14,603.33            |
| January 1, 2017 – June 30, 2017  | 3.75%             | \$15,646.43            |
| July 1, 2017 – December 31, 2017 | 4.25%             | \$17,732.62            |

<sup>3</sup> See Exhibit 3.



|   |      |                     |
|---|------|---------------------|
| January 1, 2018 – May 31, 2018 <sup>4</sup> | 4.50 | \$18,775.72         |
| <b>TOTAL INTEREST:</b>                      |      | <b>\$270,761.37</b> |

**C. Helix is Entitled to Reasonable Attorney's Fees**

The award of costs and attorneys' fees to Helix under NRS 108.237 is mandatory<sup>5</sup>, but the attorneys' fees must be reasonable. *See Parodi v. Budetti*, 115 Nev. 236, 984 P.2d 172, 176 n. 4 (1999). In *Brunzell v. Golden Gate Nat'l Bank* and *Shuette v. Beazer Homes Holding Corp.*, the Nevada Supreme Court enumerated the factors that the district court should consider in awarding attorney fees. *See Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829, 192 P.3d 730, 736 (2008). Specifically, this Court must consider the following factors, with no one factor controlling:

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

More recently, the Nevada Supreme Court recognized the continued applicability of these factors and required the district court to provide sufficient reasoning and findings in support of its ultimate determination. *See Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 829, 192 P.3d 730, 736 (2008).

In support of its claim that Helix's attorneys' fees are reasonable, Helix has submitted

<sup>4</sup> Helix assumes an Order on the present motion will not be issued until at least May 31, 2018. Helix is also entitled to continuing interest once the interest judgment is entered as a judgment.

<sup>5</sup> NRS 108.237(1) provides: The court shall award to a prevailing lien claimant, whether on its lien or on a surety bond, the lienable amount found due to the lien claimant by the court and the cost of preparing and recording the notice of lien, including, without limitation, attorney's fees, if any, and interest. The court shall also award to the prevailing lien claimant, whether on its lien or on a surety bond, the costs of the proceedings, including, without limitation, reasonable attorney's fees, the costs for representation of the lien claimant in the proceedings, and any other amounts as the court may find to be justly due and owing to the lien claimant. [Emphasis added].

1 among other things, an affidavit of Helix's attorney and time records for which recovery is  
2 sought. [See **Exhibits 4 and 5**]. These documents show that the amount of time and labor Helix's  
3 attorneys expended was reasonable; that Helix's attorneys demonstrated the skill requisite to  
4 perform the legal service properly; that Helix's attorneys' hourly rates were customary; that  
5 Helix's overall attorneys' fees were consistent with a case of this nature; and that Helix's  
6 attorneys held a high level of experience, reputation, and abilities with respect to cases of this  
7 nature. Under the circumstances, Helix's attorneys' fees are reasonable. Finally, and although  
8 Helix is entitled to attorney's fees from the commencement of the action, Helix is seeking only  
9 those fees incurred since *en banc* review was denied by the Nevada Supreme Court on February  
10 19, 2016 with respect to the issue of priority (on which Helix and Camco were aligned), after  
11 which Helix began pursuing claims against Camco in earnest.

12 **1. *Experience and Qualification of Helix's Attorneys***

13 Helix's attorneys are experienced and qualified to handle this type of case. Peel Brimley  
14 is a Henderson, Nevada based law firm currently consisting of eight attorneys and one paralegal.<sup>6</sup>  
15 Peel Brimley's primary practice is construction law, and although the majority of Peel Brimley's  
16 clients are subcontractors, Peel Brimley also represents owners, engineers, architects, general  
17 contractors and suppliers in a variety of construction related matters.<sup>7</sup> Peel Brimley's clientele  
18 has consisted of some of the largest and most respected construction related companies operating  
19 in Nevada.<sup>8</sup>

20 Peel Brimley and its partners have taken a lead role in instructing and teaching the  
21 construction community in a wide range of construction related classes and seminars sponsored  
22 by various trade, professional, and educational organizations (e.g., Lorman Education Services,  
23 Associated General Contractors, National Business Institute, The Seminar Group, and various  
24 local construction trade organizations).<sup>9</sup> Peel Brimley's partners have lectured and presented  
25 materials at many construction related seminars and classes in Las Vegas and Seattle addressing  
26 the following topics: advanced construction law, construction payment remedies, mechanic's lien

27 <sup>6</sup> See, **Exhibit 4**.

28 <sup>7</sup> See, **Exhibit 4**.

<sup>8</sup> See, **Exhibit 4**.

<sup>9</sup> See, **Exhibit 4**.

1 law and strategies, construction law and practice, Nevada construction law, Nevada construction  
2 issues, construction defects, and other related topics.<sup>10</sup>

3 In addition, Peel Brimley is and has been extensively involved in drafting and passing  
4 construction related legislation sponsored by construction organizations such as: Sheet Metal &  
5 Air Conditioning Contractors Nat'l Assoc. (SMACNA) of Southern Nevada, Associated General  
6 Contractors (AGC), Plumbing & Mechanical Contractors of Nevada, Associated Building  
7 Contractors (ABC), National Electrical Contractors Association (NECA), Mechanical  
8 Contractors Association (MCA), Nevada Association of Mechanical Contractors, and others.<sup>11</sup>

9 Peel Brimley drafted and lobbied for Nevada's public works prompt pay statute, NRS 338.400  
10 through 338.645, which passed in 1999, and Nevada's new private right to stop work legislation,  
11 NRS 624.606 through 624.630, which became effective October 1, 2001 and was amended in  
12 2003 & 2005, including some of the very provisions Helix relied upon in its motions and at  
13 trial.<sup>12</sup> Also, Peel Brimley drafted and introduced several senate bills which passed in the 2001,  
14 2003 & 2005 legislative session, which made extensive modification, changes, and additions to  
15 Nevada's existing mechanic's lien statutes, NRS 108.221 through 108.246, including some of the  
16 very provisions Helix relied upon in its motions and at trial.<sup>13</sup>

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

26 <sup>10</sup> See, Exhibit 4.

27 <sup>11</sup> See, Exhibit 4.

28 <sup>12</sup> See, Exhibit 4.

<sup>13</sup> See, Exhibit 4.

<sup>14</sup> See, Exhibit 4.

1 In addition to the partners, Peel Brimley has hired qualified and experienced associates,  
2 most with established backgrounds in construction law.<sup>15</sup> Peel Brimley's associates have access  
3 to a variety of construction materials and resources gathered by the firm, access to partners and  
4 senior associates experienced in the construction industry, and ample opportunities to participate  
5 in construction related training classes and seminars inside and outside of the firm.<sup>16</sup>

6 Helix's lead trial counsel is Eric Zimbelman, a Partner in Peel Brimley LLP. Mr.  
7 Zimbelman has been principally responsible for the prosecution of Helix's claims against Camco  
8 since no later than 2015. He was also heavily involved in the District Court proceedings prior to  
9 and during the Writ Petition proceedings at the Nevada Supreme Court regarding lien priority.  
10 He also worked extensively on the Joint Writ Petition and related briefing to the Nevada  
11 Supreme Court, working hand in hand with, among others, counsel for APCO Construction. He  
12 also sat at counsel table for the oral argument at the Supreme Court and assisted in preparing  
13 APCO's counsel for argument.

14 Mr. Zimbelman has been licensed to practice law since 1992 (Washington) and was  
15 admitted in Nevada in 2005 and in North Dakota in 2014. He is admitted to practice before the  
16 Court of Federal Claims, the US District Courts for the Western District of Washington and the  
17 District of Nevada, the Ninth Circuit Court of Appeals, and the United States Supreme Court.  
18 He has also been admitted *pro hac vice* in multiple state and federal jurisdictions. In addition to  
19 numerous trials and arbitrations in multiple states, Mr. Zimbelman has several reported favorable  
20 appellate decisions including *Byrd Underground v. Angaur, LLC*, 332 P.3d 273 (Nevada  
21 Supreme Court, 2014).

## 22 2. *Peel Brimley's Rates*

23 Helix's attorneys' billing rates are reasonable. Peel Brimley performed its work under an  
24 hourly rate contract with Helix, charging the following rates:

|             |                     |
|-------------|---------------------|
| Partners:   | \$310-\$375         |
| Associates: | \$250-\$275         |
| Paralegals: | \$125 <sup>17</sup> |

27 <sup>15</sup> See, Exhibit 4.

28 <sup>16</sup> See, Exhibit 4.

<sup>17</sup> See, Exhibit 4.

1 The rates Helix paid are comparable to the rates charged by other similarly situated  
2 attorneys who practice construction law and have the same or similar level of skill.<sup>18</sup>

3 **3. The difficulty of the work**

4 This Court is of course aware of the nature and complexity of the claims, defense and  
5 legal issues addressed in motions and at trial with respect to this long-running, multi-party  
6 consolidated action. Among other issues, Helix's attorneys successfully briefed and obtained a  
7 summary judgment with respect to Pay-if-Paid and otherwise successfully navigated their clients  
8 through complex statutory and common law claims and defenses. This case has been unusually  
9 challenging in many respects, requiring skilled and experienced counsel.

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

11 Owing at least in part to the experience, skills and efforts of its counsel, Helix received an  
12 award of 100% of its claims. Such a result weighs strongly in favor of an award of the fees  
13 requested.

14 **III. CONCLUSION**

15 Based on the foregoing, this Court should award Helix the following: (i) interest in the  
16 amount of \$270,761.37 through May 31, 2018 (and continuing to accrue until paid), (ii) costs of  
17 \$19,021.90 and (iii) reasonable attorneys' fees in the amount of \$153,342.10.

18 Helix therefore requests a total amended judgment in the amount of \$1,277,601.82 with  
19 interest accruing thereon from the date of judgment at prime plus 4%.

20 Respectfully submitted this 31 day of May, 2018.

21 **PEEL BRIMLEY LLP**

22  #11776  
ERIC B. ZIMBELMAN, ESQ.

23 Nevada Bar No. 9407

24 RICHARD L. PEEL, ESQ.

25 Nevada Bar No. 4359

26 3333 E. Serene Avenue, Suite 200

27 Henderson, NV 89074-6571

28 *Attorneys for Helix Electric of Nevada, LLC*

<sup>18</sup> See, Exhibit 4.

**CERTIFICATE OF SERVICE**

Pursuant to Nev. R. Civ. P. 5(b), I certify that I am an employee of **PEEL BRIMLEY, LLP**, and that on this 31st day of May, 2018, I caused the above and foregoing document, **HELIX ELECTRIC OF NEVADA, LLC'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS** to be served as follows:

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

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

**Apco Construction:**

Rosie Wesp ([rwesp@maclaw.com](mailto:rwesp@maclaw.com))

**Camco Pacific Construction Co Inc:**

Steven Morris ([steve@gmdlegal.com](mailto:steve@gmdlegal.com))

**Camco Pacific Construction Co Inc:**

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**Fidelity & Deposit Company Of Maryland:**

Steven Morris ([steve@gmdlegal.com](mailto:steve@gmdlegal.com))

**E & E Fire Protection LLC:**

Tracy Truman ([district@trumanlegal.com](mailto:district@trumanlegal.com))

**Interstate Plumbing & Air Conditioning Inc:**

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**National Wood Products, Inc.'s:**

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Tammy Cortez ([tcortez@caddenfuller.com](mailto:tcortez@caddenfuller.com))

S. Judy Hirahara ([jhirahara@caddenfuller.com](mailto:jhirahara@caddenfuller.com))

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Richard Reincke ([rreincke@caddenfuller.com](mailto:rreincke@caddenfuller.com))

**Chaper 7 Trustee:**

Jonathan Dabbieri ([dabbieri@sullivanhill.com](mailto:dabbieri@sullivanhill.com))

Jennifer Saurer ([Saurer@sullivanhill.com](mailto:Saurer@sullivanhill.com))

Gianna Garcia ([ggarcia@sullivanhill.com](mailto:ggarcia@sullivanhill.com))

Elizabeth Stephens ([stephens@sullivanhill.com](mailto:stephens@sullivanhill.com))

**United Subcontractors Inc:**

Bradley Slighting ([bslighting@fabianvancott.com](mailto:bslighting@fabianvancott.com))

**Other Service Contacts not associated with a party on the case:**

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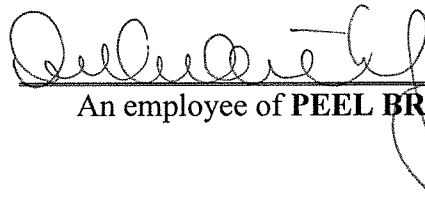
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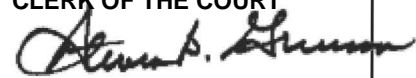
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An employee of **PEEL BRIMLEY, LLP**



# **Exhibit 1**



DISTRICT COURT  
CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada  
corporation,

Plaintiff,

vs

GEMSTONE DEVELOPMENT WEST, INC.,  
Nevada corporation; NEVADA  
CONSTRUCTION SERVICES, a Nevada  
corporation; SCOTT FINANCIAL  
CORPORATION, a North Dakota  
corporation; COMMONWEALTH LAND  
TITLE INSURANCE COMPANY; FIRST  
AMERICAN TITLE INSURANCE  
COMPANY and DOES I through X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A571228

DEPT. NO.: XIII

*Consolidated with:*

A571792, A574391, A577623, A580889,  
A583289, A584730, and A587168

**FINDINGS OF FACT AND  
CONCLUSIONS OF LAW AS TO THE  
CLAIMS OF HELIX ELECTRIC OF  
NEVADA, LLC AGAINST CAMCO  
PACIFIC CONSTRUCTION, INC.**

This matter came on for trial on January 17-19, 23-24, 31 and February 6, 2018,  
before the Honorable Mark Denton in Dept. 13, and the following parties having appeared  
through the following counsel:

| <u>Party</u>                                   | <u>Counsel for Party</u>  |
|--|---|
| Apco Construction Co., Inc. ("Apco")           | John Randall Jeffries, Esq. and<br>Mary E. Bacon, Esq. of the Law<br>Firm of Spencer Fane LLP |
| Camco Pacific Construction Co., Inc. ("Camco") | Steven L. Morris, Esq. of the Law<br>Firm of the Law Firm of Grant<br>Morris Dodds            |
| Helix Electric of Nevada, LLC ("Helix")        | Eric Zimbelman, Esq. and the Law<br>Firm of Peel Brimley LLP                                  |
| Heinaman Contract Glazing, Inc. ("Heinaman")   | Eric Zimbelman, Esq. and the Law<br>Firm of Peel Brimley LLP                                  |
| Fast Glass, Inc. ("Fast Glass")                | Eric Zimbelman, Esq. and the Law<br>Firm of Peel Brimley LLP                                  |

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MARK R. DENTON  
DISTRICT JUDGE

DEPARTMENT THIRTEEN  
LAS VEGAS, NV 89155

JA006565

|  |  |
|--|--|
| Cactus Rose Construction Co., Inc. ("Cactus Rose") | Eric Zimbelman, Esq. and the Law Firm of Peel Brimley LLP              |
| SWPPP Compliance Solutions, Inc. ("SWPPP")         | Eric Zimbelman, Esq. and the Law Firm of Peel Brimley LLP              |
| National Wood Products, LLC ("National Wood")      | John B. Taylor, Esq. of the Law Firm of Cadden & Fuller LLP            |
| E&E Fire Protection, LLC ("E&E").                  | T. James Truman, Esq. of the Law Firm of T. James Truman, & Associates |

**A. Procedural History.**

1. This is one of the oldest cases on the Court's docket. This action arises out of a construction project in Las Vegas, Nevada known as the Manhattan West Condominiums Project ("the Project") located at West Russell Road and Rocky Hill Street in Clark County Nevada, APNs 163-32-101-003 through 163-32-101-005, 163-32-101-010 and 163-32-101-014 (the "Property" and/or "Project"), owned by Gemstone Development West, Inc. ("Gemstone" or "the Owner").

2. Gemstone hired APCO, and, subsequently, Camco as its general contractors, who in turn entered into subcontract agreements with various subcontractors. In December 2008 the Owner suspended the Project and advised the various contractors that Gemstone's lender did not expect to disburse further funds for construction. The Project was never completed. Numerous contractors, including the parties hereto, recorded mechanic's liens against the Property.

3. After several years of litigation and a Writ Action to determine the priority of the various lienors (during which the Property was sold, the proceeds of the same held in a blocked account and this action was stayed), the Nevada Supreme Court ruled that the Owner's lenders had priority over the proceeds of the sale of the Property, holding that the NRS Ch. 108 mechanic's liens were junior to the lenders' deeds of trust. The Court subsequently ordered the proceeds be released to the lenders. Thereafter, the stay was lifted and many of the trade contractors continued to pursue claims for non-payment from

1 APCO and Camco. The trial focused on these claims. The Court has separately treated  
2 Helix's claims against APCO and has made or is making separate Findings of Fact and  
3 Conclusions of Law regarding the same.

4 **B. Significant Pre-Trial Orders**

5 1. **Order Granting Partial Summary Judgment re: Pay-if-Paid.** On  
6 January 2, 2018, this Court issued an Order granting a Motion for Partial Summary  
7 Judgment brought by a group of subcontractors represented by the Peel Brimley Law Firm  
8 (the "Peel Brimley Lien Claimants"<sup>1</sup>) and joined in by others. Generally, but without  
9 limitation, the Court concluded that, pursuant to NRS 624.624 and *Lehrer McGovern*  
10 *Bovis, Inc. v. Bullock Insulation, Inc.*, 124 Nev. 1102, 1117-18, 197 P.3d 1032, 1042 (Nev.  
11 2008), higher-tiered contractors, such as APCO and Camco, are required to pay their  
12 lower-tiered subcontractors within the time periods set forth in NRS 624.626(1) and may  
13 not fail to make such payment based on so-called "pay-if-paid" agreements ("Pay-if-Paid")  
14 that are against public policy, void and unenforceable except under limited circumstances.  
15 Accordingly, the Court ruled that APCO and Camco may not assert or rely on a defense to  
16 their payment obligations to the party subcontractors that is based on a pay-if-paid  
17 agreement.

18 2. **Order on Peel Brimley Lien Claimants' Motion in Limine Against**  
19 **Camco.** On December 29, 2017 the Court issued an order on motions *in limine* brought by  
20 the Peel Brimley Lien Claimants Against Camco. Specifically, the Court precluded Camco  
21 from asserting or offering evidence that any of the Peel Brimley Lien Claimants' work on  
22 the Project was (i) defective, (ii) not done in a workmanlike manner or (iii) not done in  
23 compliance with the terms of the parties' agreement because Camco's person most  
24 knowledgeable was not aware of, and Camco did not otherwise offer, any evidence to  
25 support such claims. For the same reason, the Court also precluded Camco from asserting  
26 or offering evidence at trial that the Peel Brimley Lien Claimants have breached their

27 \_\_\_\_\_  
28 <sup>1</sup> The Peel Brimley Lien Claimants are: Helix, Heinaman, Fast Glass, Cactus Rose and SWPPP.

1 agreements other than with respect to pay-if-paid agreements, evidence and argument of  
2 which is otherwise precluded by the Partial Summary Judgment discussed above. For the  
3 same reason, the Court also precluded Camco from asserting or offering evidence at trial to  
4 dispute the amounts invoiced, paid and that remain to be owed as asserted by the Peel  
5 Brimley Lien Claimants in their respective Requests for Admission. For the same reason,  
6 the Court also precluded Camco from asserting or offering evidence at trial that any liens  
7 recorded by the Peel Brimley Lien Claimants were in any way defective or unperfected  
8 and are otherwise valid and enforceable.

9 **C. Findings of Fact.**

10 Having received evidence and having heard argument of counsel, the Court makes  
11 the following Findings of Fact:

12 1. The original general contractor on the Project was APCO. Gemstone and  
13 APCO entered into the ManhattanWest General Construction Agreement for GMP (the  
14 "APCO-Gemstone Agreement") on or about September 6, 2006. [See **Exhibit 2**].

15 2. After APCO ceased work on the Project, Gemstone hired Camco to be its  
16 general contractor pursuant to an Amended and Restated ManhattanWest General  
17 Construction Agreement effective as of August 25, 2008 ("the Camco-Gemstone  
18 Agreement"). [See **Exhibit 162**].

19 3. Camco continued the same payment application format and numbering and  
20 same schedule of values that APCO had been following. [See **Exhibit 218**; TR5-30:21-  
21 31:4].<sup>2</sup> Like APCO before it, Camco compiled and included in its payment applications to  
22 Gemstone the amounts billed by its subcontractors, including Helix. [See e.g., **Exhibit**  
23 **522-001-011**]. Also like the APCO-Gemstone Agreement, the Camco-Gemstone  
24 Agreement required Camco, upon receipt of a progress payment from Gemstone, to  
25 "promptly pay each [subcontractor] the amount represented by the portion of the  
26 Percentage of the Work Completed that was completed by such [subcontractor]." [Ex. 162-

27 \_\_\_\_\_  
28 <sup>2</sup> Testimony of Dave Parry.

1 010, ¶7.03(e)).<sup>3</sup> It is only after Gemstone announced that the Project would be suspended  
2 that Camco asserted otherwise.

3 4. Camco's initial letter to subcontractors following Gemstone's  
4 announcement demonstrates both that it believed it had subcontracts (because it purported  
5 to terminate the same) and that it intended to continue to forward payment applications to  
6 Gemstone. [See e.g., Exhibit 804-003-004]. Specifically, Camco wrote:

7 Camco is left with no choice but to terminate our agreement with Gemstone  
8 and all subcontracts on the Project, including our agreement with your  
9 company. Accordingly, we have terminated for cause our agreement with  
10 Gemstone, effective December 19, 2008, and we hereby terminate for  
11 convenience our subcontract with your company, effective immediately.

12 Please submit to Camco all amounts you believe are due and owing on your  
13 subcontract. We will review and advise you of any issues regarding any  
14 amounts you claim are owed. For all amounts that should properly be billed to  
15 Gemstone, Camco will forward to Gemstone such amounts for payment y  
16 Gemstone. If your claims appear to be excessive, we will ask you to justify  
17 and/or revise the amount.

18 [See e.g., Ex. 804-003-004].

19 5. Camco quickly retracted its initial communication and replaced it with a  
20 second letter [See e.g., Ex. 804-005-007] asking the subcontractors to "please disregard  
21 previous letter which was sent in error." [See e.g., Ex. 804-005]. Among other things,  
22 Camco's second letter:

- 23 • Deleted its statement that it had terminated the Camco-Gemstone  
24 Agreement (while continuing to terminate the subcontractors);
- 25 • Asserts that the subcontractors agreed to Pay-if-Paid and accepted the risk  
26 of non-payment from the owner (which is also Pay-if-Paid); and,
- 27 • Stated, inaccurately, that "Camco's contract with Gemstone is a cost-plus  
28 agreement wherein the subcontractors and suppliers were paid directly by  
Gemstone and/or its agent Nevada Construction Services." [See e.g., Ex.

---

<sup>3</sup> Unlike APCO and the subcontractors, no retention was to be withheld from the contractor's fee to be paid to Camco (though retention continued to be withheld from subcontractors). [Ex. 162-010, ¶7.03(a)].

1 804-007].

2 While Gemstone eventually did make partial payment through NCS and not Camco [*see*  
3 discussion, *infra*], the Camco-Gemstone Agreement expressly required Camco, upon  
4 receipt of a progress payment from Gemstone, to “promptly pay each [subcontractor] the  
5 amount represented by the portion of the Percentage of the Work Completed that was  
6 completed by such [subcontractor].” [Ex. 162-010, ¶7.03(e)].

7 6. Some subcontractors stopped working after APCO left the Project. Others,  
8 such as Helix, continued to work on the Project and began working for Camco as the  
9 general contractor. Others, such as Heinaman, Fast Glass, Cactus Rose and SWPPP started  
10 working on the Project only after APCO left and worked only for Camco.

11 7. Camco presented some subcontractors with a standard form subcontract  
12 Agreement (“the Camco Subcontract”), a representative example of which is Camco’s  
13 subcontract with Fast Glass. [See **Exhibit 801-007-040**; TR5-57:8-16].<sup>4</sup> Among other  
14 provisions, the Camco Subcontract (consistent with the Camco-Gemstone Agreement),  
15 requires Camco, no later than 10 days after receiving payment from Gemstone in response  
16 to its payment applications, to “pay to Subcontractor, in monthly progress payments, 90%<sup>5</sup>  
17 of labor and materials placed in position by Subcontractor during [the month preceding a  
18 payment application].” [See Ex. 701-012, ¶ II(C)].

19 8. Despite and contrary to the payment provisions of the Camco-Gemstone  
20 Agreement [*see supra* and Ex. 162-010, ¶7.03(e)] and the Camco Subcontract [See Ex.  
21 701-012, ¶ II(C)], no monies were ever distributed to the subcontractors through Camco.  
22 Instead, and until it ceased making payments, Gemstone released funds to NCS, which  
23 issued checks “on behalf of Camco Pacific” to some of the subcontractors and/or joint  
24 checks to the subcontractors and their lower tiers, including Helix and its lower tiers. [See  
25 e.g., Exhibit 508-062 (NCS check no. 531544 to Helix and its lower tier, Graybar Electric  
26 “on behalf of Camco Pacific.”)].

27 <sup>4</sup> Testimony of Dave Parry.

28 <sup>5</sup> i.e., less retention.

1           9.       Camco also presented subcontractors who had previously worked for  
2       APCO, including Helix and Cabintec (National Wood), with a document titled Ratification  
3       and Amendment of Subcontract Agreement ("the Camco Ratification"). [See e.g., Exhibit  
4       3164].

5           10.      Helix admitted in its Complaint and in its lien documents that it entered into  
6       the Camco Subcontract and the Camco Ratification.

7           11.      As it was instructed to do, Camco continued to perform the work it had  
8       agreed to perform on the Project until Gemstone suspended work on December 15, 2008.  
9       As it was also instructed to do, Helix submitted payment applications to Camco using the  
10      same forms and same procedures as it had employed while APCO was still on the Project.  
11      [See e.g., Ex. 508-067-074]. Camco in turn submitted its pay applications to Gemstone in  
12      the same way, and using the same forms, as APCO had used. [See e.g., Ex. 522-001-011].

13          12.      Helix submitted gross payment applications to Camco totaling  
14      \$1,010,255.25 (i.e., inclusive of retention). [See Ex. 508-001-002; 037-038; 049; 068-  
15      069].<sup>6</sup> Helix was paid only \$175,778.80 and is owed the balance, \$834,476.45.

16          13.      The Court finds that Helix and Camco entered into a  
17      contractor/subcontractor relationship and agreement whereby they agreed on the material  
18      terms of a contract – i.e., the work to be performed, the price for the work and Camco's  
19      obligation to pay. The Court finds that Camco breached its obligation to pay Helix the sum  
20      of \$834,476.45.

21          14.      Helix provided undisputed testimony that the amounts it billed were  
22      reasonable for the work performed. [TR2-71:22-72:3].<sup>7</sup> Because (i) this testimony was  
23      undisputed, (ii) Camco submitted these amounts on its certified pay applications to  
24      Gemstone, and (iii) Helix was paid in part for these amounts, the Court finds that the  
25      amounts Helix billed Camco for its work were reasonable for the work performed.

26                    

---

<sup>6</sup> See also summary document, Ex. 508-061, which does not include Pay Application No. 15. [See  
27      TR3-68:17-69:7].

28                    <sup>7</sup> Testimony of Andy Rivera.



1           15.     Helix presented undisputed evidence, and the Court finds, that Helix timely  
2 recorded a mechanic's lien, as amended ("the Helix Lien"), pursuant to NRS Chapter 108  
3 and perfected the same. [See **Exhibit 512**]. The Helix Lien identified both APCO and  
4 Camco as the "person by whom the lien claimant was employed or to whom the lien  
5 claimant furnished or agreed to furnish work, materials or equipment." [See *e.g.*, Ex. 512-  
6 007, 009].

7           16.     Any finding of fact herein that is more appropriately deemed a conclusion  
8 of law shall be treated as such.

9           FROM the foregoing Findings of Fact, the Court hereby makes the following

10           **B.     Conclusions of Law.**

11           1.     "Basic contract principles require, for an enforceable contract, an offer and  
12 acceptance, meeting of the minds, and consideration." *May v. Anderson*, 121 Nev. 668,  
13 672, 119 P.3d 1254, 1257 (2005). A meeting of the minds exists when the parties have  
14 agreed upon the contract's essential terms. *Roth v. Scott*, 112 Nev. 1078, 1083, 921 P.2d  
15 1262, 1265 (1996). Which terms are essential "depends on the agreement and its context  
16 and also on the subsequent conduct of the parties, including the dispute which arises and  
17 the remedy sought." Restatement (Second) of Contracts § 131 cmt. g (1981). Whether a  
18 contract exists is a question of fact and the District Court's findings will be upheld unless  
19 they are clearly erroneous or not based on substantial evidence. *May*, 121 Nev. at 672-73,  
20 119 P.3d at 1257.

21           2.     The Court concludes that Camco and Helix entered into a contract whereby  
22 they agreed on the material terms of a contract – i.e., the work to be performed, the price  
23 therefore and Camco's obligation to pay. The Court further concludes that Camco failed to  
24 pay Helix the undisputed sum of \$834,476.45 without excuse (other than Camco's reliance  
25 on Pay-if-Paid, which the Court has previously rejected).

26           3.     Camco did not dispute Helix's testimony that the amounts it billed were a  
27 reasonable value for the work performed, and the reasonableness thereof was demonstrated  
28

1 by Camco's payment in part and its inclusion of Helix's billings in its own payment  
2 applications to Gemstone. The court therefore concludes that the unpaid value of Helix's  
3 work while Camco was on site as the general contractor is \$834,476.45 and that Helix  
4 should be awarded that principal amount against Camco for that principal amount.

5 4. The Court rejects Camco's argument that it is not liable to Helix (and other  
6 subcontractors) because it never received payment from Gemstone who instead made  
7 payments to subcontractors through the disbursement company, NCS. Camco's position  
8 notwithstanding, both the Camco-Gemstone Agreement and the Camco Subcontract  
9 demonstrate that (consistent with the APCO-Gemstone Agreement and the APCO  
10 Subcontract) payments to subcontractors were intended to flow through the general  
11 contractor. Camco presented no evidence that Helix or any other subcontractor consented  
12 in advance to Gemstone's eventual decision to release payments (in part) through NCS and  
13 not Camco.

14 5. Similarly, the Court rejects Camco's contention that the Court's decision on  
15 Pay-if-Paid is inapplicable because it was "impossible" for Camco to have paid Helix and  
16 other subcontractors. Camco presented no evidence that it, for example, declared  
17 Gemstone to be in breach for failing to make payments through Camco rather than through  
18 NCS. Instead, Camco appears to have acceded to Gemstone's deviation from the contract  
19 and, at least until Gemstone announced that it was suspending construction, continued to  
20 process subcontractor payment applications and submit them to Gemstone. Camco's  
21 "impossibility" claim is, in any event, another form of Pay-if-Paid, against the public  
22 policy of Nevada, void and unenforceable and barred by this Court's summary judgment.

23 6. Helix is entitled to the principal sum of \$834,476.45 against Camco which  
24 will be the subject of a judgment to be entered by the Court.

25 7. The Court denies all of Camco's affirmative defenses.

26 8. Helix is entitled to prejudgment interest pursuant to NRS 108.237 and/or  
27 NRS 17.130.

28

9. Helix is the prevailing party and/or prevailing lien claimant as to Camco and Helix and is entitled to an award of reasonable attorney's fees pursuant to NRS 108.237 and/or the Camco Subcontract. Helix is granted leave to separately apply for the same.

10. As the prevailing party, Helix may also apply for an award of costs against Camco in accordance with the relevant statutes and for judgment as to the same.

11. Any conclusion of law herein that is more appropriately deemed a finding of fact shall be treated as such.

## ORDER

NOW, THEREFORE, the Court hereby directs entry of the foregoing Findings of Fact and Conclusions of Law; and

IT IS FURTHER ORDERED that, based upon the foregoing Findings of Fact and Conclusions of Law, and those made regarding the other parties and claims involved in the consolidated cases, the Court shall issue a separate Judgment or Judgments reflective of the same at the appropriate time subject to further order of the Court.

DATED this 24 day of April, 2018,

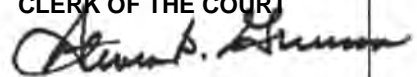
DISTRICT COURT JUDGE

## CERTIFICATE

I hereby certify that on or about the date filed, this document was Electronically Served to the Counsel on Record on the Clark County E-File Electronic Service List.

LORRAINE TASHIRO  
Judicial Executive Assistant  
Dept. No. XIII

# **Exhibit 2**



ERIC B. ZIMBELMAN, ESQ.  
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RICHARD L. PEEL, ESQ.  
Nevada Bar No. 4359  
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*Attorneys for Helix Electric of Nevada, LLC*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

APCO CONSTRUCTION, a Nevada  
corporation,

Plaintiff,

vs.

GEMSTONE DEVELOPMENT WEST,  
INC., Nevada corporation; NEVADA  
CONSTRUCTION SERVICES, a Nevada  
corporation; SCOTT FINANCIAL  
CORPORATION, a North Dakota  
corporation; COMMONWEALTH LAND  
TITLE INSURANCE COMPANY; FIRST  
AMERICAN TITLE INSURANCE  
COMPANY and DOES I through X,

Defendants.

AND ALL RELATED MATTERS

Case No. : 08A571228  
Dept. No. : XIII

*Consolidated with:*  
*A571792, A574391, A577623, A580889,*  
*A583289, A584730, and A587168*

**MEMORANDUM OF COSTS AND  
DISBURSEMENTS**  
**(Helix Electric of Nevada, LLC)**

|  |             |
|--|-------------|
| Filing (NRS 18.005(1)) .....                     | \$1,125.92  |
| Service of Process (NRS 18.005(7)) .....         | \$641.02    |
| Runner's Fees.....                               | \$876.56    |
| Reporters' fees (NRS 18.005(2)) .....            | \$10,159.59 |
| Fees for Witnesses at Trial (NRS 18.005(4))..... | \$0.00      |
| Telecopies (NRS 18.005(11)) .....                | \$3.50      |

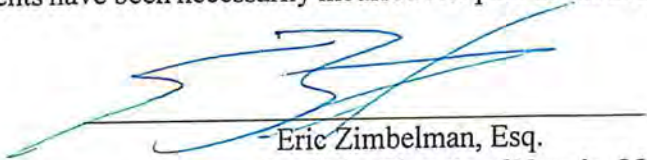
**JA006576**

PEEL BRIMLEY LLP  
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HENDERSON, NEVADA 89074  
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1 Photocopies (NRS 18.005(12)) ..... \$491.97  
2 Long Distance Calls (NRS 18.005(13)) ..... \$8.06  
3 Postage (NRS 18.005(14)) ..... \$181.43  
4 Travel and Lodging taking depositions and conducting discovery (NRS 18.005(15)) ..... \$0.00  
5 Fees charged pursuant to NRS 19.0335 (NRS 18.005(16)) NRS 18.005(17): ..... \$0.00  
6 Reasonable and necessary expenses for computerized services for legal research  
7 reasonable and necessary expense incurred in connection with the action..... \$4,191.36  
8 Mediation Fee ..... \$741.55  
9 **TOTAL.....\$19,021.90**

10  
11 STATE OF NEVADA )  
12 ) ss.  
13 COUNTY OF CLARK )

14 Eric Zimbelman being duly sworn, states: that Affiant is the attorney for the Plaintiff  
15 and has personal knowledge of the above costs and disbursements expended; that the items  
16 contained in the above memorandum are true and correct to the best of this Affiant's knowledge  
17 and belief; and that the said disbursements have been necessarily incurred and paid in this action.

18   
19 Eric Zimbelman, Esq.  
20 Attorney for Helix Electric of Nevada, LLC

21 SIGNED AND SWORN to before me  
22 this 3rd day of May, 2018.

23   
24 NOTARY PUBLIC in and for Said  
25 County and State





**CERTIFICATE OF SERVICE**

Pursuant to Nev. R. Civ. P. 5(b), I certify that I am an employee of **PEEL BRIMLEY, LLP**, and that on this 3rd day of May, 2018, I caused the above and foregoing document, **MEMORANDUM OF COSTS AND DISBURSEMENTS (Helix Electric of Nevada, LLC)**, to be served as follows:

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

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

**Apco Construction:**

Rosie Wesp ([rwesp@maclaw.com](mailto:rwesp@maclaw.com))

**Camco Pacific Construction Co Inc:**

Steven Morris ([steve@gmdlegal.com](mailto:steve@gmdlegal.com))

**Camco Pacific Construction Co Inc:**

Steven Morris ([steve@gmdlegal.com](mailto:steve@gmdlegal.com))

**Fidelity & Deposit Company Of Maryland:**

Steven Morris ([steve@gmdlegal.com](mailto:steve@gmdlegal.com))

**E & E Fire Protection LLC:**

Tracy Truman ([district@trumanlegal.com](mailto:district@trumanlegal.com))

**Interstate Plumbing & Air Conditioning Inc:**

Jonathan Dabbieri ([dabbieri@sullivanhill.com](mailto:dabbieri@sullivanhill.com))

**National Wood Products, Inc.'s:**

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**United Subcontractors Inc:**

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Vivian Bowron ([vbowron@spencerfane.com](mailto:vbowron@spencerfane.com))



An employee of PEEL BRIMLEY, LLP

# **Exhibit 3**

# PRIME INTEREST RATE

**NRS 99.040(1)** requires:

*"When there is no express contract in writing fixing a different rate of interest, interest must be allowed at a rate equal to the prime rate at the largest bank in Nevada, as ascertained by the Commissioner of Financial Institutions, on January 1, or July 1, as the case may be, immediately preceding the date of the transaction, plus 2 percent, upon all money from the time it becomes due, . . . ."*

Following is the prime rate as ascertained by the Commissioner of Financial Institutions:

|                 |               |              |        |
|-----------------|---------------|--------------|--------|
| January 1, 2018 | 4.50%         | July 1, 2018 |        |
| January 1, 2017 | 3.75%         | July 1, 2017 | 4.25%  |
| January 1, 2016 | 3.50%         | July 1, 2016 | 3.50%  |
| January 1, 2015 | 3.25%         | July 1, 2015 | 3.25%  |
| January 1, 2014 | 3.25%         | July 1, 2014 | 3.25%  |
| January 1, 2013 | 3.25%         | July 1, 2013 | 3.25%  |
| January 1, 2012 | 3.25%         | July 1, 2012 | 3.25%  |
| January 1, 2011 | 3.25%         | July 1, 2011 | 3.25%  |
| January 1, 2010 | 3.25%         | July 1, 2010 | 3.25%  |
| January 1, 2009 | 3.25%         | July 1, 2009 | 3.25%  |
| January 1, 2008 | 7.25%         | July 1, 2008 | 5.00%  |
| January 1, 2007 | 8.25%         | July 1, 2007 | 8.25%  |
| January 1, 2006 | 7.25%         | July 1, 2006 | 8.25%  |
| January 1, 2005 | 5.25%         | July 1, 2005 | 6.25%  |
| January 1, 2004 | 4.00%         | July 1, 2004 | 4.25%  |
| January 1, 2003 | 4.25%         | July 1, 2003 | 4.00%  |
| January 1, 2002 | 4.75%         | July 1, 2002 | 4.75%  |
| January 1, 2001 | 9.50%         | July 1, 2001 | 6.75%  |
| January 1, 2000 | 8.25%         | July 1, 2000 | 9.50%  |
| January 1, 1999 | 7.75%         | July 1, 1999 | 7.75%  |
| January 1, 1998 | 8.50%         | July 1, 1998 | 8.50%  |
| January 1, 1997 | 8.25%         | July 1, 1997 | 8.50%  |
| January 1, 1996 | 8.50%         | July 1, 1996 | 8.25%  |
| January 1, 1995 | 8.50%         | July 1, 1995 | 9.00%  |
| January 1, 1994 | 6.00%         | July 1, 1994 | 7.25%  |
| January 1, 1993 | 6.00%         | July 1, 1993 | 6.00%  |
| January 1, 1992 | 6.50%         | July 1, 1992 | 6.50%  |
| January 1, 1991 | 10.00%        | July 1, 1991 | 8.50%  |
| January 1, 1990 | 10.50%        | July 1, 1990 | 10.00% |
| January 1, 1989 | 10.50%        | July 1, 1989 | 11.00% |
| January 1, 1988 | 8.75%         | July 1, 1988 | 9.00%  |
| January 1, 1987 | Not Available | July 1, 1987 | 8.25%  |

**\* Attorney General Opinion No. 98-20:**

*If clearly authorized by the creditor, a collection agency may collect whatever interest on a debt its creditor would be authorized to impose. A collection agency may not impose interest on any account or debt where the creditor has agreed not to impose interest or has otherwise indicated an intent not to collect interest. Simple interest may be imposed at the rate established in NRS 99.040 from the date the debt becomes due on any debt where there is no written contract fixing a different rate of interest, unless the account is an open or store accounts as discussed herein. In the case of open or store accounts, interest may be imposed or awarded only by a court of competent jurisdiction in an action over the debt.*

# **Exhibit 4**

**DECL**  
ERIC B. ZIMBELMAN, ESQ.  
Nevada Bar No. 9407  
RICHARD L. PEEL, ESQ.  
Nevada Bar No. 4359  
**PEEL BRIMLEY LLP**  
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*Attorneys for Helix Electric of Nevada, LLC*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

APCO CONSTRUCTION, a Nevada  
corporation,

Plaintiff,

vs

GEMSTONE DEVELOPMENT WEST, INC.,  
Nevada corporation; NEVADA  
CONSTRUCTION SERVICES, a Nevada  
corporation; SCOTT FINANCIAL  
CORPORATION, a North Dakota  
corporation; COMMONWEALTH LAND  
TITLE INSURANCE COMPANY; FIRST  
AMERICAN TITLE INSURANCE  
COMPANY and DOES I through X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A571228

DEPT. NO.: XIII

*Consolidated with:*  
A571792, A574391, A577623, A580889,  
A583289, A584730, and A587168

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

I, Eric Zimbelman, Esq., declare as follows:

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

///

///

///

2. I make this Declaration in support of Helix Electric of Nevada, LLC's ("Helix") Motion for Attorney's Fees, Interest and Costs. Based on the following, this Court should grant Helix an award of reasonable attorney's fees in the amount of \$153,342.10 as set forth in the summary of billed fees submitted with Helix' Motion. [See Exhibit 5]. Although Helix's counsel also performed work relating to its claims against APCO, Helix is, by way of this motion, only seeking fees with respect to work performed relating to Helix's claims against Camco. In addition, because Helix, APCO, Camco and the other lien claimants involved in this consolidated litigation ("the Lien Claimants") were aligned against the project owner and pursuing their respective lien claims, Helix is only seeking fees incurred after the date the Nevada Supreme Court denied the Lien Claimants motion for en banc review of the Supreme Court's decision granting priority to the lender in February 2016.

3. I have been licensed to practice law since 1992 (Washington) and was admitted in Nevada in 2005 and in North Dakota in 2014. I am admitted to practice before the Court of Federal Claims, the US District Courts for the Western District of Washington and the District of Nevada, the Ninth Circuit Court of Appeals, and the United States Supreme Court. In addition, I have been admitted *pro hac vice* in multiple state and federal jurisdictions. In addition to numerous trials and arbitrations in multiple states over the course of my career, I have several reported favorable appellate decisions including *Byrd Underground v. Angaur, LLC*, 332 P.3d 273 (Nevada Supreme Court, 2014). My time appears in the time entries [Ex. 5] as "EBZ." In addition to my time entries, Exhibit 5 lists time entries from Richard L. Peel ("RLP"), the founding member of our firm, as well as Terri Hansen ("TH"), a paralegal in the firm.

4. Peel Brimley is a Henderson, Nevada based law firm currently consisting of eight attorneys and one paralegal.

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

///

///

1           6.       Peel Brimley's clientele has consisted of some of the largest and most respected  
2 construction related companies operating in Nevada.

3           7.       Peel Brimley and its partners have taken a lead role in instructing and teaching  
4 the construction community in a wide range of construction related classes and seminars  
5 sponsored by various trade, professional, and educational organizations (e.g., Lorman Education  
6 Services, Associated General Contractors, National Business Institute, The Seminar Group, and  
7 various local construction trade organizations).

8           8.       I and other Peel Brimley partners have lectured and presented materials at many  
9 construction related seminars and classes in Las Vegas and Seattle addressing the following  
10 topics: advanced construction law, construction payment remedies, mechanic's lien law and  
11 strategies, construction law and practice, Nevada construction law, Nevada construction issues,  
12 construction defects, and other related topics.

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

20           10.      Peel Brimley drafted and lobbied for Nevada's public works prompt pay statute,  
21 NRS 338.400 through 338.645, which passed in 1999, and Nevada's new private right to stop  
22 work legislation, NRS 624.606 through 624.630, which became effective October 1, 2001 and  
23 was amended in 2003 & 2005, including some of the very provisions Helix relied upon in its  
24 motions and at trial.

25           11.      Also, Peel Brimley drafted and introduced several senate bills which passed in  
26 the 2001, 2003 & 2005 legislative session, which made extensive modification, changes, and  
27 additions to Nevada's existing mechanic's lien statutes, NRS 108.221 through 108.246,  
28 including some of the very provisions Helix relied upon in its motions and at trial.

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

13. In addition to the partners, Peel Brimley has hired qualified and experienced associates, most with established backgrounds in construction law. Peel Brimley's associates have access to a variety of construction materials and resources gathered by the firm, access to partners and senior associates experienced in the construction industry, and ample opportunities to participate in construction related training classes and seminars inside and outside of the firm.

14. I personally served as Helix's lead trial counsel and have been principally responsible for the prosecution of Helix's claims against Camco since no later than 2015. I was also heavily involved in the District Court proceedings prior to and during the Writ Petition proceedings at the Nevada Supreme Court regarding lien priority. I also worked extensively on the Joint Writ Petition and related briefing to the Nevada Supreme Court, working hand in hand with, among others, counsel for APCO Construction. I sat at counsel table for the oral argument at the Supreme Court and assisted in preparing APCO's counsel for argument.

15. Helix's attorneys' billing rates are reasonable. Peel Brimley performed its work under an hourly rate contract with Helix, charging the following rates:

|             |             |
|-------------|-------------|
| Partners:   | \$310-\$375 |
| Associates: | \$250-275   |
| Paralegals: | \$125       |

///

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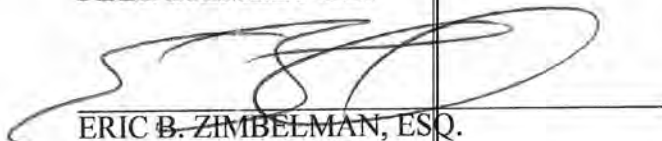


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1           16.     The rates Helix paid are comparable to the rates charged by other similarly situated  
2 attorneys who practice construction law and have the same or similar level of skill.

3           Dated this 31<sup>st</sup> day of May, 2018.

4                           **PEEL BRIMLEY LLP**

5                           

6                           **ERIC B. ZIMBELMAN, ESQ.**

7                           Nevada Bar No. 9407

8                           **RICHARD L. PEEL, ESQ.**

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12                          Telephone: (702) 990-7272

13                          Attorneys for Helix Electric of Nevada, LLC

# **Exhibit 5**

| Date    | Lwyr | Hours | Fee Amount | Explanation  |
|---------|------|-------|------------|--|
| 3/18/16 | EBZ  | 0.34  | \$ 103.20  | Receive and review proposed stipulation regarding release of funds; Exchange email with Scott Financial counsel, APCO counsel and Richard regarding same need for motion regarding same                            |
| 3/21/16 | RLP  | 0.26  | \$ 96.75   | Receipt, review and respond to correspondence from Scott's counsel regarding release of funds;   |
| 4/7/16  | EBZ  | 2.58  | \$ 774.00  | Prepare client communication regarding Scott Financial's motion for release of funds and strategy going forward; Investigate legal standing, licensing, financial standing and related issues of Camco and APCO    |
| 4/11/16 | EBZ  | 0.86  | \$ 258.00  | Exchange email with Richard regarding client update and case strategy; Revise, finalize and send update to clients   |
| 4/21/16 | EBZ  | 1.29  | \$ 387.00  | Prepare for an attend status check; Matter continued to next status check  |
| 5/4/16  | RLP  | 0.17  | \$ 64.50   | Receipt, review APCO's motion to appoint special master; conference with Eric regarding same;  |
| 5/5/16  | EBZ  | 0.34  | \$ 103.20  | Teleconference and exchange email with other lien claimantcounsel regarding strategy going forward   |
| 5/9/16  | EBZ  | 0.52  | \$ 154.80  | Receive and review APCOs motion to appoint special master; Exchange email with Richard regarding same and possible opposition to same; Receive and review Order regarding status check                             |
| 5/12/16 | EBZ  | 2.75  | \$ 825.60  | Begin outline and work on limited opposition to motion to appoint special master   |
| 5/24/16 | EBZ  | 2.58  | \$ 774.00  | Prepare limited opposition to APCOs motion to appoint special master   |
| 5/25/16 | RLP  | 0.26  | \$ 96.75   | Review and revise draft of Limited Opposition;   |
| 5/25/16 | EBZ  | 1.12  | \$ 335.40  | Revise and finalize limited opposition to APCO motion to appoint special master; Exchange email with Richard regarding same  |
| 6/1/16  | RON  | 0.95  | \$ 236.50  | Discussion with Eric regarding status check and motion to appointment special master; receive and review Motion to Appoint Special Master, PB's Limited Opposition and APCO's reply brief and prepare for hearing; |

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| 6/2/16  | RON | 1.98 | \$ 494.50 | Travel to and attend hearing; discussion with APCO's attorney regarding language of proposed order and concerns with the same; prepare and send email to E. Zimbelman regarding outcome of hearing and conversation with APCO's attorney; prepare and send email to APCO's attorney; |
| 6/6/16  | RON | 0.69 | \$ 172.00 | Receive and revise APCO's proposed order to appoint special master and send the same to E. Zimbelman; send proposed revisions to Jack;   |
| 6/6/16  | EBZ | 0.17 | \$ 51.60  | Review and revise proposed order regarding motion to appoint special master; Exchange email with Ronnie regarding same   |
| 6/7/16  | RON | 0.95 | \$ 236.50 | Phone conversations with attorney Juan; research special master appointment and provide email to Eric; exchange emails with Eric and further revise proposed Order;  |
| 6/8/16  | RON | 0.43 | \$ 107.50 | Phone conversation with Jack regarding proposed order; make further revisions to proposed order and send the same to Eric; forward proposed changes to attorney Juan;  |
| 6/9/16  | RON | 1.55 | \$ 387.00 | Travel to and attend hearing on motion to appoint special master;  |
| 6/20/16 | RON | 2.24 | \$ 559.00 | Review briefing regarding Insulpro's Renewed Motion for Summary Judgment; travel to and attend hearing and prepare and send email to Eric regarding outcome of the same;   |
| 6/20/16 | EBZ | 0.26 | \$ 85.14  | Teleconferences and emails with Ronnie regarding hearing on Insulpros motion for summary judgment and related issues   |
| 6/24/16 | EBZ | 0.17 | \$ 56.76  | Exchange email with Special Masters office regarding scheduling of the initial conference  |
| 6/28/16 | RON | 0.17 | \$ 43.00  | Receive and review correspondence from attorney Munteer and prepare and send email to Eric regarding the same;   |
| 7/26/16 | RLP | 0.20 | \$70.00   | Conference with Victor regarding status of the case; give direction to Eric regarding things to do;  |
| 8/1/16  | EBZ | 2.15 | \$ 709.50 | Prepare for and attend hearing with Special Master Hale regarding discovery and scheduling   |
| 8/2/16  | KAG | 0.60 | \$ 75.25  | Communications with EZ regarding: initial disclosures; electronic file client research and EZ spreadsheet regarding: same and provide updated info; update calendar regarding: new discovery dates.  |

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| 8/3/16  | EBZ | 3.01 | \$ 993.30 | Begin work on initial disclosures and review of client files to determine what documents and information are needed  |
| 8/4/16  | EBZ | 2.15 | \$ 709.50 | Prepare client update regarding special master hearing, initial disclosures, other deadlines and continue work on initial disclosure format; Exchange email with counsel for APCO regarding preparation of questionnaire per Special Master order  |
| 8/4/16  | KAG | 0.17 | \$ 21.50  | Communications with EZ regarding: initial disclosure pleadings, docs, etc.;  |
| 8/5/16  | EBZ | 1.12 | \$ 368.94 | Receive, review and revise draft Special Master Questionnaire; Exchange multiple emails with counsel for APCO regarding same   |
| 8/8/16  | KAG | 0.52 | \$ 64.50  | Communications with EZ regarding: initial disclosures, finalize template for individual client disclosures.  |
| 8/8/16  | KAG | 0.40 | \$50.00   | Draft initial disclosures.   |
| 8/9/16  | EBZ | 0.26 | \$ 85.14  | Exchange emails with APCO counsel regarding revisions to special master questionnaire; Review and revise same  |
| 8/11/16 | EBZ | 0.70 | \$210.00  | Review, organize and prepare documents for in  |
| 8/25/16 | KAG | 0.17 | \$ 21.50  | Communications with EZ regarding: initial disclosure deadline, drafts, etc.  |
| 8/26/16 | EBZ | 0.43 | \$ 141.90 | Exchange email with counsel for APCO regarding revisions to questionnaire and related issues; Work on same   |
| 8/29/16 | EBZ | 0.26 | \$ 85.14  | Exchange email with counsel for APCO regarding special master questionnaire. Revise and finalize same  |
| 8/30/16 | CJT | 3.87 | \$ 483.75 | Numerous emails with Eric to obtain documents for 9 parties. Download each clients documents from Box and process documents to convert to PDF and apply bates number. Create index of all bates numbered documents with begin and end bates as well as party name. Upload all 9 client documents with bates numbers to Box and create link. Add link to index and finalize for production. Email Eric and kathy with bates ranges and link information for pleading. |
| 8/30/16 | EBZ | 0.17 | \$ 56.76  | Prepare letter to special master regarding questionnaire   |
| 8/30/16 | KAG | 0.20 | \$25.00   | Communications with EZ & CT regarding: initial disclosures   |
| 8/30/16 | EBZ | 1.40 | \$420.00  | Continue work on preparation of initial disclosures  |

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| 8/31/16  | EBZ | 0.30 | \$90.00   | Revise and finalize initial disclosures  |
| 9/1/16   | EBZ | 0.43 | \$ 141.90 | Receive and review various party initial disclosures   |
| 9/2/16   | EBZ | 0.34 | \$ 113.52 | Receive and review various party initial disclosures; Receive and review correspondence for counsel for Scott Financial regarding questionnaire and related issues; Exchange email with counsel for Scott Financial regarding same   |
| 9/7/16   | EBZ | 0.17 | \$ 56.76  | Exchange email with counsel for Scott Financial regarding confirmation that Scott Financial has no claims affecting lien claimants other than priority to sales proceeds   |
| 9/21/16  | EBZ | 0.80 | \$240.00  | Prepare response to special master questionnaire   |
| 9/22/16  | EBZ | 0.52 | \$ 170.28 | Receive and review Special Master Questionnaire responses from multiple parties  |
| 9/27/16  | EBZ | 0.34 | \$ 113.52 | Receive and review multiple additional responses to Special Master questionnaire   |
| 9/29/16  | EBZ | 2.32 | \$ 766.26 | Receive and review letter to Special Master from counsel for APCO regarding questionnaire allocation and objection thereto; Prepare letter to Special Master responding to same; Prepare for and attend Special Master hearing   |
| 9/29/16  | EBZ | 0.26 | \$ 85.14  | Receive and review United Subcontractors response to questionnaire, 16.1 disclosure and request to Special Master regarding same   |
| 10/13/16 | EBZ | 0.26 | \$ 85.14  | Receive and review additional party disclosures  |
| 10/14/16 | EBZ | 1.29 | \$ 425.70 | Receive and review special master recommendation and court order regarding discovery, scheduling and related matters; Prepare client group update  |
| 12/16/16 | EBZ | 0.69 | \$ 227.04 | Receive and briefly review multiple discovery requests   |
| 1/12/17  | RLP | 0.17 | \$ 64.50  | Conference with Eric regarding response to discovery requests;   |
| 1/16/17  | EBZ | 2.75 | \$ 908.16 | Begin work on responses to discovery requests; Begin research and analysis of tax write-off issue; Exchange email and office conferences with colleagues regarding same and strategy for response to same; Exchange email with opposing counsel regarding extension and related issues |

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| 1/16/17 | JEF | 0.43 | \$ 122.55   | Emails with E. Zimbelman regarding legal research needed regarding accepting benefit of a claim by taking advantage of tax loss; office conference to discuss the same;   |  |
| 1/17/17 | EBZ | 0.17 | \$ 56.76    | Receive and review motion for order to show cause regarding dispute with broker over commissions  |  |
| 1/31/17 | EBZ | 4.90 | \$ 1,617.66 | Continue work on discovery responses; Receive and review various subcontractor responses to APCO discovery requests   |  |
| 2/2/17  | EBZ | 3.61 | \$ 1,191.96 | Work on review and annotation of APCO documents; Continue work on discovery responses   |  |
| 2/3/17  | EBZ | 2.32 | \$ 766.26   | Continue work on discovery responses  |  |
| 2/6/17  | EBZ | 2.50 | \$750.00    | Work on client-specific discovery responses;  |  |
| 2/7/17  | EBZ | 4.50 | \$1,350.00  | Continue work on and revise discovery responses   |  |
| 2/8/17  | EBZ | 0.40 | \$120.00    | Finalize discovery responses; Exchange email  |  |
| 2/16/17 | EBZ | 1.29 | \$ 425.70   | Prepare for and attend hearing with Special Master Hale; Receive and review Special Master Order  |  |
| 2/27/17 | EBZ | 0.86 | \$ 283.80   | Receive and review correspondence from APCO counsel to special master regarding request to have the liens claims dismissed; Prepare letter to special master regarding same; Receive and review letter from special master regarding denial of request to dismiss lien claims |  |
| 3/6/17  | EBZ | 1.03 | \$ 340.56   | Receive and review multiple discovery requests and responses  |  |
| 3/17/17 | EBZ | 0.26 | \$ 85.14    | Receive and review APCOs motion for summary judgment against Unitah   |  |
| 3/30/17 | EBZ | 0.30 | \$90.00     | Receive and review PMK deposition notice; Exchange email with Victor regarding same   |  |
| 4/13/17 | RLP | 0.80 | \$280.00    | Telephone call with Victor Fuchs  |  |
| 4/13/17 | EBZ | 0.50 | \$150.00    | Begin work on requests for admission  |  |
| 4/13/17 | TH  | 2.00 | \$250.00    | Prepare shell Requests for Admissions   |  |
| 4/14/17 | TH  | 1.20 | \$150.00    | Revise and finalize Helix's First Set of Requests for admission   |  |
| 4/14/17 | EBZ | 2.00 | \$600.00    | Continue work on requests for admission, interrogatories and requests for production  |  |
| 4/25/17 | EBZ | 2.40 | \$720.00    | Work on notice of PMK depositions   |  |
| 4/26/17 | EBZ | 0.60 | \$180.00    | Revise and finalize notice of PMK depositions   |  |

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| 5/4/17  | EBZ | 0.06 | \$ 85.14  | Exchange multiple emails with counsel for Camco regarding deposition schedules, special master hearing and outcome  |
| 5/5/17  | EBZ | 0.43 | \$ 141.90 | Exchange multiple emails with counsel for APCO and other counsel regarding Special Master order to extend discovery and scheduling depositions; Exchange email with counsel for Camco regarding deposition scheduling   |
| 5/9/17  | EBZ | 0.26 | \$ 85.14  | Exchange multiple emails with other counsel regarding deposition scheduling issues  |
| 5/9/17  | EBZ | 0.30 | \$90.00   | Receive and review subpoena duces tecum   |
| 5/10/17 | EBZ | 0.34 | \$ 113.52 | Receive and review new correspondence from Special Master and Special Master Order regarding discovery extension and other matters; Exchange multiple emails regarding depositions  |
| 5/12/17 | EBZ | 1.03 | \$ 340.56 | Receive and review responses to discovery requests; Exchange multiple emails with Camco counsel and others regarding PMK deposition, need for subpoena to Mr. Parry and related matters; Give instructions to paralegal regarding same  |
| 5/15/17 | TH  | 0.43 | \$ 53.75  | Receive and review APCO Constructions Answers to Interstate Plumbing and Air Conditioning LLCs Interrogatories; Receive and review APCO Constructions Response to Interstate Plumbing and Air Conditioning LLCs Request for Production of Documents and Things; Receive and review APCO Construction s response to Helix Electrics First set of Requests for Admissions; Receive and review APCO Constructions Response to Helix Electrics First Requestfor Production of Documents andThings; Receive and review APCOConstruction s Answers to HelixElectrics First Interrogatories; |
| 5/15/17 | EBZ | 1.29 | \$ 425.70 | Exchange multiple emails with counsel for Camco and Apco andother counsel regarding deposition scheduling and issues; Work on multiple amended notices of deposition;Teleconferences and emails withstaff regarding same and thingsto do; Review, revise and finalize notices of deposition and subpoenas   |
| 5/15/17 | EBZ | 0.60 | \$180.00  | Teleconference with Victor  |



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| 5/16/17 | EBZ | 0.30 | \$90.00   | Exchange multiple emails with client and counsel for APCO regarding deposition  |
| 5/16/17 | EBZ | 0.52 | \$ 170.28 | Receive and review multiple deposition notices; Review revised deposition notices to Camco and Apco; Provide instructions to team regarding same  |
| 5/17/17 | TH  | 1.03 | \$ 129.00 | Revise Amended Notices of Deposition and Subpoena; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada LLC; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Steel Structures, Inc.; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Nevada Prefab Engineers; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Interstate Plumbing & Air Conditioning, LLC; Receive and review Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of Person Most Knowledgeable for Uintah Investments LLC dba Sierra Reinforcing; Calendar deposition dates as noticed; |
| 5/17/17 | EBZ | 0.20 | \$60.00   | Receive and review notice of deposition; Email to Andy regarding same   |
| 5/18/17 | TH  | 0.09 | \$ 10.75  | Receive and review Amended Notice of Taking Nev. R. Civ. P. 30(b)6) Deposition of the Person Most Knowledgeable for Nevada Prefab Engineers; Update calendar accordingly;   |
| 5/22/17 | TH  | 0.95 | \$ 118.25 | Receive and review Notice of Vacating Deposition of Martin-Harris; Receive conformed copies of Amended Notices of Deposition; Calendar same; Telephone call to Esquire Deposition Solutions regarding Helix's Notice of Depositions scheduled for June 5, 2017 and June 6, 2017; Reserve Court Reporter for June 20, 2017 and June 22, 2017 depositions;  |

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| 5/23/17 | TH  | 0.34 | \$ 43.00    | Receive and review Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products, Inc.; Calendar same; Receive and review correspondence to all counsel from Marquis Aurbach Coffing regarding APCO's Person(s) Most Knowledgeable for deposition; Receive and review Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for ZittingBros. Construction, Inc.; |
| 5/31/17 | TH  | 0.52 | \$ 64.50    | Receive and review Proposed Order on Motion for Partial Summary Judgment; Receive and review Camco Pacific Construction's Reply to Helix Electric's Requests for Admissions; Receive and review Camco Pacific Construction's Reply to Fast Glass, Inc.'s Requests for Admissions; Receive and review Camco Pacific Construction's Reply to Cactus Rose Construction's Requests for Admissions;                                  |
| 6/1/17  | EBZ | 4.73 | \$ 1,560.90 | Exchange email with counsel for Camco regarding discovery responses extension; Begin work on preparation for APCO deposition  |
| 6/2/17  | TH  | 6.88 | \$ 860.00   | Gather and assemble documents for use at APCO's deposition; Review file for specific BatesStamped range; Telephone conference with Pedro of Litigation Services to request APCO documents; Receive and review e-mail transmissions from Pedro attaching requested documents;  |
| 6/2/17  | TH  | 0.26 | \$ 32.25    | Receive and review Proof of Service of Deposition Notices; Receive and review Trustee's Notice of Taking of Deposition on Oral Examination of APCO Construction; Trustee's Notice of Taking of Deposition on Oral Examination of Camco Pacific Construction, Inc.; Calendar same;   |
| 6/2/17  | EBZ | 2.41 | \$ 794.64   | Continue work on preparation for APCO deposition; Receive notice of yet another large production of documents by APCO; Download same and begin review same in preparation for APCO deposition   |
| 6/6/17  | EBZ | 1.50 | \$450.00    | Exchange email with Andy and Victor regarding   |
| 6/5/17  | EBZ | 5.59 | \$ 1,844.70 | Prepare for and attend day one of APCO PMK deposition; Continue review and analysis of newly produced documents   |
| 6/6/17  | EBZ | 0.26 | \$ 85.14    | Exchange emails with APCO counsel regarding re-scheduling day two of APCO depositions and related issues  |

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| 6/7/17  | TH  | 0.17 | \$ 21.50    | Receive and review Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Helix Electric of Nevada; Receive and review correspondence from Marquis Aurbach Coffing regarding the continued deposition dates for APCO and Helix; |
| 6/7/17  | EBZ | 0.09 | \$ 28.38    | Receive and review correspondence from APCO counsel regarding APCO PMK deposition re-scheduling   |
| 6/7/17  | EBZ | 0.20 | \$60.00     | Receive and review amended notice of deposition   |
| 6/9/17  | EBZ | 2.75 | \$ 908.16   | Receive and review numerous discovery responses by Camco; Consider same, pay-if-paid issues and strategy regarding same; Legal research regarding pay-if-paid; Exchange email with Camco counsel regarding discovery responses and issues regarding same    |
| 6/13/17 | EBZ | 1.89 | \$ 624.36   | Receive and study Camco's discovery responses and begin work on preparations for deposition; Exchange email regarding efforts to obtain Camco documents   |
| 6/16/17 | EBZ | 3.01 | \$ 993.30   | Begin review and annotation of Camco's newly produced documents (more than 3000 pages) in preparation for Camco PMK deposition  |
| 6/19/17 | EBZ | 2.75 | \$ 908.16   | Continue review and annotation of Camco's newly produced documents (more than 3000 pages) and prepare for Camco PMK deposition; Research and analysis of pay-if-paid provisions and anticipated arguments by Camco and APCO regarding same                  |
| 6/20/17 | TH  | 0.09 | \$ 10.75    | Receive and review Stipulation and Order for Dismissal with Prejudice of Insulpro Projects, Inc.;   |
| 6/20/17 | EBZ | 6.45 | \$ 2,128.50 | Prepare for and participate in deposition of Camco's person most knowledgeable, Dave Parry; Work on strategy and outline of motion for summary judgment regarding pay-if-paid clause; Office conference with Richard Peel regarding same                    |
| 6/21/17 | EBZ | 0.34 | \$ 113.52   | Exchange email with counsel for IPAC and Camco regarding need for day two of Camco PMK deposition; Prepare letter to all counsel regarding same   |
| 6/22/17 | EBZ | 3.87 | \$ 1,277.10 | Prepare for and participate in day two of deposition of Camco PMK; Conference with counsel for other subcontractors regarding strategy  |

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|---------|-----|------|------------|---|
| 6/27/17 | EBZ | 0.86 | \$ 283.80  | Receive and review APCOs motion for summary judgment regarding lien claims; Office conference with Richard regarding same, strategy and outline for opposition to same; Exchange email with counsel for APCO regarding hearing, rescheduling and setting briefing schedule for same; Prepare letter to all counsel regarding proposed schedule for motion briefing and hearing  |
| 7/6/17  | EBZ | 0.26 | \$ 85.14   | Exchange emails with APCO counsel regarding rescheduling of hearing and briefing for motion for summary judgment regarding liens  |
| 7/7/17  | EBZ | 2.15 | \$ 709.50  | Begin review of another 10GB of data produced by APCO   |
| 7/10/17 | EBZ | 0.34 | \$ 113.52  | Teleconference with counsel for Zitting Brothers regarding cooperation in response to APCO motion for partial summary judgment regarding liens and motion to reschedule same; Exchange email with counsel for APCO regarding non-opposition to motion to continue hearing and procedure regarding same  |
| 7/11/17 | EBZ | 0.26 | \$ 85.14   | Review draft motion to continue hearing and briefing dates regarding APCO motion regarding liens; Exchange email with counsel for Zitting and APCO regarding same   |
| 7/13/17 | EBZ | 0.17 | \$ 56.76   | Teleconference and exchange email with counsel for APCO regarding possible mediation or settlement discussions  |
| 7/17/17 | EBZ | 3.50 | \$1,050.00 | Prepare for deposition of APCO PMK regarding  |
| 7/18/17 | TH  | 0.34 | \$ 43.00   | Receive and review Joint Motion to Continue Hearing on APCO Construction's Motion to Dismiss or for Summary Judgment; E-mail transmission to Attorney Zimbelman regarding opposition and reply deadlines and contacting Judy with Caden & Fuller in California regarding the new date of July 24, 2017; Receive and review Zitting Brothers Construction Inc.'s Notice of Taking Continued Deposition of APCO Construction Pursuant to NRCP 30(b)(6); |
| 7/18/17 | EBZ | 6.40 | \$1,920.00 | Prepare for and take deposition of APCO PMK   |
| 7/19/17 | EBZ | 4.20 | \$1,260.00 | Prepare for and meet with Andy to prepare for deposition  |
| 7/20/17 | EBZ | 4.50 | \$1,350.00 | Attend and defend deposition of Helix PMK   |
| 7/24/17 | EBZ | 2.15 | \$ 709.50  | Begin work on opposition to APCOs motion to dismiss liens   |
| 7/25/17 | RLP | 1.60 | \$560.00   | Review and revise draft of Opposition to Apco   |

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|---------|-----|------|-------------|--|
|         |     |      |             | Continue work on opposition to APCOs motion to dismiss lien claims; Teleconferences and emails with Richard regarding same; Teleconferences and emails with other subcontractor counsel regarding same; Review ZittingBrothers draft opposition; Exchange emails with Zitting Brothers attorney regarding same; Teleconference with IPACcounsel regarding same; Revise and finalize opposition; Begin work on motion for summary judgment regarding pay-if-paid agreements   |
| 7/25/17 | EBZ | 5.59 | \$ 1,844.70 |  |
| 7/27/17 | EBZ | 4.73 | \$ 1,560.90 | Continue work on motion for summary judgment regarding Pay-if-Paid   |
| 7/28/17 | EBZ | 6.45 | \$ 2,128.50 | Continue work on motion for summary judgment regarding Pay-if-Paid   |
|         |     |      |             |  |
| 7/31/17 | RLP | 0.86 | \$ 322.50   | Receipt, review and provide changes to Eric concerning Motion for Summary Judgment on pay-if-paid; review and sign documents to be filed;  |
| 7/31/17 | EBZ | 1.89 | \$ 624.36   | Revise, finalize and direct submission of motion for partial summary judgment regarding Pay-if-Paid  |
| 7/31/17 | TH  | 0.43 | \$ 53.75    | Revise and finalize Peel Brimley's Lien Claimant's Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreement and Ex-Parte Application for Order Shortening Time;  |
|         |     |      |             |  |
| 8/2/17  | TH  | 1.03 | \$ 129.00   | Receive and review Interstate Plumbing & Air Conditionings Joinder to Helixs Opposition to APCOs Motion to Dismiss or for Summary Judgment; Receive and review APCOs Reply in Support of Motion to Dismiss or for Summary Judgment; Receive and review Order Granting Gerdau Reinforcing Steels Motion to Substitute; Receive and process Zitting Bros. Motion for Partial Summary Judgment Against APCO; Receive and review Notice of Entry of Order Granting Gerdau Reinforcing Steel's Motion to Substitute; File review regarding Trial and deadlines; File and serve Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses on Pay-if-Paid Agreement on Order Shortening time; |

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| 8/3/17  | EBZ | 1.20 | \$ 397.32   | Multiple teleconferences and emails with counsel for APCO and Camco regarding hearing on Motion for Summary Judgment; Receive and review Zitting Brothers Motion for Summary Judgment and several joinders to our motion for summary judgment regarding pay-if-paid  |
| 8/7/17  | TH  | 0.60 | \$ 75.25    | Receive and review Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements; Receive and review Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and Ex-Parte Application for Order Shortening Time; Summarize and provide same to attorney; Prepare Notice of Entry of Order on Order Shortening Time on Lien Claimants' Motion for Partial Summary Judgment (Pay-if-Paid); File and Serve Notice of Entry of Order on Order Shortening Time on Lien Claimants' Motion for Partial Summary Judgment (Pay-if-Paid) |
| 8/7/17  | EBZ | 2.50 | \$750.00    | Prepare pretrial disclosures   |
| 8/10/17 | TH  | 0.52 | \$ 64.50    | Receive and summarize for attorney National Woods Joinder to Motion for Partial Summary Judgment (Pay-if-Paid); Receive and summarize for attorney Interstate Plumbings Joinder to Motion for Partial Summary Judgment (Pay-if-Paid); Receive and summarize for attorney Pro Hac Vice Applicant S. Judy Hiraharas Notice of Compliance with SCR 42; Receive and process Motion to Associate Counsel filed by National Wood Products;   |
| 8/10/17 | EBZ | 3.61 | \$ 1,191.96 | Prepare for and argue in opposition to APCO's motion for summary judgment regarding lien claims; Exchange multiple emails with APCO and Camco counsel regarding pre-trial disclosures and strategy regarding same; Finalize and direct filing and service of initial disclosures   |
| 8/11/17 | EBZ | 0.20 | \$60.00     | Exchange email with Victor   |
| 8/14/17 | EBZ | 0.30 | \$90.00     | Teleconference with Victor   |

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| 8/14/17 | TH  | 0.77 | \$ 96.75  | Receive and summarize Pre-Trial Disclosures of United Subcontractors dba Skyline Insulation; Receive and summarize Pre-Trial Disclosures of Camco; Receive and summarize Pre-Trial Disclosures of SWPP; Receive and summarize Pre-Trial Disclosures for APCO; Receive and summarize Pre-Trial Disclosures for National Wood; Receive and review Skylines First Supplemental Disclosure Pursuant to Nev. R. Civ. P. 16.1 and Special Master Order; Receive and process Skylines Joinder to Lien Claimants Motion for Partial Summary Judge (Pay-if-Paid); Receive and process E&E Fire Protections Joinder to Lien Claimants Motion for Partial Summary Judge (Pay-if-Paid); |
| 8/16/17 | TH  | 2.15 | \$ 268.75 | Receive and summarize Steel Structures, Inc.'s Pre-Trial Disclosures; Receive and summarize Nevada Prefab Engineers' Pre-Trial Disclosures; Receive and summarize Gerdau Reinforcing Steel's Pre-Trial Disclosures; Receive and process Gerdau Reinforcing Steel's Second Supplemental Disclosure Statement; Continue file review; Review 16.1 Initial Disclosures; Review Pre-Trial Disclosures; Summarize same for Attorney;  |
| 8/16/17 | EBZ | 0.52 | \$ 170.28 | Work on order denying APCOs motion to dismiss or for summary judgment   |
| 8/17/17 | EBZ | 0.26 | \$ 85.14  | Exchange email with APCO counsel regarding order denying motion for partial summary judgment; Direct submission of same to the court for signature  |
| 8/22/17 | EBZ | 1.03 | \$ 340.56 | Receive and review APCOs opposition to motion for partial summary judgment regarding pay-if-paid; Exchange email with APCO counsel regarding deadline for reply; Outline reply issues and responses   |
| 8/29/17 | EBZ | 0.26 | \$ 85.14  | Exchange multiple emails with counsel for Zitting Bros., APCO and Camco regarding hearing on pay-if-paid motion and strategy regarding same; Review and revise stipulation regarding same   |
| 8/30/17 | TH  | 0.09 | \$ 10.75  | Receive and review Zitting Bros. Objection to APCO's Pre-Trial Disclosures; Summarize same for attorney;  |
| 8/31/17 | EBZ | 3.01 |           | WO reply re: motion for summary judgment re: Pay-if-paid  |

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| 9/1/17  | EBZ | 0.26 | \$ 85.14  | Teleconferences and emails with counsel for APCO and Camco regarding calendar call and strategy for reducing number of lien claimants  |
| 9/5/17  | TH  | 0.17 | \$ 21.50  | Receive and process Order Shortening Time on Hearing for Motion to Associate Counsel;  |
| 9/5/17  | EBZ | 1.89 | \$ 624.36 | Prepare for and attend calendar call   |
| 9/6/17  | TH  | 0.43 | \$ 53.75  | Receive and review Notice of Entry of Order Shortening Time on Hearing for Motion to Associate Counsel; Receive and review Order Admitting to Practice; Receive and review Notice of Entry of Order Admitting to Practice; Receive and process Court's Minute Order dated September 6, 2017; Receive and process Chapter 7 Trustee's Amended Pre-Trial Disclosures of Interstate Plumbing & Air Conditioning Pursuant to Rule 16(a)(3) of Nev. R. Civ. P.; |
| 9/6/17  | EBZ | 0.26 | \$ 85.14  | Teleconferences and exchange email with APCO counsel and settlement conference department regarding location and participation in settlement conference  |
| 9/7/17  | TH  | 0.17 | \$ 21.50  | Review and process United Subcontractors Pre-Trial Statement/Memorandum; Summarize same for attorney;  |
| 9/12/17 | EBZ | 2.50 | \$750.00  | Prepare settlement conference brief and exchange email with Victor e   |
| 9/13/17 | EBZ | 0.60 | \$180.00  | Revise and finalize settlement conference brief; Direct submission of same with selected exhibits  |
| 9/13/17 | EBZ | 0.26 | \$ 85.14  | Receive, review and approve order dismissing parties who did not provide pretrial disclosures  |
| 9/14/17 | TH  | 0.17 | \$ 21.50  | Receive and review letter from Marquis Aurbach regarding proposed Order to Dismiss parties who did not file Pre-Trial Disclosures;   |
| 9/20/17 | EBZ | 0.20 | \$60.00   | Exchange email with Victor regarding settlement authority  |
| 9/21/17 | EBZ | 4.20 | \$1,260   | Participate in settlement conference; Teleconferences with Victor regarding same, strategy and related issues  |
| 9/27/17 | EBZ | 2.15 | \$ 709.50 | Work on reply to oppositions to motion for partial summary judgment regarding pay-if-paid provisions   |
| 9/28/17 | EBZ | 2.41 | \$ 794.64 | Continue work on reply to oppositions to motion for partial summary judgment regarding pay-if-paid provisions  |



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| 10/4/17  | EBZ | 1.29 | \$ 425.70   | Prepare for hearing on motion for summary judgment  |
| 10/5/17  | EBZ | 3.87 | \$ 1,277.10 | Prepare for and attend hearing on motion for summary judgment and to set trial date; Extended discussions regarding allowing additional depositions, dates for motions in limine and trial setting; Trial set for November 28, 2017 and motions continued to November 16, 2017; Discussion with APCO attorney regarding trial issues and settlement discussions; Receive and review letter from APCO counsel and proposed order; Revise and transmit same                           |
| 10/16/17 | TH  | 0.43 | \$ 53.75    | Receive and process Order Setting Civil Non-Jury Trial and Calendar Call;   |
| 10/18/17 | TH  | 0.52 | \$ 64.50    | Receive and process APCO's Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products; Receive and process APCO's Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for United Subcontractors, Inc. dba Skyline Insulation; Receive and process APCO's Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.;                          |
| 10/23/17 | TH  | 0.26 | \$ 32.25    | Receive and process Second Amended Notice of Taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products, Inc.; Summarize same to attorney;  |
| 10/23/17 | TH  | 0.17 | \$ 21.50    | Review and process APCO's Second Amended Notice of Taking Nev. R. Civ. P. Rule 30(b)(6) Deposition of PMK for Zitting Brothers; Summarize same to attorney;   |
| 10/25/17 | TH  | 0.34 | \$ 43.00    | Receive and process Second Amended Notice of Taking NRCP 30(b)(6) Video Conference Deposition of B Person Most Knowledgeable for United Subcontractors, Inc. dba Skyline Insulation; Receive and process Zitting Brothers' Objection to APCO's Second Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers; Receive and process APCO's Notice of Vacating 30(b)(6) Deposition of United Subcontractors, Inc. dba Skyline Insulation; |
| 10/31/17 | EBZ | 4.50 | \$1,350.00  | Receive and review email from APCO counsel  |

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| 11/2/17 | EBZ | 1.50 | \$450.00  | Continue work on initial draft of four motion  |
| 11/3/17 | EBZ | 2.50 | \$750.00  | Continue work on four motions in limine again  |
| 11/3/17 | EBZ | 3.01 | \$ 993.30 | Prepare first draft of four motions in limine against Camco; Exchange email with opposing counsel regarding meet and confer; Exchange email with other subcontractor counsel regarding pending motions, joint strategy and related issues  |
| 11/3/17 | TH  | 0.26 | \$ 32.25  | Revise Motions in Limine 1-4;  |
| 11/6/17 | EBZ |      |           | Prepare for and participate in meet and confer with counsel for Camco regarding motions in limine and settlement discussions; Revise and finalize motions in limine and direct filing and service of same  |
| 11/6/17 | EBZ | 1.50 | \$450.00  | Prepare for and participate in meet and confe  |
| 11/7/17 | TH  | 1.12 | \$ 139.75 | Receive and process APCO's Supplemental Briefing in Opposition to Zitting Brothers Motion for Partial Summary Judgment; Receive and process Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Cabinetec, Inc.; Receive and process Notice of Vacating NRCP 30(b)(6) Deposition of Person Most Knowledgeable for Cabinetec, Inc.; Receive and process Third Amended Notice of Taking NRCP 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products, Inc.; Receive and process Notice of Vacating NRCP 30(b)(6) Deposition of Person Most Knowledgeable for National Wood Products, Inc.; Receive and process Zitting Brothers' Motion in Limine to Limit the Defenses of APCO Construction to the Enforceability of Pay-if-Paid Provision; Receive and process APCO's Omnibus Motion in Limine; Telephone call with District Court Clerk regarding the status of accepting Lien Claimant's Motion in Limine and Notices of Hearing; |
| 11/7/17 | EBZ | 0.80 | \$240.00  | Receive and review APCOs supplemental respon   |
| 11/8/17 | EBZ | 0.69 | \$ 227.04 | Receive and review multiple motions in limine filed by multiple parties; Teleconferences and emails with other subcontractor counsel regarding coordination of responses to motions in limine and other matters  |

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| 11/9/17  | TH  | 0.17 | \$ 21.50   | Receive and process letter from Attorney John R. Jefferies regarding Pre-Trial Conference and trial availability and scheduling of sub-contractors;  |
| 11/9/17  | EBZ | 1.12 | \$ 368.94  | Prepare for and participate in conference call with other subcontractors regarding coordination of defenses, claims, responses to motions in limine and other matters; Receive and review letter from APCO counsel regarding meet and confer and trial scheduling issues                                       |
| 11/9/17  | EBZ | 2.80 | \$840.00   | Prepare extended email to client   |
| 11/10/17 | RLP | 0.70 | \$245.00   | Participate in conference call with Victor   |
| 11/10/17 | EBZ | 3.50 | \$1,050.00 | Work on opposition to APCO's motions in limine   |
| 11/10/17 | EBZ | 0.69 | \$ 227.04  | Multiple teleconferences and emails regarding pay-if-paid motion arguments, recent unpublished case and related issues; Review and analyze unpublished decision and brief and distinguish same   |
| 11/13/17 | EBZ | 0.52 | \$ 170.28  | Prepare joinder to various oppositions to APCO's Omnibus Motion in Limine  |
| 11/13/17 | EBZ | 5.50 | \$1,650.00 | Continue work on opposition to APCO's Omnibus Motions in Limine  |
| 11/13/17 | TH  | 2.50 | \$312.00   | Revise Helix's Opposition to APCO's Omnibus Motions in limine  |
| 11/14/17 | EBZ | 0.34 | \$ 113.52  | Exchange multiple emails with other counsel regarding joint pretrial memorandum, conference regarding same and related issues  |
| 11/15/17 | EBZ | 2.15 | \$ 709.50  | Prepare for oral argument regarding pay-if paid and motions in limine  |
| 11/16/17 | EBZ | 2.30 | \$690.00   | Exchange emails with Victor and Richard  |
| 11/16/17 | EBZ | 2.15 | \$ 709.50  | Prepare for and attend oral argument regarding pay-if-paid and motions in limine   |
| 11/17/17 | EBZ | 3.01 | \$ 993.30  | Continue work on trial exhibits and multiple emails with trial assistant regarding same and processing same for pre-trial conference; Prepare for pretrial conference; Teleconferences and emails with other counsel regarding same. Receive and review letter from APCO counsel regarding pretrial conference |
| 11/20/17 | RLP | 0.20 | \$70.00    | Receipt, review correspondence exchanged between counsel   |

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| 11/20/17 | EBZ | 4.47 | \$ 1,475.76 | Prepare for and attend pretrial conference; Prepare for and attend calendar call; Meetings with APCO counsel and Camco counsel regarding settlement discussions; Meetings with other subcontractor counsel regarding trial strategy, pending motions and related issues  |
| 11/27/17 | EBZ | 1.03 | \$ 340.56   | Receive and review Decision regarding Zitting Bros. motion for summary judgment; Receive and review decision regarding our motion for partial summary judgment regarding pay-if-paid; Begin outline of Order   |
| 12/6/17  | EBZ | 0.60 | \$180.00    | Receive and review APCOs 11th supplemental disclosures   |
| 12/6/17  | EBZ | 0.17 | \$ 56.76    | Receive and review order setting bench trial and calendar call   |
| 12/12/17 | TH  | 0.43 | \$ 53.75    | Receive, process and summarize Court Minutes on National Wood Products Motion in Limine to Exclude Testimony, Documents and Things not Property Produced by APCO; Receive and process Court Minutes on Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6; Receive and process Court Minutes on Zitting Brothers' Motion in Limine to Limit the Defenses of APCO (Pay-if-Paid Provision); Receive and process Court Minutes on Helix's Motions in Limine Nos. 1-4; |
| 12/12/17 | EBZ | 0.43 | \$ 141.90   | Receive and review several minute orders regarding motions in limine; Begin work on orders regarding same  |
| 12/12/17 | RLP | 0.20 | \$70.00     | Receipt, review correspondence from Eric conc  |
| 12/12/17 | EBZ | 0.40 | \$120.00    | Email to client regarding minutes orders gran  |
| 12/15/17 | EBZ | 3.61 | \$ 1,191.96 | Work on order granting motion for partial summary judgment regarding pay-if-paid and letter to counsel regarding same  |
| 12/18/17 | EBZ | 2.15 | \$ 709.50   | Work on orders granting and denying multiple motions in limine; Exchange email with opposing counsel regarding same, presentation of same and revisions to same  |
| 12/21/17 | TH  | 0.09 | \$ 10.75    | Receive e-mail from Mary Bacon advising client is reviewing proposed Orders;   |
| 12/22/17 | EBZ | 0.34 | \$ 113.52   | Review Zitting Bros. proposed order regarding summary judgment; Exchange email with APCO counsel regarding exhibit numbering and related issues  |

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| 12/26/17 | EBZ | 0.69 | \$ 227.04   | Receive and review APCO counsels proposed revisions to proposed orders regarding motions in limine, motion for partial summary judgment regarding pay-if-paid; Teleconference with APCO counsel regarding meet and confer regarding proposed orders and exchange email regarding same  |
| 12/27/17 | EBZ | 2.15 | \$ 709.50   | Teleconference with APCO counsel regarding proposed orders, partial agreement and disagreement regarding same; Revise and finalize proposed orders; Prepare multiple letters to Judge Denton regarding proposed orders   |
| 12/27/17 | TH  | 0.43 | \$ 53.75    | Telephone conference with Attorney Judy Hirahara regarding submission of proposed Order on the Omnibus Motion in Limine; Receive and process Court conformed letters and proposed Orders; Receive and process letter from Wilson Elser to Dept. 13 submitting competing Order Granting Zitting Brothers Motion for Partial Summary Judgment Against APCO; Receive and process letter to Dept. 13 from Spencer Fane submitting competing Order granting Zitting Brothers Motion for Partial Summary Judgment; Receive letter from Spencer Fane to Dept. 13 submitting competing Order on Peel Brimley's Lien Claimants Motion for Partial Summary Judgment on Pay-if-Paid Agreements; |
| 12/28/17 | EBZ | 3.87 | \$ 1,277.10 | Review APCO trial disclosures and work on trial preparation  |
| 12/29/17 | EBZ | 3.01 | \$ 993.30   | Continue review of APCO trial disclosures and continue work on trial preparation; Exchange emails regarding signed orders, National Woods belated objection to order denying APCO motions in limine  |
| 1/2/18   | RLP | 0.40 | \$140.00    | Conference with Eric regarding outcome of hearing  |
| 1/2/18   | EBZ | 3.01 | \$ 993.30   | Continue review of APCO trial disclosures and work on trial preparation; Appear for calendar call  |

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| 1/3/18 | TH  | 0.69 | \$ 86.00    | Receive and process Court filed Order Granting Motion for Partial Summary Judgment regarding: Pay-if-Paid Agreement; Prepare Notice of Entry of Order; File and Serve Notice of Entry of Order Granting Motion for Partial Summary Judgment regarding: Pay-if-Paid Agreement; Receive and process Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting Zitting Brows. Motion for Partial Summary Judgment Against APCO; Provide Attorney Zimbelman with documents as requested; |
| 1/3/18 | EBZ | 3.01 | \$ 993.30   | Continue review of APCO trial disclosures and continue work on trial preparation; Receive and review multiple signed orders; Exchange email with paralegal regarding same and entry of same   |
| 1/4/18 | EBZ | 3.61 | \$ 1,191.96 | Receive and review motion for reconsideration regarding pay-if-paid order; Continue work on trial preparation   |
| 1/5/18 | TH  | 0.43 | \$ 53.75    | Receive and process Notice of Entry of Order on Amended Nuncpro Tunch Order Regarding APCOs Omnibus Motion in Limine No. 7; Receive and process Order on Amended Nunc pro Tunch Order Regarding APCOs Omnibus Motion in Limine No. 7; Receive and process APCO's Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimant's Partial Motion for Summary Judgment to Preclude Defenses Based on Pay-if-Paid Provisions on an Order Shortening Time:                              |
| 1/5/18 | EBZ | 3.27 | \$ 1,078.44 | Continue work on trial preparation; Exchange emails with other counsel regarding pre-trial brief and other issues   |
| 1/5/18 | EBZ | 1.50 | \$450.00    | Prepare extended email to Andy, Bob and Victor  |

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| 1/8/18 | TH  | 3.44 | \$ 430.00   | Receive and process Notice of Attorney's Lien filed by Steven Morris, Esq. of Grant, Morris Dodds; Receive and process Camco's Joinder to APCO's Motion for Reconsideration; E-mail transmissions with Attorney Zimbelman regarding trial preparation; Provide Attorney Zimbelman with trial exhibits for Cactus Rose, Fast Glass; Heinaman; Helix and SWPPP; Telephone call with LDG regarding trial exhibits; Meetwith LDG representative regarding instructions for trial exhibits; Telephone callwith Dept. 13 JEA regarding delivery of trial exhibits; Review Dept. 13's Exhibit Guidelines; Review APCO's Exhibit List;  |
| 1/8/18 | EBZ | 5.59 | \$ 1,844.70 | Prepare for and participate in conference call with other counsel regarding trial procedures and issues; Receiveand review re-numbered APCO exhibits; Receive and review video clips that APCO intends to use at trial; Continue workon trial preparation; Begin work on inserts to pre-trial memorandum  |
| 1/9/18 | TH  | 5.16 | \$ 645.00   | Receive and process APCO's Motion for Reconsideration of the Court's Order Granting Zitting Brothers Motion for Partial Summary Judgment on OST; Prepare Trial Exhibit Lists for Cactus Rose, Fast Glass, Heinaman, Helix, SWPPP in compliance of Dept. 13's Trial Exhibit Guidelines; Forward same to LDG for placement in Trial Exhibit binders; Prepare binder side labels for Cactus Rose, Fast Glass, Heinaman, Helix and SWPPP in compliance of Dept. 13 Trial Exhibit Guidelines; Forward same to LDG for placement in binders; Review file; Gather original sealed deposition transcripts for submission to Court - Dept. 13; Review file for additional deposition transcripts; Review Oppositionto Motion for Reconsideration; File and serve same; |
| 1/9/18 | EBZ | 4.73 | \$ 1,560.90 | Prepare opposition to motion for reconsideration; Continue work on trial preparation; Multiple teleconferences and emails regarding same, trial document issues and related matters   |

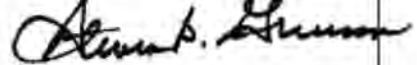
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| 1/10/18 | EBZ | 2.15  | \$ 709.50   | Continue work on trial preparation; Receive and review reply regarding motion for reconsideration of summary judgment regarding pay-if-paid; Prepare outline for hearing regarding same; Continue work on edits to joint pre-trial memorandum and provide the same to counsel for APCO; Teleconference with counsel for National Wood regarding same  |
| 1/11/18 | EBZ | 4.73  | \$ 1,560.90 | Continue work on trial preparation; Prepare for and participate in hearing regarding motion for reconsideration of summary judgment regarding pay-if-paid; Prepare Order denying motion and exchange email with other counsel regarding same and other trial issues   |
| 1/11/18 | TH  | 0.77  | \$ 96.75    | Receive and process Plaintiff-in-Intervention National Wood Products, Inc.'s Opposition to APCO's Motion for Reconsideration of the Court's Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment to Preclude Defenses of Pay-if-Paid Provisions; Receive and process Plaintiff-in-Intervention National Wood Products Motion in Limine; Receive and process APCO's Reply in Support of its Motion for Reconsideration of the Court's Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment to Preclude Defenses of Pay-if-Paid Provisions; Receive and process Zitting Bros. Opposition to APCO's Motion for Reconsideration of Court's Order Granting Zitting Bros. Partial Motion for Summary Judgment; Receive and process Notice of Entry of Order Granting Plaintiff-in-Intervention National Wood Products Motion in Limine; |
| 1/12/18 | EBZ | 3.87  | \$ 1,277.10 | Continue work on trial preparation; Multiple teleconferences and emails with other counsel regarding Pre-Trial Memorandum, revisions to same and issues regarding same  |
| 1/12/18 | TH  | 1.72  | \$ 215.00   | Identify trial exhibits for Court's use; Deliver 2 sets of the Trial Exhibit binders to Dept. 13; Continue trial preparation;   |
| 1/13/18 | EBZ | 3.44  | \$ 1,135.20 | Continue work on trial preparation  |
| 1/14/18 | EBZ | 5.50  | \$1,650.00  | Work on client-specific trial preparation   |
| 1/15/18 | EBZ | 5.20  | \$1,560.00  | Work on client-specific trial preparation   |
| 1/16/18 | EBZ | 10.50 | \$3,150.00  | Work on client-specific trial preparation; Me   |



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| 1/17/18 | EBZ | 11.00 | \$3,300.00 | Prepare for and participate in day one of trial   |
| 1/18/18 | TH  | 1.20  | \$ 150.50  | Receive and process Plaintiff-in-Intervention National Wood Products, Inc.'s Trial Brief; Receive and process Zitting Bros. Opposition to Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and 62(H); Research APCO's Lien and Amended/Restated Lien; Telephone call with County Recorder's Office regarding liens; Obtain certified copies of lien; Arrange delivery of same to Attorney Zimbelman, District Court - Dept. 13; Receive and process Stipulation and Order Regarding Trial Exhibits Admitted into Evidence; |
| 1/18/18 | TH  | 0.86  | \$ 107.50  | Receive and process Notice of Entry of Stipulation and Order Regarding Trial Exhibits Admitted into Evidence;   |
| 1/18/18 | AEA | 0.26  | \$ 32.25   | Searched Clark County Recorder's website for requested documents from EBZ for trial; Spoke with T. Hansen regarding the same;   |
| 1/18/18 | EBZ | 8.50  | \$2,550.00 | Prepare for and participate in day two of trial   |
| 1/18/18 | RLP | 0.40  | \$140.00   | Receipt, review correspondence from Eric to Victor  |
| 1/19/18 | EBZ | 6.50  | \$1,950.00 | Prepare for and participate in day three of trial   |
| 1/20/18 | EBZ | 4.50  | \$1,350.00 | Begin work on closing argument  |
| 1/21/18 | EBZ | 2.50  | \$750.00   | Continue work on closing argument and outline   |
| 1/22/18 | EBZ | 6.50  | \$1,950.00 | Continue work on closing argument and outline   |
| 1/23/18 | EBZ | 5.50  | \$1,650.00 | Attend day four of trial; Continue work on closing  |
| 1/24/18 | EBZ | 8.00  | \$2,400.00 | Prepare for and attend day five of trial;   |
| 1/25/18 | EBZ | 4.50  | \$1,350.00 | Begin work on findings of fact and conclusion   |
| 1/26/18 | TH  | 0.26  | \$ 32.25   | Receive and process Notice of Change of Firm Affiliation and Address; Receive and process Order Denying APCO's Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment;  |
| 1/29/18 | EBZ | 0.26  | \$ 85.14   | Exchange emails with Camco counsel regarding witness needs and order and possible stipulation to avoid need for live testimony  |
| 1/26/18 | EBZ | 2.50  | \$750.00   | Continue work on findings of fact and conclusions of law  |
| 1/30/18 | EBZ | 1.00  | \$300.00   | Exchange multiple emails and teleconferences  |
| 2/1/18  | EBZ | 3.50  | \$1,050.00 | Exchange emails with other counsel regarding  |
| 2/2/18  | EBZ | 4.20  | \$1,260.00 | Exchange email with Victor  |

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| 2/5/18  | EBZ | 4.73 | \$ 1,560.90 | Prepare for day 6 of trial; Exchange multiple emails with other counsel regarding proposed deadlines for findings of fact and conclusions of law and post-trial briefs |
| 2/6/18  | TH  | 0.26 | \$ 32.25    | Receive and process Camco's Exhibit List; Receive and process Camco's Trial Exhibit Nos. 5001 through 5010;  |
| 2/6/18  | EBZ | 7.57 | \$ 2,497.44 | Prepare for and participate in day 6 of trial; Outline relevant facts and issues for inclusion in proposed findings of fact and conclusions of law                     |
| 2/7/18  | EBZ | 2.15 | \$ 709.50   | Continue work on proposed findings of facts and conclusions of law   |
| 2/12/18 | EBZ | 5.16 | \$ 1,702.80 | Continue work on Findings of Fact and Conclusions of Law   |
| 2/13/18 | EBZ | 5.59 | \$ 1,844.70 | Continue work on Findings of Fact and Conclusions of Law   |
| 2/14/18 | EBZ | 4.99 | \$ 1,646.04 | Continue work on Findings of Fact and Conclusions of Law   |
| 2/19/18 | EBZ | 0.17 | \$ 56.76    | Exchange emails regarding stipulation for extension of deadline to submit findings of fact, conclusions of law and post-trial briefs                                   |
| 2/20/18 | EBZ | 0.26 | \$ 85.14    | Exchange emails regarding stipulation for extension of deadline for post-trial submissions; Review, revise and exchange stipulation drafts                             |
| 2/20/18 | RLP | 0.20 | \$70.00     | Conference with Victor regarding various issues; conference with Eric regarding same; prepare and send correspondence to Victor;                                       |
| 2/21/18 | EBZ | 2.15 | \$ 709.50   | Continue work on findings of fact and conclusions of law   |
| 2/22/18 | EBZ | 3.01 | \$ 993.30   | Continue work on findings of fact and conclusion of law  |
| 2/23/18 | EBZ | 3.44 | \$ 1,135.20 | Continue work on findings of fact and conclusion of law  |
| 2/27/18 | EBZ | 3.87 | \$ 1,277.10 | Continue work on findings of fact and conclusion of law  |
| 3/3/18  | RLP | 1.50 | \$525.00    | Review and provide comments and suggested changes  |
| 3/3/18  | EBZ | 6.50 | \$1,950.00  | Continue work on findings of fact and conclusion of law  |
| 3/5/18  | EBZ | 1.50 | \$450.00    | Revise and finalize findings of fact and conclusions of law  |
| 3/7/18  | EBZ | 3.01 | \$ 993.30   | Revise and finalize proposed findings of fact and conclusions of law   |
| 3/14/18 | EBZ | 2.15 | \$ 709.50   | Review, study and annotate Camcos post-trial brief; Begin outline of reply   |
| 3/21/18 | EBZ | 5.16 | \$ 1,702.80 | Work on response to Camcos Post-Trial Brief  |
| 3/22/18 | EBZ | 3.01 | \$ 993.30   | Continue work on response to Camcos Post-Trial Brief   |
| 3/22/18 | EBZ | 2.50 | \$750.00    | Work on revisions to APCOs Post-Trial Brief  |
| 3/23/18 | EBZ | 1.50 | \$450.00    | Final review and revisions to response to APCO brief   |

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| 3/23/18       | EBZ | 1.29          | \$ 425.70            | Final review and revisions to response to Camcos post-trialvbrief and findings of fact and conclusions of law   |
| 3/26/18       | AEA | 1.38          | \$ 172.00            | Receive & Review National Wood Products Response to APCO & CAMCOs Post-Trial Brief, APCOs Opposition to Helix & National Wood Products FFCL; emailed the same to EBZ for review; Prepared Courtesy Copyof Helix & Lien Claimants' Responses and sent with runnerto deliver the same to the Judge; |
| 3/27/18       | EBZ | 1.30          | \$390.00             | Receive and review APCO and Camco responses   |
| 4/30/18       | EBZ | 1.50          | \$450.00             | Continue work on cost memorandum, motion for  |
| 5/1/18        | EBZ | 1.03          | \$ 340.56            | Continue work on verified cost memoranda; Office conferences with paralegal, things to do for verified cost memoranda, recoverable costs and related issues   |
| 5/2/18        | EBZ | 0.60          | \$ 198.66            | Office conferences with paralegal regarding cost memoranda; Review and revise same  |
| 5/8/18        | TH  | 0.34          | \$ 43.00             | Receive and process E&E Fire Protection's Motion for Attorneys Fees and Costs; Summarize same to Attorney Zimbelman;  |
| 5/14/18       | EBZ | 2.75          | \$ 908.16            | Work on motion for fees and costs against Camco   |
| 5/18/18       | EBZ | 3.00          | \$900.00             | Continue work on Motion for Fees and Costs; Work on judgment; Exchange email with Camco counsel regarding same  |
|               |     |               |                      |   |
| <b>Totals</b> |     | <b>517.76</b> | <b>\$ 153,342.10</b> |   |
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1 **OPP**

2 **SPENCER FANE LLP**

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22 **DISTRICT COURT**

23 **CLARK COUNTY, NEVADA**

24 APCO CONSTRUCTION, a Nevada  
25 corporation,

26 Plaintiff,

27 v.

28 GEMSTONE DEVELOPMENT WEST,  
INC., A Nevada corporation,

Defendant.

Case No.: A571228

Dept. No.: XIII

*Consolidated with:*

*A574391; A574792; A577623; A583289;  
A587168; A580889; A584730; A589195;  
A595552; A597089; A592826; A589677;  
A596924; A584960; A608717; A608718;  
and A590319*

**APCO CONSTRUCTION, INC.'S  
OPPOSITION TO HELIX ELECTRIC  
OF NEVADA, LLC AND PLAINTIFF IN  
INTERVENTION NATIONAL WOOD  
PRODUCTS, INC.'S MOTIONS TO  
RETAX COSTS**

**AND ALL RELATED MATTERS**

1 APCO Construction, Inc. ("APCO") submits its opposition to Helix Electric of  
2 Nevada, LLC's ("Helix") and Plaintiff in Intervention National Wood Products, Inc.'s  
3 ("National Wood" or "CabineTec") motions to retax costs.<sup>1</sup> In short, APCO was permitted  
4 to file its memorandum of costs prior to entry of judgment, APCO's costs were reasonable,  
5 and necessary, APCO has provided actual documentation of its costs, and APCO's costs  
6 are allowable under NRS 18.005.

### 7 MEMORANDUM OF POINTS AND AUTHORITIES

#### 8 I. Legal Standard

9 NRS 18.110 governs verified memorandums of costs and retaxing and settling  
10 costs. That statute provides:

11 1. The party in whose favor judgment is rendered, and  
12 who claims costs, must file with the clerk, and serve a copy  
13 upon the adverse party, within 5 days after the entry of  
14 judgment, or such further time as the court or judge may grant,  
15 a memorandum of the items of the costs in the action or  
16 proceeding, which **memorandum must be verified by the  
oath of the party, or the party's attorney or agent, or by the  
clerk of the party's attorney, stating that to the best of his  
or her knowledge and belief the items are correct, and that  
the costs have been necessarily incurred in the action or  
proceeding.**

17 ...

18 4. Within 3 days after service of a copy of the  
19 memorandum, the adverse party may move the court, upon 2  
20 days' notice, to retax and settle the costs, notice of which  
21 motion shall be filed and served on the prevailing party  
claiming costs. Upon the hearing of the motion the court or  
judge shall settle the costs.<sup>2</sup>

22 Under NRS 18.110(4), an adverse party may move the district court to retax and  
23 settle the costs within three days after service of a copy of the memorandum of costs.<sup>3</sup> A  
24

25  
26 <sup>1</sup>Given the similarity of National Wood's and Helix's motions to retax costs, APCO  
opposes both motions to retax in one opposition for judicial efficiency.

27 <sup>2</sup> NRS 18.110.

28 <sup>3</sup> *Sheehan & Sheehan v. Nelson Malley & Co.*, 121 Nev. 481, 493, 117 P.3d 219, 227  
(2005) (failure to move to retax and settle costs waives appellate review of issue).

1 party challenging costs must seek to obtain an itemization of the costs claimed and attempt  
2 to demonstrate that the costs claimed are not authorized and/or unreasonable in amount.<sup>4</sup>

3 **1. APCO's memorandum of costs was timely.**

4 The party in whose favor judgment is rendered and who claims costs must file a  
5 verified memorandum of costs in the action or proceeding "within five days after the entry  
6 of judgment, or within such further time as the judge may grant."<sup>5</sup>

7 APCO's judgment against Helix and National Wood was entered on June 1, 2018.  
8 APCO filed its Memorandum of Costs ("Memo of Costs") on May 3, 2018, almost a  
9 month before entry of judgment, so APCO's Memo of Costs was certainly timely. *See Las*  
10 *Vegas Fetish & Fantasy Halloween Ball, Inc. v. Ahern Rentals, Inc.*,<sup>6</sup> (a prevailing party  
11 claiming costs can serve and file a verified memorandum of costs before entry of  
12 judgment).

13 **2. APCO provided actual documentation of its costs, and those costs were**  
14 **reasonable and necessary and are permitted under NRS 18.005.**

15 National Wood cites *Cadle Co. v. Woods & Erickson, LLP*,<sup>7</sup> alleging APCO has not  
16 complied with its duties regarding a memorandum of costs. *Cadle Co.* confirms "NRS  
17 18.110(1) requires a party to file and serve "a memorandum [of costs] ... verified by the  
18 oath of the party ... stating that to the best of his or her knowledge and belief the items are  
19 correct, and that the costs have been necessarily incurred in the action or proceeding."<sup>8</sup>  
20 APCO's memorandum contained this certification:

21 Mary Bacon/ Cody Munteer, Esq., being duly sworn under  
22 penalty of perjury states: that Affiant is the attorney for APCO  
23 Construction, Inc. and has personal knowledge of the above  
24 costs and disbursements expended under Subsection A/B-  
Costs; that the items contained in the above Memorandum of  
Costs and Disbursements are true and correct to the best of this

25 <sup>4</sup> *Schwartz v. Estate of Greenspun*, 110 Nev. 1042, 1050–52, 881 P.2d 638 (1994).

26 <sup>5</sup> *NRS 18.110(1)*.

27 <sup>6</sup> 124 Nev. 272, 278, 182 P.3d 764, 768 (2008)

28 <sup>7</sup> 131 Nev. Adv. Op. 15, 345 P.3d 1049, 1054 (2015)

<sup>8</sup> 131 Nev. Adv. Op. 15, 345 P.3d 1049, 1054 (2015)



1 Affiant's knowledge and belief; and that the said disbursements  
2 have been necessarily incurred and paid in this action.<sup>9</sup>

3 And as detailed below, actual documentation of APCO's reasonable and necessary was  
4 provided in APCO's May 26, 2018 Supplement to its Motion for Attorney's Fees, and  
5 those costs are allowable under NRS 18.005.<sup>10</sup>

6 **II. APCO requests a total \$23,548.47 in costs incurred through Spencer Fane.**

7 As detailed in APCO's Memorandum of Costs, APCO seeks five categories of costs  
8 it incurred throughout its representation by Spencer Fane: (1) messenger services, (2)  
9 photocopies and reproductions for trial, (3) costs for court reporters/ transcripts, (4) travel  
10 and lodging expenses, and (5) reasonable and necessary expenses for computerized  
11 services for legal research.<sup>11</sup> Each of these categories are recoverable as costs and were  
12 necessarily and reasonably incurred in representing APCO in this matter.<sup>12</sup>

13 **1. Messenger Services**

14 APCO seeks \$1,012.99 in messenger services.<sup>13</sup> Messenger services are recoverable  
15 as costs. See *Zuniga v. W. Apartments*,<sup>14</sup> (allowing messenger services as costs); *Harris v.*  
16 *Marhoefer*,<sup>15</sup> (holding that "reasonable expenses, though greater than taxable costs, may be  
17 proper" and allowing recovery for messenger service); *In re Application of Mgndichian*,<sup>16</sup>  
18 (confirming messenger services are reasonable and recoverable). Helix and National Wood  
19 cite *LVMPD v. Yeghiazarian*,<sup>17</sup> for the proposition that "messenger fees should be included  
20 in a motion for attorney's fees, not in a memorandum of costs."<sup>18</sup> But *LVMD* does not

21 <sup>9</sup> See APCO's May 3, 2018 Memo of Costs.

22 <sup>10</sup> See, *infra*, and APCO's May 26, 2018 Supplement to its Motion for Attorney's Fees.

23 <sup>11</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

24 <sup>12</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

25 <sup>13</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

26 <sup>14</sup> No. CV 13-04637-JFW, 2014 WL 6655997, at \*4 (C.D. Cal. Nov. 24, 2014)

27 <sup>15</sup> 24 F.3d 16, 19-20 (9th Cir., 1994)

28 <sup>16</sup> C.D.Cal.2003, 312 F.Supp.2d 1250, amended 2003 WL 23358199

<sup>17</sup> 312 P.3d 503, 510, 129 Nev. 760, 769 (2013)

<sup>18</sup> See National Wood's Motion to Retax Costs at 9:20-2; Helix's Motion to Retax Costs at 8:3-5.

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

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**Supreme Court Case No. 77320**  
***Consolidated with 80508***

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**HELIX ELECTRIC OF NEVADA, LLC,**

Appellant,

v.

**APCO CONSTRUCTION, INC., A NEVADA CORPORATION,**

Respondent.

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**JOINT APPENDIX**  
**VOLUME 91**

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*Attorneys for Respondent*



## **CHRONOLOGICAL APPENDIX OF EXHIBITS**

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

| <u>Date</u> | <u>Description</u>   | <u>Bates<br/>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-<br>JA000342   | 6                |
|             | Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories   | JA000343-<br>JA000379   | 6                |
|             | Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories  | JA000380-<br>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-<br>JA000409   | 6/7              |
|             | Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017  | JA000410-<br>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-<br>JA000418   | 7                |
| 11-06-17    | Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6   | JA000419-<br>JA000428   | 7                |

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

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

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

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

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

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



| <u>Date</u>     | <u>Description</u>  | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
|-----------------|---|-------------------------------|------------------|
|                 | <b>Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</b>  |                               |                  |
| <b>01-10-18</b> | <b>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</b> | <b>JA001561-<br/>JA001573</b> | <b>27</b>        |
| <b>01-12-18</b> | <b>Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]</b>   | <b>JA001574-<br/>JA001594</b> | <b>27/28</b>     |
|                 | Exhibit 1 – Exhibit List APCO   | JA001595-<br>JA001614         | 28               |
|                 | Exhibit 2 – Helix Trial Exhibits  | JA001615-<br>JA001616         | 28               |
|                 | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.   | JA001617-<br>JA001635         | 28               |
|                 | Exhibit 4 – Cactus Rose Trial Exhibits  | JA001636-<br>JA001637         | 28               |
|                 | Exhibit 5 – Heinaman Trial Exhibits   | JA001638-<br>JA001639         | 28               |
|                 | Exhibit 6 – Fast Glass Trial Exhibits   | JA001640-<br>JA001641         | 28               |
|                 | Exhibit 7 – SWPPP Trial Exhibits  | JA001642-<br>JA001643         | 28               |
|                 | Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>  | JA001644-<br>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-<br>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-<br>JA001653         | 28               |
|                 | Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)                     | JA001654-<br>JA001657         | 28               |
|                 | Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>                                    | JA001658-<br>JA001660         | 28               |
|                 | Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements | JA001661-<br>JA00167          | 28/9/29          |
| <b>01-17-18</b> | <b>Transcript Bench Trial (Day 1)<sup>1</sup></b>  | <b>JA001668-<br/>JA001802</b> | <b>29/30</b>     |
|                 | Trial Exhibit 1 - Grading Agreement ( <i>Admitted</i> )  | JA001803-<br>JA001825         | 30               |
|                 | Trial Exhibit 2 – APCO/Gemstone General Construction Agreement ( <i>Admitted</i> )   | JA001826-<br>JA001868         | 30               |
|                 | Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement ( <i>Admitted</i> )                       | JA001869-<br>JA001884         | 30               |

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<sup>1</sup> Filed January 31, 2018

| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone <i>(Admitted)</i>   | JA001885-<br>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-<br>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-<br>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-<br>JA001987          | 32                      |
|                    | Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>  | JA001988-<br>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-<br>JA002010          | 33                      |
|                    | Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>  | JA002011-<br>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-<br>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-<br>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-<br>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-<br>JA002120          | 34/35                   |
|                    | Trial Exhibit 45 - Subcontractor Agreement ( <i>Admitted</i> )  | JA002121-<br>JA002146          | 35                      |
|                    | Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO ( <i>Admitted</i> )                              | JA002147-<br>JA002176          | 35/36                   |
|                    | Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice ( <i>Admitted</i> )  | JA002177-<br>JA002181          | 36                      |
|                    | Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice ( <i>Admitted</i> )                                     | JA002182-<br>JA002185          | 36                      |
|                    | Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors ( <i>Admitted</i> )  | JA002186-<br>JA002188          | 36                      |
|                    | Trial Exhibit 506 – Email and Contract Revisions ( <i>Admitted</i> )  | JA002189 –<br>JA002198         | 36                      |

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| 01-18-18    | <b>Stipulation and Order Regarding Trial Exhibit Admitted into Evidence</b>                    | <b>JA002199-<br/>JA002201</b> | <b>36</b>        |
|             | Exhibit 1 – Exhibit List APCO  | JA002208-<br>JA002221         | 36               |
|             | Exhibit 2 – Helix Trial Exhibits   | JA002222-<br>JA002223         | 36               |
|             | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.                | JA002224-<br>JA002242         | 36/37            |
|             | <b>APCO TRIAL EXHIBITS:</b>  |                               |                  |
|             | <b>APCO Related Exhibits:</b>  |                               |                  |
|             | 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-<br>JA002282         | 37/38            |
|             | Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns | JA002283-<br>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-<br>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-<br>JA002308          | 39                      |
|                    | Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)  | JA002309-<br>JA002310          | 39                      |
|                    | Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)   | JA002311-<br>JA002312-         | 40                      |
|                    | Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)          | JA002313-<br>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-<br>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-<br>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-<br>JA002320          | 41                      |

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

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



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

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

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

| <u>Date</u> | <u>Description</u>  | <u>Bates<br/>Number</u> | <u>Volume(s)</u> |
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|             | Trial Exhibit 138 - Memo from Scott Financial to Nevada State Contractors Board Re: Explanation of Project Payment Process  | JA002582-<br>JA002591   | 46               |
|             | Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment  | JA002592-<br>JA002598   | 46               |
|             | <b>National Wood Products Related Exhibits:</b>   |                         |                  |
|             | Trial Exhibit 160 - Documents provided for settlement   | JA002599-<br>JA002612   | 46               |
|             | <b>CAMCO Related Exhibits:</b>  |                         |                  |
|             | Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone  | JA002613-<br>JA002651   | 46/47            |
|             | Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project  | JA002652-<br>JA002653   | 47               |
|             | Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding   | JA002654<br>JA002656    | 47               |
|             | <b>Helix Related Exhibits:</b>  |                         | 47               |
|             | Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco  | JA 002665<br>JA002676   | 47/48            |
|             | Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)  | JA002677-<br>JA002713   | 48               |
|             | Trial Exhibit 171 - Work Order No. 100  | JA002714-<br>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-<br>JA002730   | 48               |

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

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

<sup>2</sup> Filed January 31, 201879

<sup>3</sup> Filed January 31, 2018

| <u><b>Date</b></u> | <u><b>Description</b></u>   | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | 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-<br>JA005808          | 80                      |
|                    | Trial Exhibit 804 – Camco Correspondence ( <i>Admitted</i> )  | JA005809-<br>JA005816          | 80                      |
|                    | Trial Exhibit 3176 – APCO Notice of Lien ( <i>Admitted</i> )  | JA005817-<br>JA005819          | 81                      |
| <b>01-24-18</b>    | <b>Transcript – Bench Trial (Day 5)<sup>4</sup></b>   | <b>JA005820-<br/>JA005952</b>  | 81                      |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting Helix Electric of Nevada, LLC’s (Proposed) Findings of Fact and Conclusions of Law</b> | <b>JA005953-<br/>JA005985</b>  | <b>81</b>               |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting APCO Construction, Inc.’s Proposed Findings of Fact and Conclusions of Law</b>         | <b>JA005986-<br/>JA006058</b>  | <b>8/821</b>            |
| <b>03-08-18</b>    | <b>APCO Construction Inc.’s Post-Trial Brief</b>  | <b>JA006059-<br/>JA006124</b>  | <b>82/83</b>            |
| <b>03-23-18</b>    | <b>APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law</b>                           | <b>JA006125-<br/>JA006172</b>  | <b>83/84</b>            |
| <b>03-23-18</b>    | <b>Helix Electric of Nevada, LLC’s Responses to APCO Construction’s Post-Trial Brief</b>                                    | <b>JA006173-<br/>JA006193</b>  | <b>84</b>               |
| <b>04-25-18</b>    | <b>Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO</b>         | <b>JA006194-<br/>JA006264</b>  | <b>84/85</b>            |

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<sup>4</sup> Filed January 31, 201883

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| 05-08-18    | <b>APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.</b> | <b>JA006265-<br/>JA006284</b> | <b>85</b>        |
|             | Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO  | JA006285-<br>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-<br>JA006369         | 86               |
|             | Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)   | JA006370-<br>JA006385         | 86/87            |
|             | Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco  | JA006386-<br>JA006398         | 87               |
|             | Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC   | JA006399-<br>JA006402         | 87               |
|             | Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.  | JA006403-<br>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-<br>JA006411         | 87               |
|             | Exhibit 7A – Billing Entries   | JA006412-<br>JA006442         | 87/88            |



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|                 | Exhibit 7B – Time Recap   | JA006443-<br>JA006474         | 88               |
|                 | Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs   | JA006475-<br>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-<br>JA006487         | 88               |
|                 | Exhibit 10 – Depository Index   | JA006488-<br>JA006508         | 88/89            |
| <b>05-08-18</b> | <b>Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements</b>  | <b>JA006509-<br/>JA006521</b> | <b>89</b>        |
| <b>05-31-18</b> | <b>Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]</b>  | <b>JA006522<br/>JA006540</b>  | <b>89</b>        |
| <b>06-01-18</b> | <b>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.]</b> | <b>JA006541<br/>JA006550</b>  | <b>90</b>        |
| <b>06-01-18</b> | <b>Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs</b>   | <b>JA006551-<br/>JA006563</b> | <b>90</b>        |
|                 | 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-<br>JA006574         | 90               |

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|                 | Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)  | JA006575-<br>JA006580          | 90                   |
|                 | Exhibit 3 – Prime Interest Rate  | JA006581-<br>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-<br>JA006588          | 90                   |
|                 | Exhibit 5 – Summary of Fees  | JA006589-<br>JA006614          | 90                   |
| <b>06-15-18</b> | <b>APCO Construction, Inc.’s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Motions to Retax Costs</b> | <b>JA006615-<br/>JA006637</b>  | <b>90/91</b>         |
|                 | Exhibit 1-A Declaration of Mary Bacon in Support of APCO’s Supplement to its Motion for Attorney’s Fees  | JA006635<br>JA006638           | 91                   |
|                 | Exhibit 1-B – Declaration of Cody Munteer in Support of APCO’s Supplement to its Motion for Attorney’s Fees  | JA006639-<br>JA006916          | 91/92/93<br>94/95/96 |
| <b>06-15-18</b> | <b>Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs</b>  | <b>JA006917 –<br/>JA006942</b> | <b>96</b>            |
|                 | 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-<br>JA006948          | 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-<br>JA006954   | 96               |
|             | Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed  | JA006955-<br>JA006958   | 96               |
|             | Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration   | JA006959-<br>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-<br>JA006978   | 96               |
|             | Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire  | JA006977-<br>JA006980   | 96               |
|             | Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire  | JA006981-<br>JA006984   | 96               |
|             | Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire  | JA006985-<br>JA006993   | 96/97            |
|             | Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance   | JA006994<br>JA007001    | 97               |
|             | Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire   | JA007002-<br>JA007005   | 97               |
|             | Exhibit 7A – Motion to Appoint Special Master  | JA007006-<br>JA007036   | 97               |
|             | Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016  | JA007037-<br>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-<br>JA007046   | 97               |
|             | Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss   | JA007047<br>JA007053    | 97               |
|             | Exhibit 9 – Stipulation and Order for Dismissal with Prejudice  | JA007054-<br>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-<br>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-<br>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-<br>JA007078   | 97               |
|             | Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims                                 | JA007079-<br>JA007084   | 97               |
|             | Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary                                    | JA007085-<br>JA007087   | 97               |

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

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| <b>06-29-18</b>    | <b>Helix Electric of Nevada, LLC's Reply Re: Motion to Retax</b>   | <b>JA007225-<br/>JA007237</b>  | <b>100</b>              |
| <b>07-02-18</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA007238-<br/>JA007245</b>  | <b>100</b>              |
| <b>07-19-18</b>    | <b>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</b>   | <b>JA007246-<br/>JA007261</b>  | <b>100</b>              |
| <b>08-08-18</b>    | <b>Court's Decision on Attorneys' Fees and Cost Motions</b>  | <b>JA007262-<br/>JA007280</b>  | <b>100</b>              |
| <b>09-28-18</b>    | <b>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</b> | <b>JA007281-<br/>JA007299</b>  | <b>100</b>              |
| <b>01-24-19</b>    | <b>Transcript for All Pending Fee Motions on July 19, 2018</b>   | <b>JA007300-<br/>JA007312</b>  | <b>100/101</b>          |
| <b>07-12-19</b>    | <b>Order Dismissing Appeal (Case No. 76276)</b>  | <b>JA007313-<br/>JA007315</b>  | <b>101</b>              |

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| 08-06-19    | <b>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</b>   | JA007316-<br>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-<br>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-<br>JA007344   | 101              |
|             | Exhibit 3 - Notice of Appeal  | JA007345-<br>JA007394   | 101/102          |
|             | Exhibit 4 – Amended Notice of Appeal  | JA007395-<br>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-<br>JA007517   | 102/103          |

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|                    | Solutions, Inc., E&E Fire Protection   |                                |                                     |
|                    | Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)   | JA007518-<br>JA007519          | 103                                 |
|                    | Exhibit 7 – Order to Show Cause  | JA007520-<br>JA007542          | 103                                 |
|                    | Exhibit 8 -Order Dismissing Appeal (Case No. 76276)  | JA007524-<br>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-<br>JA007541         | 103                                 |
|                    | Exhibit 10 (Part One)  | JA007537-<br>JA007542          | 103                                 |
|                    | Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)   | JA007543-<br>JA007585          | 103                                 |
|                    | Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)   | JA007586-<br>JA008129          | 103/104/105<br>/106/107<br>/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-<br>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-<br>JA008141          | 109                                 |
|                    | Exhibit 10 (Part Two)  | JA008142-<br>JA008149          | 109                                 |



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

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|                    | 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<br>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-<br>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-<br>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-<br>JA008450          | 110/111                 |
|                    | Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008451-<br>JA008486          | 111                     |
|                    | Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008468-<br>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-<br>JA008504          | 111                     |

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

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|                    | 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-<br>JA008624          | 112                     |
|                    | Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008625-<br>JA008642          | 112                     |
|                    | Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008643-<br>JA008657          | 112                     |
|                    | Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008658-<br>JA008664          | 112                     |
|                    | Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008665-<br>JA008681          | 112                     |
|                    | Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below  | JA008682-<br>JA008685          | 112                     |
|                    | Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice   | JA008686-<br>JA008693          | 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-<br>JA008717          | 112/113                 |
|                    | Exhibit 10NN-Notice of Appeal   | JA008718<br>JA008723           | 113                     |
|                    | Exhibit 10OO – Amended Notice of Appeal   | JA008724-<br>JA008729          | 113                     |
|                    | Exhibit 10PP – Notice of Cross Appeal   | JA008730-<br>JA008736          | 113                     |
|                    | Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276  | JA008737-<br>JA008746          | 113                     |
|                    | Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195                               | JA008747-<br>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-<br>JA008758           | 113                     |
|                    | Exhibit 13 – Stipulation and Order with Prejudice   | JA008759-<br>JA008780          | 113                     |
|                    | Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment                                | JA008762-<br>JA008788          | 113                     |
|                    | Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal   | JA008789-<br>JA008798          | 113                     |

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|                 | Exhibit 16 – Notice of Appeal  | JA008799-<br>JA008810         | 113              |
| <b>08-16-19</b> | <b>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</b> | <b>JA008811-<br/>JA008821</b> | <b>114</b>       |
|                 | Exhibit 1 – Order to File Amended Docketing Statement  | JA008822-<br>JA008824         | 114              |
|                 | Exhibit 2 – Order to Show Cause  | JA008825-<br>JA008828         | 114              |
|                 | Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause   | JA008829-<br>JA008892         | 114/115/116      |
|                 | Exhibit 4 – Order Dismissing Appeal  | JA008893-<br>JA008896         | 116              |
|                 | Exhibit 5 – Chart of Claims  | JA008897-<br>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-<br>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-<br>JA008965         | 117              |
|                 | Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco   | JA008966-<br>JA008986         | 117/118          |

| <u>Date</u>     | <u>Description</u>  | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
|-----------------|---|-------------------------------|------------------|
|                 | Pacific Construction's Counterclaim   |                               |                  |
|                 | 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-<br>JA008998         | 118              |
|                 | Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.   | JA008998-<br>JA009010         | 118              |
|                 | Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing  | JA009011-<br>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-<br>JA009038         | 118              |
|                 | Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO  | JA009039-<br>JA009110         | 118/119          |
|                 | Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal  | JA009111-<br>JA009113         | 119              |
|                 | Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond  | JA009114-<br>JA009116         | 119              |
| <b>08-29-19</b> | <b>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)</b>    | <b>JA009117-<br/>JA009123</b> | <b>119</b>       |

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | <b>Dismiss All Unresolved Claims and/or (III) In The Alternative for a Rule 54(B) Certification as to Helix and APCO</b>   |                                |                         |
| <b>01-03-20</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification</b>   | <b>JA009124-<br/>JA009131</b>  | <b>119</b>              |
| <b>01-29-20</b>    | <b>Notice of Appeal</b>  | <b>JA009132-<br/>JA009136</b>  | <b>119/120</b>          |
|                    | 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-<br>JA009166          | 120                     |
|                    | Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification  | JA009148-<br>JA009156          | 120                     |
| <b>02-11-20</b>    | <b>Case Appeal Statement</b>   | <b>JA009157-<br/>JA009163</b>  | 120                     |
| <b>02-11-20</b>    | <b>APCO's Notice of Cross Appeal</b>   | <b>JA009164-<br/>JA010310</b>  | 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-<br>JA009182          | 120                     |



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

## **ALPHABETICAL APPENDIX OF EXHIBITS**

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

| <u><b>Date</b></u> | <u><b>Description</b></u>   | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
|--------------------|---|--------------------------------|-------------------------|
|                    |   | JA006442                       |                         |
|                    | Exhibit 7B – Time Recap   | JA006443-<br>JA006474          | 88                      |
|                    | Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs   | JA006475-<br>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-<br>JA006487          | 88                      |
|                    | Exhibit 10 – Depository Index   | JA006488-<br>JA006508          | 88/89                   |
| <b>06-06-13</b>    | <b>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</b>   | <b>JA000044-<br/>JA000054</b>  | <b>1</b>                |
|                    | 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-<br>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-<br>JA000326          | 6                       |
| <b>02-11-20</b>    | <b>APCO’s Notice of Cross Appeal</b>  | <b>JA009164-<br/>JA010310</b>  | <b>120</b>              |
|                    | 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-<br>JA009182          | 114                     |

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

| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1   | JA000849-<br>JA000856          | 12                      |
|                    | Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1  | JA000857-<br>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-<br>JA000873          | 12                      |
|                    | Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017  | JA000874-<br>JA000897          | 12                      |
| <b>03-23-18</b>    | <b>APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law</b>  | <b>JA006125-<br/>JA006172</b>  | <b>83/84</b>            |
| <b>08-16-19</b>    | <b>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</b> | <b>JA008811-<br/>JA008821</b>  | <b>114</b>              |
|                    | Exhibit 1 – Order to File Amended Docketing Statement  | JA008822-<br>JA008824          | 114                     |
|                    | Exhibit 2 – Order to Show Cause  | JA008825-<br>JA008828          | 114                     |
|                    | Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause   | JA008829-<br>JA008892          | 114/115/116             |
|                    | Exhibit 4 – Order Dismissing Appeal  | JA008893-<br>JA008896          | 116                     |
|                    | Exhibit 5 – Chart of Claims  | JA008897-<br>JA008924          | 116                     |
|                    | Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco  | JA008925-<br>JA008947          | 116/117                 |

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | 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-<br>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-<br>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-<br>JA008998          | 118                     |
|                    | Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.  | JA008998-<br>JA009010          | 118                     |
|                    | Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing   | JA009011-<br>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-<br>JA009038          | 118                     |
|                    | Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO   | JA009039-<br>JA009110          | 118/119                 |
|                    | Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal   | JA009111-<br>JA009113          | 119                     |
|                    | Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond   | JA009114-<br>JA009116          | 119                     |

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

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Exhibit 1 – Special Master Report Regarding Discovery Status   | JA001149-<br>JA001151          | 21                      |
|                    | Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.  | JA001152-<br>JA001160          | 21                      |
| <b>06-29-18</b>    | <b>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.</b> | <b>JA007198-<br/>JA007220</b>  | <b>99</b>               |
|                    | Exhibit 1 – Invoice Summary by Matter Selection  | JA007221-<br>JA007222          | 99                      |
|                    | Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018   | JA007223-<br>JA007224          | 99                      |
| <b>04-26-10</b>    | <b>CAMCO and Fidelity’s Answer and CAMCO’s Counterclaim</b>  | <b>JA000031-<br/>JA000041</b>  | <b>1</b>                |
| <b>11-14-17</b>    | <b>Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6</b>   | <b>JA000898-<br/>JA000905</b>  | <b>12</b>               |
|                    | Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement   | JA000906-<br>JA000907          | 12                      |
|                    | Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board   | JA000908-<br>JA000915          | 2/13                    |
|                    | Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs  | JA000916-<br>JA000917          | 13                      |
|                    | Exhibit D – Camco Pacific’s letter dated December 22, 2008   | JA000918-<br>JA000920          | 13                      |
|                    | Exhibit E – Order Approving Sale of Property   | JA000921-<br>JA000928          | 13                      |
| <b>02-11-20</b>    | <b>Case Appeal Statement</b>   | <b>JA009157-<br/>JA009163</b>  | <b>120</b>              |



| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
| <b>08-08-18</b>    | <b>Court's Decision on Attorneys' Fees and Cost Motions</b>  | <b>JA007262-<br/>JA007280</b>  | <b>100</b>              |
| <b>06-15-18</b>    | <b>Declaration of S. Judy Hirahara in support of National Woods's Opposition to APCO Construction's Motion for Attorneys' Fees and Costs</b>             | <b>JA007121-<br/>JA007189</b>  | <b>98</b>               |
| <b>06-13-13</b>    | <b>Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone</b>  | <b>JA000327</b>                | <b>6</b>                |
| <b>04-25-18</b>    | <b>Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO</b>                                      | <b>JA006194-<br/>JA006264</b>  | <b>84/85</b>            |
| <b>11-06-17</b>    | <b>Helix Electric of Nevada's Motion <i>in Limine</i> Nos. 1-4</b>   | <b>JA000534-<br/>JA000542</b>  | <b>8</b>                |
|                    | Exhibit 1 – Notice of Entry of Order   | JA000543-<br>JA000549          | 8                       |
|                    | Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction   | JA000550<br>JA000558           | 8/9                     |
|                    | Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017  | JA000559<br>JA000574           | 9                       |
|                    | Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017  | JA000575-<br>JA000589          | 9                       |
| <b>06-01-18</b>    | <b>Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA006551-<br/>JA006563</b>  | <b>90</b>               |
|                    | 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-<br>JA006574          | 90                      |
|                    | Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)  | JA006575-<br>JA006580          | 90                      |
|                    | Exhibit 3 – Prime Interest Rate  | JA006581-<br>JA006601          | 90                      |

| <u><b>Date</b></u> | <u><b>Description</b></u>   | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></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-<br>JA006588          | 90                      |
|                    | Exhibit 5 – Summary of Fees   | JA006589-<br>JA006614          | 90                      |
| <b>08-06-19</b>    | <b>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</b>   | <b>JA007316-<br/>JA007331</b>  | <b>101</b>              |
|                    | 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-<br>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-<br>JA007344          | 101                     |
|                    | Exhibit 3 - Notice of Appeal  | JA007345-<br>JA007394          | 101/102                 |
|                    | Exhibit 4 – Amended Notice of Appeal  | JA007395-<br>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-<br>JA007517          | 102/103                 |

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b>            |
|--------------------|--|--------------------------------|------------------------------------|
|                    | Nevada, LLC, SWPPP Compliance Solutions, Inc., E&E Fire Protection   |                                |                                    |
|                    | Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)   | JA007518-<br>JA007519          | 103                                |
|                    | Exhibit 7 – Order to Show Cause  | JA007520-<br>JA007542          | 103                                |
|                    | Exhibit 8 -Order Dismissing Appeal (Case No. 76276)  | JA007524-<br>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-<br>JA007541         | 103                                |
|                    | Exhibit 10 (Part One)  | JA007537-<br>JA007542          | 103                                |
|                    | Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)   | JA007543-<br>JA007585          | 103                                |
|                    | Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)   | JA007586-<br>JA008129          | 103/104/105/<br>106/107/108<br>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-<br>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-<br>JA008141          | 109                                |
|                    | Exhibit 10 (Part Two)  | JA008142-<br>JA008149          | 109                                |
|                    | Exhibit 10E – 131 Nev. Advance Opinion 70  | JA008150-<br>JA008167          | 109                                |
|                    | Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status   | JA008168-<br>JA008170          | 109                                |

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss   | JA008171-<br>JA008177          | 109                     |
|                    | Exhibit 10H – Complaint re Foreclosure   | JA008178-<br>JA008214          | 109                     |
|                    | Exhibit 10I – First Amended Complaint re Foreclosure   | JA008215-<br>JA008230          | 109                     |
|                    | Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure   | JA008231-<br>JA008265          | 109/110                 |
|                    | Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim                                      | JA008266-<br>JA008285          | 110                     |
|                    | Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim  | JA008286-<br>JA008290          | 110                     |
|                    | Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008291-<br>JA008306          | 110                     |
|                    | Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint                                | JA008307-<br>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-<br>JA008338          | 110                     |
|                    | Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs  | JA008339<br>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-<br>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-<br>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-<br>JA008450          | 110/111                 |
|                    | Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008451-<br>JA008486          | 111                     |
|                    | Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008468-<br>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-<br>JA008504          | 111                     |
|                    | Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal   | JA008505-<br>JA008512          | 111                     |
|                    | Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim   | JA008513<br>JA008517           | 111                     |
|                    | Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008518-<br>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-<br>JA008551          | 111                     |

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|                    | Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing’s Motion for Attorneys’s Fees, Interest and Costs  | JA008552-<br>JA008579          | 111/112                 |
|                    | Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]   | JA008561-<br>JA008582          | 112                     |
|                    | Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim   | JA008583<br>JA008588           | 112                     |
|                    | Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008589-<br>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-<br>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-<br>JA008624          | 112                     |
|                    | Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008625-<br>JA008642          | 112                     |
|                    | Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008643-<br>JA008657          | 112                     |
|                    | Exhibit 10II – Amended Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008658-<br>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-<br>JA008681          | 112                     |
|                    | Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below   | JA008682-<br>JA008685          | 112                     |
|                    | Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice  | JA008686-<br>JA008693          | 112                     |
|                    | Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint               | JA008694-<br>JA008717          | 112/113                 |
|                    | Exhibit 10NN-Notice of Appeal   | JA008718<br>JA008723           | 113                     |
|                    | Exhibit 10OO – Amended Notice of Appeal   | JA008724-<br>JA008729          | 113                     |
|                    | Exhibit 10PP – Notice of Cross Appeal   | JA008730-<br>JA008736          | 113                     |
|                    | Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276  | JA008737-<br>JA008746          | 113                     |
|                    | Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195                               | JA008747-<br>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-<br>JA008758           | 113                     |
|                    | Exhibit 13 – Stipulation and Order with Prejudice   | JA008759-<br>JA008780          | 113                     |

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



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|                    | Precluding Defenses Based on Pay-if-Paid Agreements   |                                |                         |
|                    | Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire   | JA006977-<br>JA006980          | 96                      |
|                    | Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire   | JA006981-<br>JA006984          | 96                      |
|                    | Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire   | JA006985-<br>JA006993          | 96/97                   |
|                    | Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance  | JA006994<br>JA007001           | 97                      |
|                    | Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire  | JA007002-<br>JA007005          | 97                      |
|                    | Exhibit 7A – Motion to Appoint Special Master   | JA007006-<br>JA007036          | 97                      |
|                    | Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016   | JA007037-<br>JA007060          | 97                      |
|                    | Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda      | JA007042-<br>JA007046          | 97                      |
|                    | Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss   | JA007047<br>JA007053           | 97                      |
|                    | Exhibit 9 – Stipulation and Order for Dismissal with Prejudice  | JA007054-<br>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-<br>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-<br>JA007088          | 97                      |

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|                    | 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-<br>JA007078          | 97                      |
|                    | Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims   | JA007079-<br>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-<br>JA007087          | 97                      |
|                    | Exhibit 15 – Notice of Association of Counsel   | JA007088-<br>JA007094          | 97                      |
| <b>11-14-17</b>    | <b>Helix Electric of Nevada’s Opposition to APCO Construction’s Omnibus Motion in Limine</b>  | <b>JA000994-<br/>JA001008</b>  | <b>20</b>               |
|                    | Exhibit 1 – Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017  | JA001009-<br>JA001042          | 20                      |
|                    | Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017  | JA001043-<br>JA001055          | 20                      |
|                    | Exhibit 3 – Special Master Order Requiring Completion of Questionnaire  | JA001056-<br>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-<br>JA001064          | 20                      |
|                    | Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017   | JA001065<br>JA001132           | 20/21                   |
| <b>08-29-19</b>    | <b>Helix Electric of Nevada LLC’s Reply to APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-</b>  | <b>JA009117-<br/>JA009123</b>  | <b>119</b>              |

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|                    | <b>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</b> |                                |                         |
| <b>06-29-18</b>    | <b>Helix Electric of Nevada, LLC's Reply Re: Motion to Retax</b>  | <b>JA007225-<br/>JA007237</b>  | <b>100</b>              |
| <b>03-23-18</b>    | <b>Helix Electric of Nevada, LLC's Responses to APCO Construction's Post-Trial Brief</b>  | <b>JA006173-<br/>JA006193</b>  | <b>84</b>               |
| <b>06-24-09</b>    | <b>Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint</b>  | <b>JA000001-<br/>JA000015</b>  | <b>1</b>                |
| <b>01-12-18</b>    | <b>Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]</b>                         | <b>JA001574-<br/>JA001594</b>  | <b>27/28</b>            |
|                    | Exhibit 1 – Exhibit List APCO   | JA001595-<br>JA001614          | 28                      |
|                    | Exhibit 2 – Helix Trial Exhibits  | JA001615-<br>JA001616          | 28                      |
|                    | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.   | JA001617-<br>JA001635          | 28                      |
|                    | Exhibit 4 – Cactus Rose Trial Exhibits  | JA001636-<br>JA001637          | 28                      |
|                    | Exhibit 5 – Heinaman Trial Exhibits   | JA001638-<br>JA001639          | 28                      |
|                    | Exhibit 6 – Fast Glass Trial Exhibits   | JA001640-<br>JA001641          | 28                      |
|                    | Exhibit 7 – SWPPP Trial Exhibits  | JA001642-<br>JA001643          | 28                      |
|                    | Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>  | JA001644-<br>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-<br>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-<br>JA001653          | 28                      |
|                    | Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)   | JA001654-<br>JA001657          | 28                      |
|                    | Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>  | JA001658-<br>JA001660          | 28                      |
|                    | Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements   | JA001661-<br>JA001667          | 28/9/29                 |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law</b>  | <b>JA005986-<br/>JA006058</b>  | <b>8/821</b>            |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law</b>  | <b>JA005953-<br/>JA005985</b>  | <b>81</b>               |
| <b>01-04-18</b>    | <b>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</b> | <b>JA001199-<br/>JA001217</b>  | <b>22</b>               |
|                    | Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)  | JA001218-<br>JA001245          | 22/23/24                |
|                    | Exhibit 2 – Subcontract Agreement (Zitting Brothers)   | JA001246-<br>JA001263          | 24                      |

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|                    | Exhibit 3 – Subcontract Agreement (CabineTec)  | JA001264-<br>JA001281          | 24/25                   |
|                    | Exhibit 4 – Amended Notice of Lien   | JA001282-<br>JA001297          | 25                      |
|                    | Exhibit 5 - Amended NOL  | JA001298-<br>JA001309          | 25                      |
|                    | Exhibit 6 – Notice of Lien   | JA001310-<br>JA001313          | 25                      |
|                    | Exhibit 7 – Order Approving Sale of Property   | JA001314-<br>JA001376          | 25/26                   |
|                    | Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account   | JA001377-<br>JA001380          | 26                      |
|                    | Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration   | JA001381-<br>JA001385          | 26                      |
|                    | Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements | JA001386-<br>JA001392          | 26                      |
|                    | Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment   | JA001393-<br>JA001430          | 26                      |
|                    | Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment                                | JA001431-<br>JA001435          | 26                      |
|                    | Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)  | JA001436-<br>JA001469          | 26                      |
|                    | Exhibit 14 – Respondent’s Answering Brief  | JA001470-<br>JA001516          | 26/27                   |
|                    | Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)  | JA001517-<br>JA001551          | 27                      |
| <b>01-29-20</b>    | <b>Notice of Appeal</b>  | <b>JA009132-<br/>JA009136</b>  | <b>119/120</b>          |
|                    | Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention                         | JA009137-<br>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-<br>JA009156          | 120                     |
| <b>05-31-18</b>    | <b>Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]</b>   | <b>JA006522<br/>JA006540</b>   | <b>89</b>               |
| <b>06-01-18</b>    | <b>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.]</b>  | <b>JA006541<br/>JA006550</b>   | <b>90</b>               |
| <b>09-28-18</b>    | <b>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</b> | <b>JA007281-<br/>JA007299</b>  | <b>100</b>              |
| <b>12-29-17</b>    | <b>Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i></b>   | <b>JA001178-<br/>JA001186</b>  | <b>22</b>               |
| <b>07-02-18</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA007238-<br/>JA007245</b>  | <b>100</b>              |
| <b>01-03-20</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification</b>   | <b>JA009124-<br/>JA009131</b>  | <b>119</b>              |

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| 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-<br>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-<br>JA001177          | 22                      |
| 12-29-17           | Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion <i>in Limine</i> 1-6   | JA001161-<br>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-<br>JA005283          | 78                      |
| 07-12-19           | Order Dismissing Appeal (Case No. 76276)   | JA007332-<br>JA007334          | 101                     |
| 07-02-10           | Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default  | JA000042-<br>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-<br>JA000342          | 6                       |
|                    | Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories   | JA000343-<br>JA000379          | 6                       |
|                    | Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories  | JA000380-<br>JA000392          | 6                       |
| 11-06-17           | Peel Brimley Lien Claimants' Motion <i>in Limine</i> Nos. 1-6  | JA000419-<br>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-<br>JA000472          | 7/8                     |
|                    | Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017   | JA000473<br>JA00489            | 8                       |
|                    | Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction  | JA00490<br>JA000500            | 8                       |
|                    | Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction  | JA000501-<br>JA000511          | 8                       |
|                    | Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction   | JA000512-<br>JA000522          | 8                       |
|                    | Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction   | JA000523-<br>JA000533          | 8                       |
| <b>09-28-17</b>    | <b>Peel Brimley Lien Claimants’ Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</b>   | <b>JA000413-<br/>JA00418</b>   | <b>7</b>                |
| <b>01-09-18</b>    | <b>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</b>                             | <b>JA001552-<br/>JA001560</b>  | <b>27</b>               |
| <b>06-18-18</b>    | <b>Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition</b>   | <b>JA007190-<br/>JA007192</b>  | <b>99</b>               |



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|             | 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-<br>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-<br>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-<br>JA001573   | 27               |
| 01-18-18    | Stipulation and Order Regarding Trial Exhibit Admitted into Evidence   | JA002199-<br>JA002201   | 36               |
|             | Exhibit 1 – Exhibit List APCO  | JA002208-<br>JA002221   | 36               |
|             | Exhibit 2 – Helix Trial Exhibits   | JA002222-<br>JA002223   | 36               |
|             | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.  | JA002224-<br>JA002242   | 36/37            |
|             | <b>APCO TRIAL EXHIBITS:</b>  |                         |                  |
|             | <b>APCO Related Exhibits:</b>  |                         |                  |
|             | 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-<br>JA002282   | 37/38            |
|             | Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns   | JA002283-<br>JA002284   | 38               |

| <b><u>Date</u></b> | <b><u>Description</u></b>   | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|---|--------------------------------|-------------------------|
|                    | 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-<br>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-<br>JA002308          | 39                      |
|                    | Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)  | JA002309-<br>JA002310          | 39                      |
|                    | Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)   | JA002311-<br>JA002312-         | 40                      |
|                    | Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)        | JA002313-<br>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-<br>JA002316          | 40                      |

| <u>Date</u> | <u>Description</u>  | <u>Bates<br/>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-<br>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-<br>JA002320   | 41               |
|             | Trial Exhibit 39 -Email from K. Costen to Subcontractors informing that Manhattan West Project no longer open                                     | JA002321-<br>JA002322   | 41               |
|             | Trial Exhibit 40- Letter from D. Parry to Subcontractors Re: Funding Withdrawn  | JA002323<br>JA002326    | 41               |
|             | <b>HELIX Related Exhibits:</b>  |                         | 41               |
|             | Trial Exhibit 46 - Helix Pay Application No. 16713-008R1 with Proof of Payment  | JA002327-<br>JA002345   | 41               |
|             | Trial Exhibit 47 - Helix Pay Application No. 16713-009R1 with Proof of Payment  | JA002346-<br>JA002356   | 41               |
|             | Trial Exhibit 48 - Email from R. Nickerl to B. Johnson Re: Work Suspension Directive  | JA002357-<br>JA002358   | 41               |
|             | Trial Exhibit 49 -Helix Pay Application No. 16713-010R2 with Proof of Payment   | JA002359-<br>JA002364   | 41/42            |
|             | Trial Exhibit 50 - Unconditional Waiver and Release re: Pay Application No. 8 with Copy of Payment  | JA002365-<br>JA002366   | 42               |
|             | Trial Exhibit 51 - Photo re: Building 8 & 9, South (No Exterior fixtures installed. Helix billed out at 90%)                                      | JA002367-<br>JA002368   | 42               |
|             | Trial Exhibit 52 -Photo re: Building 8 & 9, North (No Exterior fixtures installed. Helix billed out at 90%)                                       | JA002369-<br>JA002370   | 42               |
|             | Trial Exhibit 53 -Photo re: Building - 2 & 3, West (No Exterior fixtures installed. Helix billed out at 90%)                                      | JA002371-<br>JA002372   | 42               |

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

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

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

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

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



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

<sup>5</sup> Filed January 31, 2018

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>  | JA001988-<br>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-<br>JA002010          | 33                      |
|                    | Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>  | JA002011-<br>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-<br>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-<br>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-<br>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-<br>JA002120          | 34/35                   |
|                    | Trial Exhibit 45 - Subcontractor Agreement <i>(Admitted)</i>   | JA002121-<br>JA002146          | 35                      |

| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO ( <i>Admitted</i> )                         | JA002147-<br>JA002176          | 35/36                   |
|                    | Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice ( <i>Admitted</i> )   | JA002177-<br>JA002181          | 36                      |
|                    | Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice ( <i>Admitted</i> )                                | JA002182-<br>JA002185          | 36                      |
|                    | Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors ( <i>Admitted</i> )   | JA002186-<br>JA002188          | 36                      |
|                    | Trial Exhibit 506 – Email and Contract Revisions ( <i>Admitted</i> )   | JA002189 –<br>JA002198         | 36                      |
| <b>01-18-18</b>    | <b>Transcript – Bench Trial (Day 2)<sup>6</sup></b>  | JA005284-<br>JA005370          | 78                      |
|                    | Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) ( <i>Admitted</i> )  | JA005371-<br>JA005623          | 78/79/80                |
| <b>01-19-18</b>    | <b>Transcript – Bench Trial (Day 3)<sup>7</sup></b>  | JA005624-<br>JA005785          | 80                      |
|                    | Trial Exhibit 231 – Helix Electric’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint ( <i>Admitted</i> )      | JA005786-<br>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-<br>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                      |

<sup>6</sup> Filed January 31, 201879

<sup>7</sup> Filed January 31, 2018

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

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<sup>8</sup> Filed January 31, 2018

1 discuss messenger fees being inappropriate in a memorandum of costs. Instead, it analyzes  
2 messenger fees in a motion for attorney's fees. The position that messenger/runner fees are  
3 not allowable appears to be a convenient interpretation of the law for Helix who listed  
4 \$876.56 in "runner's fees" in its May 3, 2018 Memorandum of Costs and Disbursements  
5 filed against Camco.<sup>19</sup>

6 A chart summarizing the amount of each messenger service and the reason each  
7 messenger service was necessary is attached as **Exhibit A**.<sup>20</sup> Invoices for those services are  
8 attached as **Exhibit B** to this opposition.<sup>21</sup> The name and date of the document messengered  
9 is contained in each specific invoice.<sup>22</sup> Each of these messenger services were required to  
10 deliver the specific document referenced in the invoice to either the court or to opposing  
11 counsel for the process of facilitating signing stipulations and/or orders.<sup>23</sup> Each of these  
12 messenger services was for this case, and was necessary to facilitate APCO's defense.<sup>24</sup>

## 13 **2. Photocopies and Reproductions for Trial**

14 APCO seeks \$15,013.42 for trial exhibit reproductions for trial.<sup>25</sup> The costs for these  
15 reproductions include exhibits and exhibit binders, the videos APCO used as exhibits at  
16 trial, and copies of Helix's and National Wood's exhibits.<sup>26</sup> The recovery of these costs is  
17 permitted. See NRS 18.005(12) allowing photocopies as a recoverable costs, and NRS  
18 18.005(17) allowing for costs "reasonable and necessary" incurred in connection with the  
19 action. The cost of reproducing documents for inclusion in document books, and for  
20 introduction at trial is recoverable where copies are necessary for trial or pretrial.<sup>27</sup>

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21 <sup>19</sup> See Helix Electric of Nevada, LLC's May 3, 2018 Memorandum of Costs and  
22 Disbursements at 1:24.

23 <sup>20</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

24 <sup>21</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

25 <sup>22</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

26 <sup>23</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

27 <sup>24</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

28 <sup>25</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

<sup>26</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

<sup>27</sup> *Advance Business Systems & Supply Co. v. SCM Corp.*, D.C.Md.1968, 287 F.Supp. 143,  
affirmed and remanded on other grounds 415 F.2d 55, certiorari denied 90 S.Ct. 928, 397 U.S.  
920, 25 L.Ed.2d 101.

1 Videotapes and video duplication are also properly taxable costs.<sup>28</sup> See *Weitz Co. v. MH*  
2 *Washington*,<sup>29</sup> (allowing costs of trial exhibits); *In re Online DVD-Rental Antitrust*  
3 *Litigation*,<sup>30</sup> (allowing costs for scanning and assembly of documents and preparation of  
4 visual aids).

5 Invoices for those services are attached as **Exhibit C** to this opposition. These costs  
6 were necessary for APCO's defense at trial.<sup>31</sup>

### 7 **3. Costs for court reporters/ transcripts**

8 APCO seeks \$1,789.68 for court reporters and trial transcripts.<sup>32</sup> These fees are  
9 allowed under NRS 18.005(2). Invoices for those services are attached as **Exhibit D** to  
10 this opposition. These costs are allowable. See *Farmer v. Arabian Am. Oil Co.*,<sup>33</sup>  
11 (prevailing party was entitled to recover the cost of a trial transcript. *In re Application of*  
12 *Mgndichian*,<sup>34</sup> (awarding costs for deposition, pretrial and trial transcripts); 28 U.S.C.A. §  
13 1920 (confirming taxable costs include transcripts).

14 **Exhibit A** summarizes the reasons these court reporter/ transcripts were necessary for  
15 trial and post-trial briefing.<sup>35</sup> **Exhibit D** includes the invoices for the court reporter  
16 fees/transcripts.

### 17 **4. Travel and lodging expenses**

18 APCO also seeks \$3,942.38 for travel and lodging costs.<sup>36</sup> APCO requested attorney  
19 John Randall Jefferies appear as trial counsel months before trial in this case.<sup>37</sup> While Mr.  
20 Jefferies maintains offices in both Arizona and Nevada, his residence is in Arizona and he

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21 <sup>28</sup> *Andrews v. Suzuki Motor Co., Ltd.*, 161 F.R.D. 383 (S.D. Ind. 1995)

22 <sup>29</sup> 631 F.3d 510 (8th Cir. 2011)

23 <sup>30</sup> C.A.9 (Cal.) 2015, 779 F.3d 914

24 <sup>31</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

25 <sup>32</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

26 <sup>33</sup> 379 U.S. 227, 85 S. Ct. 411, 13 L. Ed. 2d 248 (1964)

27 <sup>34</sup> 312 F. Supp. 2d 1250, 1266 (C.D. Cal. 2003), *amended sub nom. In re Mgndichian*, No.  
CV02-09580MMMSHX, 2003 WL 23358199 (C.D. Cal. Dec. 2, 2003) (awarding costs for  
transcripts); *United States v. Hitachi America, Ltd.*, 101 F.Supp.2d 830, 833, 838 (C.I.T.2000)

28 <sup>35</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

<sup>36</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

1 had to travel in for critical hearings and trial.<sup>38</sup> These expenses are recoverable under NRS  
2 18.005(17) as reasonable and necessary expenses incurred in connection with the action.  
3 *See Thon v. Thompson*,<sup>39</sup> (specifically allowing hotel, travel and airfare expenses and  
4 confirming the prevailing party may recover reasonable travel expenses incurred by the  
5 out-of-county attorneys whom in retained in order to attend proceedings conducted in  
6 county of jurisdiction); *Seever v. Copley Press, Inc.*,<sup>40</sup> (affirming trial court's decision to  
7 award travel costs); *Howard v. Am. Nat. Fire Ins. Co.*,<sup>41</sup> ("The expense of taking  
8 depositions—including travel expenses incurred by out-of-town-counsel to attend  
9 depositions—is an allowable cost" and refusing to overturn trial court's decision to award  
10 the cost of meals); *Aston v. Secretary of Health and Human Services*<sup>42</sup> (affirming an award  
11 of travel expenses); NRS 18.005 (allowing reasonable costs for travel and lodging incurred  
12 taking depositions and conducting discovery).

13 Mr. Jefferies' travel and lodging expenses, as well as the reason for each of those  
14 expenses is summarized in **Exhibit A**.<sup>43</sup> Invoices for those services are attached as **Exhibit**  
15 **E**.<sup>44</sup>

##### 16 **5. Computerized legal research expenses.**

17 APCO seeks \$1,790.00 for computerized legal research.<sup>45</sup> These costs are recoverable  
18 under NRS 18.005(17), which specifically allows costs for computerized legal research.  
19 *See Waddell v. L.V.R.V. Inc.*,<sup>46</sup> (recognized the recoverability of computerized research  
20

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21 <sup>37</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

22 <sup>38</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

23 <sup>39</sup> 29 Cal. App. 4th 1546, 35 Cal. Rptr. 2d 346 (1994)

24 <sup>40</sup> 141 Cal. App. 4th 1550, 1560, 47 Cal. Rptr. 3d 206, 213 (2006), *as modified* (Aug. 22,  
25 2006)

26 <sup>41</sup> 187 Cal. App. 4th 498, 541, 115 Cal. Rptr. 3d 42, 79 (2010), *as modified on denial of*  
27 *reh'g* (Sept. 9, 2010)(internal citations omitted)

28 <sup>42</sup> , 808 F.2d 9, 12 (2d Cir.1986)

<sup>43</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

<sup>44</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

<sup>45</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

<sup>46</sup> 122 Nev. 15, 125 P.3d 1160, 58 U.C.C. Rep. Serv. 2d 655 (2006),



1 expenses as costs); *Sever v. Alaska Pulp Corp.*,<sup>47</sup> (affirming an award of \$18,323.01 for  
2 computerized research); *CTA Architects of Alaska, Inc. v. Active Erectors & Installers,*  
3 *Inc.*,<sup>48</sup> (recognizing computer assisted legal research as recoverable costs); *Kennedy v.*  
4 *King Soopers Inc.*,<sup>49</sup> (awarding costs for computerized legal research); *Mackall v. Jalisco*  
5 *Intern., Inc.*,<sup>50</sup> (holding a contractor is entitled to an award of costs for computerized legal  
6 services). Invoices for those services are attached as **Exhibit F** to this opposition, and the  
7 research completed is for each charge is explained in **Exhibit A**. These costs were  
8 necessary to assist the attorneys in researching the many complex legal issues in this  
9 case.<sup>51</sup>

#### 10 **Summary of APCO's Costs at Spencer Fane**

11 Spencer Fane entered the case as trial counsel on September 29, 2017.<sup>52</sup> Besides  
12 some relatively minor negotiations Spencer Fane participated in to settle with other  
13 subcontractors, Spencer Fane's work focused on defending against the claims of Helix and  
14 CabineTec (National Wood).<sup>53</sup> And as such, the costs are clearly attributable to those  
15 subcontractors that actually went to trial. APCO believes it would be fair to split the costs  
16 APCO incurred at Spencer Fane (\$23,548.46) between Helix and National Wood evenly,  
each paying \$11,774.23.<sup>54</sup>

17 APCO also requests an additional \$10,500 from Helix as a result of a 2010 Nevada  
18 State Contractor's Board audit of APCO's finances, ordered as result of Helix's claims  
19 against APCO in this matter. These amounts are reasonable and recoverable under NRS  
20 18.005(17) since specifically ordered by the Nevada State Contractor's Board based solely

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21 <sup>47</sup> 931 P.2d 354, 132 Lab. Cas. (CCH) ¶58182 (Alaska 1996),

22 <sup>48</sup> 781 P.2d 1364 (Alaska 1989)

23 <sup>49</sup> 148 P.3d 385 (Colo. Ct. App. 2006)

24 <sup>50</sup> 28 P.3d 975 (Colo. Ct. App. 2001)

25 <sup>51</sup> See for example APCO's Post-Trial Brief, including sections on assignment, ratification,  
novation, and judicial admissions to name a few.

26 <sup>52</sup> See Docket at September 29, 2017 Notice of Appearance.

27 <sup>53</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq.

28 <sup>54</sup> **Exhibit 1-A**, Declaration of Mary Bacon, Esq. (This also appears fair since APCO  
already removed certain expenses, like the cost of subcontractor Zitting's deposition, and runner  
fees associated with stipulations with other subcontracts, etc from APCO's costs).



1 on Helix's Complaint.<sup>55</sup> The Nevada State Contractor's Board ordering this audit in  
2 connection with the Project, and APCO's invoice for the audit are attached as **Exhibit Q**.

3 For clarity, thus far, APCO seeks \$11,774.23 against National Wood and \$22,274.23  
4 against Helix.

5 **I. APCO requests \$23,180.42 in costs through Marquis Aurbach Coffing**  
6 **("MAC").**

7 As detailed in APCO's Memorandum of Costs, APCO seeks \$23,180.42 in costs  
8 incurred throughout MAC's representation of APCO.

9 **1. Filing Fees.**

10 APCO seeks \$890.50 in filing fees.<sup>56</sup> Filing fees are recoverable under NRS  
11 18.005(1). These fees were incurred in filing all relevant documents required and/or  
12 allowed by the Nevada Rules of Civil Procedure to defend the case, which include, but are  
13 not limited to, motions to dismiss, motion for summary judgment, oppositions to the  
14 respective defendant's motion, pretrial and trial pleading and that were all necessary to  
15 limit issues between the Parties involved in the case, prior to trial and successfully defend  
16 the instant action.<sup>57</sup> The docket, detailing over \$1500 in filing fees on behalf of APCO, and  
17 confirming each filing these fees were incurred filing is attached as **Exhibit G**.<sup>58</sup>

18 **2. Special Master Fees**

19 APCO seeks \$3,078.68 in special master fees, which are recoverable as costs  
20 reasonably and necessary incurred in connection with the action pursuant to NRS  
21 18.005(17).<sup>59</sup> These fees were incurred through order of the Court by appointment of the  
22 Special Master, which the Parties stipulated to, and were necessary to more efficiently  
23

24  
25 <sup>55</sup> See also *Freedman v. Philadelphia Terminals Auction Co.*, 198 F. Supp. 429 (E.D. Pa.  
1961) (allowing recovery of account's time as costs).

26 <sup>56</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27 <sup>57</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

28 <sup>58</sup> Only \$890.50 of these fees were incurred during MAC's representation of APCO.

<sup>59</sup> See also *Dore Energy Corp. v. Prospective Inv. & Trading Co.*, 270 F.R.D. 262, 266  
(W.D. La. 2010).

1 manage and resolve the discovery disputes between the Parties.<sup>60</sup> Invoices for the special  
2 master fees are attached as **Exhibit H**.<sup>61</sup>

3  
4 **3. Printing Services**

5 APCO seeks \$2,901.92 in printing costs that MAC incurred through Holo  
6 Discovery.<sup>62</sup> Photocopies are recoverable as costs under NRS 18.005(12) and under NRS  
7 18.005(17) as reasonably and necessary costs incurred in connection with the action. *See*  
8 *In Weiss v. Harper*, 803 N.E.2d 201 (Ind. Ct. App. 2003) (costs include photocopies).  
9 These fees were incurred on the dates and for the services noted in the invoices to comply  
10 with the multiple large productions that were necessary in this case.<sup>63</sup> Invoices for the  
11 litigation support costs are attached as **Exhibit I**.<sup>64</sup>

12 **4. Transcripts/ Reporter's fees**

13 APCO seeks \$4,231.95 for transcripts/ reporter's fees.<sup>65</sup> Reporter's fees are  
14 recoverable under NRS 18.005(2). These fees were incurred as a measure to keep an  
15 accurate record in a highly contentious case, and were necessary to efficiently present  
16 sworn testimony and representations by the parties in motion work, pretrial, trial, and post-  
17 trial briefing.<sup>66</sup> Invoices for the transcript/reporter's costs are attached as **Exhibit J**, and  
18 note the hearing each was for within the invoice. <sup>67</sup>

19  
20  
21  
22 **5. Professional Services**

23 <sup>60</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

24 <sup>61</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

25 <sup>62</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

26 <sup>63</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27 <sup>64</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

28 <sup>65</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

<sup>66</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

<sup>67</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

1  
2 APCO seeks \$2,550 for professional services. Professional services are recoverable  
3 under NRS 18.005(17) when reasonably and necessarily incurred in connection with the  
4 action. These fees were incurred by MAC in engaging bankruptcy counsel to advise APCO  
5 and attend and counsel APCO during a mediation.<sup>68</sup> Invoices for the professional services  
6 are attached as **Exhibit K**.<sup>69</sup>

7  
8 **6. Long distance**

9 APCO seeks \$85.75 in long distance phone calls.<sup>70</sup> Long distance calls are  
10 recoverable as costs under NRS 118.005(13). The 31 calls, chronicled below, were  
11 necessary to coordinate with APCO's co-counsel Randy Jefferies (whose primary office is  
12 in Arizona), Helix's counsel, Eric Zimbleman (who has offices in both Nevada and  
13 Washington) and John Taylor, National Wood's counsel, in California.<sup>71</sup> Records of these  
14 costs were kept internally at MAC, and are attached within **Exhibit L**.<sup>72</sup>

15  
16 **7. Flash drives**

17 APCO seeks \$44.37 for flash drives.<sup>73</sup> Photocopies are recoverable as costs under  
18 NRS 18.005(12). *See In Weiss v. Harper*, 803 N.E.2d 201 (Ind. Ct. App. 2003) (costs  
19 include photocopies). The use and cost of flash drives were incurred as a vast reduction of  
20 costs in lieu of having to photo copy thousands of pages of disclosure to each of the parties  
21 that would have exponentially increased the cost of production, and should be thus be  
22 awarded.<sup>74</sup> The cost of the flash drive was \$ 44.37 for document productions on September  
23

24 <sup>68</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

25 <sup>69</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

26 <sup>70</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27 <sup>71</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

28 <sup>72</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

<sup>73</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

<sup>74</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

1 28, 2017 and October 2, 2017 to transport critical documents to APCO and Spencer Fane  
2 when Spencer Fane came in as co-counsel.<sup>75</sup>

3  
4 **8. Messenger services**

5 APCO seeks \$197 in messenger services.<sup>76</sup> Messenger services are recoverable as  
6 costs under NRS 18.005(17) since they were reasonably and necessarily incurred in  
7 connection with the action. *See Zuniga v. W. Apartments*,<sup>77</sup> (allowing messenger services  
8 as costs); *In re Application of Mgndichian*, C.D.Cal.2003,<sup>78</sup> (messenger services are  
9 reasonable and recoverable). These services were incurred in delivering disclosures,  
10 filings, and orders to the court and stipulations to other parties.<sup>79</sup> The purpose of each  
11 messenger service, the date of the messenger service, and the total cost of each messenger  
12 services is listed on each respective invoice.<sup>80</sup> Invoices for the messenger services are  
13 attached as **Exhibit L**.<sup>81</sup>

14  
15 **9. Parking fees**

16 Parking fees are recoverable as litigation costs under NRS 18.005(17) since they were  
17 reasonably and necessarily incurred in connection with the action.<sup>82</sup> APCO seeks \$166 in  
18 parking fees.<sup>83</sup> These fees were incurred parking at the courthouse for hearings. Invoices  
19 for these parking charges are attached as **Exhibit M**.

20  
21 **10. Postage**

22 <sup>75</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

23 <sup>76</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

24 <sup>77</sup> *No. CV 13-04637-JFW*, 2014 WL 6655997, at \*4 (C.D. Cal. Nov. 24, 2014)

25 <sup>78</sup> 312 F.Supp.2d 1250, amended 2003 WL 23358199

26 <sup>79</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27 <sup>80</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

28 <sup>81</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

<sup>82</sup> See also *Meacham v. Knolls Atomic Power Laboratory*, N.D.N.Y.2002, 185 F.Supp.2d 193,  
affirmed 381 F.3d 56, vacated 125 S.Ct. 1731, 544 U.S. 957, 161 L.Ed.2d 596, on remand 461  
F.3d 134, remanded 305 Fed.Appx. 748, 2009 WL 33609, on remand 627 F.Supp.2d 72.

<sup>83</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.



1 APCO seeks \$29.31 in postage.<sup>84</sup> The cost of postage is recoverable under NRS  
2 18.005(14). This postage was incurred to efficiently serve disclosures and pleadings to the  
3 parties and was necessary to serve disclosure and pleading pursuant to the Nevada Rules of  
4 Civil Procedure.<sup>85</sup> Postage is tracked internally at MAC.<sup>86</sup> Invoices for postage are  
5 included in **Exhibit L**.

#### 6 **11. Westlaw Research**

7 APCO seeks \$1,453.94 in Westlaw legal research costs for MAC.<sup>87</sup> These fees are  
8 recoverable under NRS 18.005(17). *See Waddell v. L.V.R.V. Inc.*,<sup>88</sup> (recognized the  
9 recoverability of computerized research expenses as costs); *Sever v. Alaska Pulp Corp.*,<sup>89</sup>  
10 (affirming an award of \$18,323.01 for computerized research); *CTA Architects of Alaska,*  
11 *Inc. v. Active Erectors & Installers, Inc.*,<sup>90</sup> (recognizing computer assisted legal research as  
12 recoverable costs); *Kennedy v. King Soopers Inc.*,<sup>91</sup> (awarding costs for computerized legal  
13 research).; *Mackall v. Jalisco Intern., Inc.*,<sup>92</sup> (which held that a water blasting company  
14 was entitled to an award of costs for computerized legal services). These fees were  
15 necessary to necessary to assist the attorneys in researching the legal issues it issue in the  
16 case.<sup>93</sup> The Court and parties are wall aware of the vast amount of pleadings between them  
17 and briefing that occurred, which, Apco ultimately prevailed on.<sup>94</sup> Invoices for the  
18 Westlaw research are attached as **Exhibit N**.

19  
20  
21 <sup>84</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

22 <sup>85</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

23 <sup>86</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

24 <sup>87</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

25 <sup>88</sup> 122 Nev. 15, 125 P.3d 1160, 58 U.C.C. Rep. Serv. 2d 655 (2006),

26 <sup>89</sup> 931 P.2d 354, 132 Lab. Cas. (CCH) ¶58182 (Alaska 1996),

27 <sup>90</sup> 781 P.2d 1364 (Alaska 1989)

28 <sup>91</sup> 148 P.3d 385 (Colo. Ct. App. 2006)

<sup>92</sup> 28 P.3d 975 (Colo. Ct. App. 2001)

<sup>93</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

<sup>94</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

1                    **12. Copies**

2            APCO seeks \$6,924.00 in photocopies made by or for MAC

3            .<sup>95</sup> Photocopies are recoverable as costs under NRS 18.005(12). *See In Weiss v.*  
4 *Harper*,<sup>96</sup> (costs include photocopies). These costs were incurred in printing disclosures,  
5 drafts of motions, attorney word product, and in keeping a paper file.<sup>97</sup> Copying costs are  
6 tracked internally at MAC.<sup>98</sup> MAC's internal records showing the date of each photocopy  
7 and the total cost is attached as **Exhibit O**.<sup>99</sup> Based upon the work involved in prosecuting  
8 this lawsuit, the copying costs incurred were both reasonable and necessary.<sup>100</sup>

9                    **13. Scanning**

10            APCO seeks \$627.50 in costs related to scanning.<sup>101</sup> These costs are recoverable. *In*  
11 *re Online DVD-Rental Antitrust Litigation*,<sup>102</sup> (allowing costs for scanning and assembly of  
12 documents and preparation of visual aids). Scanning was necessary to scan in parties'  
13 disclosures, keeping MAC's electronic files up to date, disclosing documents, scanning in  
14 motions with exhibits, and other various tasks.<sup>103</sup> Scanning costs are tracked internally at  
15 MAC. MAC's internal records showing the date of each photocopy and the total cost is  
16 attached as **Exhibit P**.<sup>104</sup> Based upon the work involved in prosecuting this lawsuit, the  
17 scanning costs incurred were both reasonable and necessary.<sup>105</sup>

18  
19  
20            <sup>95</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

21            <sup>96</sup> 803 N.E.2d 201 (Ind. Ct. App. 2003)

22            <sup>97</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

23            <sup>98</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

24            <sup>99</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

25            <sup>100</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

26            <sup>101</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

27            <sup>102</sup> C.A.9 (Cal.) 2015, 779 F.3d 914

28            <sup>103</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

<sup>104</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

<sup>105</sup> **Exhibit 1-B**, Declaration of Cody Munteer, Esq.

1           **3. Lastly, APCO's splitting of costs was reasonable.**

2           The Nevada Supreme Court found that apportionment of costs is not mandatory  
3 when defending a claim against multiple parties in the same action when defending against  
4 "similar claims based on the same factual circumstances."<sup>106</sup> Instead, the district court can  
5 reasonably conclude that the claims are "inextricably intertwined" as to make  
6 apportionment "impractical, if not impossible."<sup>107</sup> In this case, almost all costs would have  
7 been incurred to defend against either Helix or CabineTec's claims. For example, APCO  
8 still would have needed to order all trial transcripts, make copies of all parties' trial  
9 exhibits, incur messenger fees for stipulations, incur travel expenses to attend hearings, etc.  
10 So while APCO did not need to apportion these fees, it did so. Fees that were clearly only  
11 related to Helix or National Wood were apportioned as such.<sup>108</sup> Remaining fees were split  
12 in half. This is reasonable, and neither National Wood nor Helix have suggested a more  
13 reasonable apportionment.

14           Finally, in addition to the statutory bases cited above, all costs are certainly  
15 allowable pursuant to APCO's subcontracts with Helix and CabineTec which allow "all  
16 costs" and "other reasonable expenses."<sup>109</sup> As such, since the court is hearing APCO's  
17 Motion for Attorney's Fees on the same day as Helix and National Wood's Motion to  
18 Retax Costs, a ruling on APCO's Motion for Attorney's Fees and Costs may render the  
19 hearings on National Wood's and Helix's Motions to Retax moot since APCO is entitled to  
20 recovery as a matter of contract and NRS 18.005.

21           ///

22           ///

23           ///

24           ///

25           

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<sup>106</sup> *Mayfield v. Koroghli*, 124 Nev. 343, 353, 184 P.3d 362, 369 (2008)

26           <sup>107</sup> *Mayfield v. Koroghli*, 124 Nev. 343, 353, 184 P.3d 362, 369 (2008).

27           <sup>108</sup> See APCO's Supplement to its Motion for Attorney's Fees.

28           <sup>109</sup> Trial Exhibit 45, Helix Subcontract at Section 18.5; Trial Exhibit 149 CabineTec Subcontract at Section 18.5.

1 **I. CONCLUSION**

2 Based on the foregoing reasons, APCO requests costs in the amount of \$57,228.89.

3  
4 Dated this 15th day of June, 2018.

5 **SPENCER FANE LLP**

6  
7 */s/ Mary Bacon*

8 John H. Mowbray, Esq. (Bar No. 1140)  
9 John Randall Jefferies, Esq. (Bar No. 3512)  
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15 *Attorneys for Apco Construction, Inc.*



**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Spencer Fane LLP and that a copy of the foregoing **APCO CONSTRUCTION, INC.'S OPPOSITION TO HELIX ELECTRIC OF NEVADA, LLC AND PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS, INC.'S MOTIONS TO RETAX COST** was served by electronic transmission through the E-Filing system pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26 or by mailing a copy to their last known address, first class mail, postage prepaid for non-registered users, on this 15<sup>th</sup> day of June, 2018, as follows:

**Counter Claimant: Camco Pacific Construction Co Inc**

Steven L. Morris (steve@gmdlegal.com)

**Intervenor Plaintiff: Cactus Rose Construction Inc**

Eric B. Zimbelman (ezimbelman@peelbrimley.com)

**Intervenor Plaintiff: Interstate Plumbing & Air Conditioning Inc**

Jonathan S. Dabbieri (dabbieri@sullivanhill.com)

**Intervenor: National Wood Products, Inc.'s**

Dana Y Kim (dkim@caddenfuller.com)

Richard L Tobler (rltdtdck@hotmail.com)

Richard Reincke (rreincke@caddenfuller.com)

S. Judy Hirahara (jhirahara@caddenfuller.com)

Tammy Cortez (tcortez@caddenfuller.com)

**Other: Chapter 7 Trustee**

Elizabeth Stephens (stephens@sullivanhill.com)

Gianna Garcia (ggarcia@sullivanhill.com)

Jennifer Saurer (Saurer@sullivanhill.com)

Jonathan Dabbieri (dabbieri@sullivanhill.com)

**Plaintiff: Apco Construction**

Rosie Wesp (rwesp@maclaw.com)

**Third Party Plaintiff: E & E Fire Protection LLC**

TRACY JAMES TRUMAN (DISTRICT@TRUMANLEGAL.COM)

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13 Wade B. Gochnour . (wbg@h2law.com)

---

14 /s/ Adam Miller  
15 an employee of Spencer Fane LLP

# **Exhibit 1-A**

**DECLARATION OF MARY BACON IN SUPPORT OF  
APCO'S SUPPLEMENT TO ITS MOTION FOR ATTORNEY'S FEES**

I, MARY BACON, declare as follows:

1. I am over 21 years old and have personal knowledge of the facts stated herein.

2. I am counsel for APCO in *APCO Construction, Inc. v. Gemstone Development West*, Case No: A571228.

3. APCO requests a total \$23,548.47 in costs incurred through Spencer Fane. All of these fees were reasonably and necessarily incurred in APCO's defense, and true and accurate copies of the invoices for those fees are attached to the instant motion.

4. As detailed in APCO's Memorandum of Costs, APCO seeks five categories of costs it incurred throughout its representation at Spencer Fane: (1) messenger services, (2) photocopies and reproductions for trial, (3) costs for court reporters/ transcripts, (4) travel and lodging expenses, and (5) reasonable and necessary expenses for computerized services for legal research.

5. APCO seeks \$1,012.99 in messenger services. A chart summarizing the amount of each messenger service and the reason each messenger service was necessary is attached as **Exhibit A**. Invoices for those services are attached as **Exhibit B** to this supplement. The name and date of the document messengered is contained in each specific invoice. Each of these messenger services were required to messenger the specific document referenced in the invoice to either the court or to opposing counsel for the process of facilitating signing stipulations and/or orders. Each of these messenger services was for this case, and was necessary to facilitate APCO's defense.

6. APCO seeks \$15,013.42 for trial exhibit reproductions for trial. The costs for these reproductions include exhibits in exhibit binders, the videos APCO used as exhibits at trial, and copies of Helix's and National Wood's exhibits. Invoices for those

1 services are attached as **Exhibit C** to this supplement. These costs were necessary for  
2 APCO's defense at trial.

3  
4 7. APCO seeks \$1,789.68 for court reporters and trial transcripts. Invoices for  
5 those services are attached as **Exhibit D** to this supplement. **Exhibit A** summarizes the  
6 reason each of these court reporter/ transcripts were necessary, and each of these  
7 transcripts were necessary for post-trial briefing. **Exhibit D** includes the invoices for the  
8 court reporter fees/transcripts.

9  
10 8. APCO also seeks \$3,942.38 for travel and lodging costs. APCO requested  
11 attorney John Randall Jefferies appear as trial counsel months before trial in this case.  
12 While Jefferies maintains offices in both Arizona and Nevada, his residence is in Arizona  
13 and he had to travel in for critical hearings and trial. Jefferies' travel and lodging  
14 expenses, as well as the reason for each of those expenses is summarized in **Exhibit A**.  
15 Invoices for those services are attached as **Exhibit E**.

16  
17 9. APCO seeks \$1,790.00 for computerized legal research. Invoices for those  
18 services are attached as **Exhibit F** to this supplement. These costs were necessary to assist  
19 the attorneys in researching the many complex legal issues in this case.<sup>1</sup>

20  
21 10. Spencer Fane entered the case as trial counsel on September 29, 2017.<sup>2</sup>  
22 Besides some relatively minor negotiations Spencer Fane participated in to settle with  
23 other subcontractors, Spencer Fane's work focused on defending against the claims of  
24 Helix and CabineTec (National Wood). And as such, the costs are clearly attributable to  
25 those subcontractors that actually went to trial. As such, APCO believes it would be fair  
26 to split these costs between Helix and CabineTec evenly, each paying \$11,774.23.

27 <sup>1</sup> See for example APCO's Post-Trial Brief, including sections on assignment, ratification,  
28 novation, and judicial admissions to name a few.

<sup>2</sup> See Docket at September 29, 2017 Notice of Appearance.

1 I declare, under penalty of perjury, that the foregoing is true and correct to the best  
2 of my knowledge, information and belief.

3 DATED the 25th day of May, 2018.

4 Mary Bacon  
5 MARY BACON, ESQ.  
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# **Exhibit 1-B**

**DECLARATION OF CODY MOUNTEER IN SUPPORT OF  
APCO'S SUPPLEMENT TO ITS MOTION FOR ATTORNEY'S FEES**

I, CODY MOUNTEER, declare as follows:

1. I am over 21 years old and have personal knowledge of the facts stated herein.

2. I am counsel for APCO Construction, Inc. ("APCO") in *APCO Construction, Inc. v. Gemstone Development West*, Case No: A571228.

3. As detailed in APCO's Memorandum of Costs, APCO seeks \$22,491.93 in costs incurred throughout Marquis Aurbach Coffing's ("MAC") representation of APCO. All of these fees were reasonably and necessarily incurred in APCO's defense, and true and accurate copies of the invoices for those fees are attached to the instant motion.

1. Filing Fees.

APCO seeks \$890.50 in filing fees. These fees were incurred in filing all relevant documents required and/or allowed by the Nevada Rules of Civil Procedure to defend the case, which include, but are not limited to, motions to dismiss, motion for summary judgment, oppositions to the respective defendant's motion, pretrial and trial pleading and that were all necessary to limit issues between the Parties involved in the case, prior to trial and successfully defend the instant action. The docket, detailing these fees and each pleading the costs were incurred for is attached as **Exhibit G**.

2. Special Master Fees

APCO seeks \$3,078.68 in special master fees. These fees were incurred through order of the Court by appointment of the Special Master, which the Parties stipulated to, and were necessary to more efficiently manage and resolve the discovery disputes between the Parties. Invoices for the special master fees are attached as **Exhibit H**.

3. Printing Services

APCO seeks \$2,901.92 in printing costs that MAC incurred through Holo Discovery. These fees were incurred on the dates and for the services noted in the invoices

1 to comply with the multiple large productions that were necessary in this case. Invoices  
2 for the litigation support costs are attached as **Exhibit I**.

3  
4 4. Transcripts/ Reporter's fees

5 APCO seeks \$4,231.95 for transcripts/ reporter's fees. These fees were incurred as  
6 a measure to keep an accurate record in a highly contented case, and were necessary to  
7 efficiently present sworn testimony and representations by the parties in motion work,  
8 pretrial, trial, and post-trial briefing. Invoices for the transcript/reporter's costs are  
9 attached as **Exhibit J**, and note the hearing each was for within the invoice.

10 5. Professional Services

11 APCO seeks \$2,550 for professional services. These fees were incurred by MAC in  
12 engaging bankruptcy counsel to advise APCO and attend and counsel APCO during a  
13 mediation. Invoices for the professional services are attached as **Exhibit K**.

14 6. Long distance

15 APCO seeks \$85.75 in long distance phone calls. The 31 calls, chronicled below,  
16 were necessary to coordinate with APCO's co-counsel Randy Jefferies (whose primary  
17 office is in Arizona), Helix's counsel, Eric Zimbleman (who has offices in both Nevada  
18 and Washington) and John Taylor, National Wood's counsel, in California. Invoices are  
19 attached as **Exhibit L**.

20 7. Flash drives

21 APCO seeks \$44.37 for flash drives. The use and cost of flash drives were incurred as a  
22 vast reduction of costs in lieu of having to photo copy thousands of pages of disclosure to  
23 each of the parties that would have exponentially increased the cost of production, and  
24 should be thus be awarded. The cost of the flash drive was \$ 44.37 for document  
25 productions on September 28, 2017 and October 2, 2017 to transport large numbers of  
26 documents to APCO and Spencer Fane when Spencer Fane came in as co-counsel.  
27

28 8. Messenger services

1  
2 APCO seeks \$197 in messenger services. These services were incurred in delivering  
3 disclosures, filings, and orders to the court and stipulations to other parties. The purpose  
4 of each messenger service, the date of the messenger service, and the total cost of each  
5 messenger services is listed on each respective invoice. Invoices for the messenger  
6 services are attached as **Exhibit L**.

7  
8 9. Parking fees

9  
10 Parking fees are recoverable as litigation costs.<sup>1</sup> APCO seeks \$166 in parking fees.  
11 These fees were incurred parking at the courthouse for hearings on the dates listed on the  
12 invoices. Invoices for these parking charges are attached as **Exhibit M**.

13  
14 10. Postage

15  
16 APCO seeks \$29.31 in postage. This postage was incurred to efficiently serve  
17 disclosures and pleadings to the parties and was necessary to serve disclosure and  
18 pleading pursuant to the Nevada Rules of Civil Procedure. Postage is tracked internally at  
19 MAC. Invoices for postage are attached as **Exhibit L**.

20  
21 11. Westlaw Research

22  
23 APCO seeks \$1,453.94 in Westlaw legal research costs. These fees were necessary  
24 to necessary to assist the attorneys in researching the legal issues it issue in the case. The  
25 Court and parties are wall aware of the vast amount of pleadings between them and  
26 briefing that occurred, which, APCO ultimately prevailed on. Invoices for the Westlaw  
27 research are attached as **Exhibit N**.

28  
29 12. Copies

30  
31 APCO seeks \$6,924.00 in photocopies. These costs were incurred in printing  
32 disclosures, drafts of motions, attorney word product, and in keeping a paper file.  
33 Copying costs are tracked internally at MAC. MAC's internal records showing the date of  
34 each photocopy and the total cost is attached as **Exhibit O**.

35  
36 <sup>1</sup> *Meacham v. Knolls Atomic Power Laboratory*, N.D.N.Y.2002, 185 F.Supp.2d 193,  
37 affirmed 381 F.3d 56, vacated 125 S.Ct. 1731, 544 U.S. 957, 161 L.Ed.2d 596, on remand  
38 461 F.3d 134, remanded 305 Fed.Appx. 748, 2009 WL 33609, on remand 627 F.Supp.2d  
39 72.

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I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information and belief.

Cody Mounter  
CODY MOUNTEER, ESQ.

# EXHIBIT A

| EXHIBIT A<br>APCO CONSTRUCTION<br>Cost Recap |            |  |               |  |
|--|------------|--|---------------|--|
| Cost Date                                    | Timekeeper | Cost Description                           | Amount Billed | Reason for Charge  |
| 10/4/2017                                    | MEB        | Online Legal Research                      | \$75.00       | Research for dispositive motions   |
| 10/7/2017                                    | MEB        | Online Legal Research                      | \$75.00       | Research on retention issues   |
| 10/10/2017                                   | MEB        | Online Legal Research                      | \$75.00       | Research NRS 624 and retention issues  |
| 10/11/2017                                   | MEB        | Online Legal Research                      | \$75.00       | Research NRS 624 and retention issues  |
| 10/12/2017                                   | MEB        | Online Legal Research                      | \$75.00       | Research legislative history of NRS 624  |
| 10/13/2017                                   | MEB        | Online Legal Research                      | \$75.00       | Research retention and ratification  |
| 9/26/2017                                    | JRJ        | Travel John Randall Jefferies APCO meeting | \$230.98      | ½ value of airfare from Phoenix to Las Vegas to meet with APCO to come in as trial counsel |
| 9/28/2017                                    | JRJ        | Travel John Randall Jefferies APCO meeting | \$78.28       | Travel related expenses for initial meeting with APCO                                      |
| 9/28/2017                                    | JRJ        | Meals John Randall Jefferies APCO meeting  | \$65.87       | Travel related expenses for initial meeting with APCO                                      |
| 9/28/2017                                    | JRJ        | Travel John Randall Jefferies APCO meeting | \$259.64      | Travel related expenses for initial meeting with APCO                                      |
| 9/27/2017                                    | JRJ        | Meals John Randall Jefferies APCO meeting  | \$18.00       | Travel related expenses for initial meeting with APCO                                      |
| 9/27/2017                                    | JRJ        | Meals John Randall Jefferies APCO meeting  | \$11.86       | Travel related expenses for initial meeting with APCO                                      |
| 9/27/2017                                    | JRJ        | Meals John Randall Jefferies APCO meeting  | \$8.46        | Travel related expenses for initial meeting with APCO                                      |
| 9/27/2017                                    | JRJ        | Meals John Randall Jefferies APCO meeting  | \$7.87        | Travel related expenses for initial meeting with APCO                                      |

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|            |     |  |          |  |
|------------|-----|--|----------|--|
| 9/27/2017  | JRJ | Meals John Randall Jefferies APCO meeting  | \$47.83  | Travel related expenses for initial meeting with APCO      |
| 9/28/2017  | JRJ | Meals John Randall Jefferies APCO meeting  | \$33.64  | Travel related expenses for initial meeting with APCO      |
| 9/28/2017  | JRJ | Meals John Randall Jefferies APCO meeting  | \$16.89  | Travel related expenses for initial meeting with APCO      |
| 11/8/2017  | MEB | Online Legal Research  | \$75.00  | Research for motions in limine                             |
| 11/9/2017  | MEB | Online Legal Research  | \$75.00  | Research for motions in limine                             |
| 11/10/2017 | MEB | Online Legal Research  | \$75.00  | Research for motions in limine                             |
| 11/11/2017 | MEB | Online Legal Research  | \$75.00  | Research for motions in limine                             |
| 11/13/2017 | JRJ | Reproduction Axion Discovery Reproduction, Exhibit production  | \$798.17 | Exhibit production for trial exhibits                      |
| 11/13/2017 | MEB | Online Legal Research  | \$75.00  | Research for motions in limine                             |
| 11/14/2017 | MEB | Online Legal Research  | \$75.00  | Research for motions in limine                             |
| 11/15/2017 | JRJ | Travel John Randall Jefferies Las Vegas for preparation and attendance at hearing 11/16/17   | \$75.25  | Travel related expenses hearing on motions in limine       |
| 11/16/2017 | JRJ | Travel John Randall Jefferies Travel to Las Vegas for preparation and attendance at hearing 11/16/17   | \$33.34  | Travel related expenses hearing on motions in limine       |
| 11/16/2017 | JRJ | Travel John Randall Jefferies Las Vegas for preparation and attendance at hearing 11/16/17   | \$107.44 | Travel related expenses hearing on motions in limine       |
| 11/21/2017 | JRJ | Reproduction Axion Discovery Reproduction, APCO video clips/CD creation  | \$238.51 | Exhibit reproduction (of videos) for trial                 |
| 11/30/2017 | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, ROC Offer of Judgment to National Wood Products to Law Offices of Richard Tobler | \$55.94  | Deliver offer of judgment to National Wood                 |
| 11/30/2017 | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, ROC Offer of Judgment to Peel Brimley.   | \$63.56  | Deliver offer of judgment to Helix Electric                |
| 11/20/2017 | JRJ | Travel John Randall Jefferies APCO - Pretrial Conference and Calendar Call   | \$97.53  | Travel for trial counsel to attend pretrial conference and |



|            |     |   |            |  |
|------------|-----|---|------------|--|
|            |     |   |            | calendar call  |
| 11/20/2017 | JRJ | Travel John Randall Jefferies APCO - Pretrial Conference and Calendar Call  | \$33.34    | Travel for trial counsel to attend pretrial conference and calendar call |
| 12/2/2017  | MEB | Online Legal Research   | \$75.00    | Research for motion for reconsideration                                  |
| 12/3/2017  | MEB | Online Legal Research   | \$75.00    | Research for motion for reconsideration                                  |
| 12/5/2017  | MEB | Online Legal Research   | \$75.00    | Research for motion for reconsideration                                  |
| 12/6/2017  | MEB | Online Legal Research   | \$75.00    | Research for APCO's pre-trial brief                                      |
| 12/13/2017 | MEB | Online Legal Research   | \$75.00    | Research for motion for reconsideration                                  |
| 12/16/2017 | MEB | Online Legal Research   | \$75.00    | Research for motion for reconsideration                                  |
| 12/27/2017 | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Deliver Order Granting Peel Brimley's Motion for Partial Summary Judgment to Department 13 for Judge's signature. | \$12.71    | Delivery of form of order for motion for reconsideration.                |
| 1/5/2018   | JRJ | Reproduction Axion Discovery Reproduction, Exhibit printing and assembly  | \$4,128.97 | Printing and assembly of trial exhibits                                  |
| 1/8/2018   | JRJ | Reproduction Axion Discovery Reproduction, Deposition exhibits - printing and assembly  | \$2,040.29 | Printing and assembly of trial exhibits                                  |
| 1/10/2018  | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Print and Deliver Motion for Reconsideration  | \$597.45   | Deliver motion for reconsideration to courthouse                         |
| 1/10/2018  | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Rush - Deliver courtesy copy of Reply in Support to Dept. 13  | \$33.05    | Deliver courtesy copy to court   |
| 1/12/18    | MEB | Reproduction Axion Discovery Reproduction, Exhibit Prep   | \$667.11   | Prepare trial exhibits   |

|           |     |  |            |  |
|-----------|-----|--|------------|--|
| 1/16/2018 | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Rush - Deliver Trial Brief & E-File Confirmation to Dept. 13.            | \$33.05    | Deliver courtesy copy of trial brief to court.               |
| 1/22/2018 | JRJ | Reproduction Axion Discovery Reproduction, Exhibit prep.   | \$1,047.89 | Printing and assembly of trial exhibits                      |
| 1/26/2018 | JRJ | HOLLO Discovery - Exhibit duplication and preparation for trial  | \$6,092.48 | Printing and assembly of trial exhibits                      |
| 1/30/2018 | JRJ | Trial Transcript 01/17/18 - Brittany Mangelson   | \$676.35   | Copies of trial transcripts                                  |
| 1/30/2018 | JRJ | Trial Transcript - JD Reporting, Inc.  | \$811.62   | Copies of trial transcripts                                  |
| 1/31/2018 | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Rush - Deliver checks & invoices for trial transcripts to department 13. | \$33.05    | Deliver checks for trial transcripts                         |
| 1/24/2018 | JRJ | Travel John Randall Jefferies Trial - APCO (hotel)   | \$33.34    | Hotel for out-of-state trial counsel during trial            |
| 1/20/2018 | JRJ | Travel John Randall Jefferies Trial - APCO (Hotel)   | \$1,356.58 | Hotel for out-of-state trial counsel during trial            |
| 1/23/2018 | JRJ | Travel John Randall Jefferies Trial - APCO (airfare)   | \$529.96   | Airfare for out-of-state trial counsel to attend trial       |
| 1/22/2018 | JRJ | Travel John Randall Jefferies Trial - APCO (hotel/room)  | \$109.16   | Hotel for out-of-state trial counsel during trial            |
| 1/24/2018 | JRJ | Travel John Randall Jefferies Trial - APCO (mileage)   | \$428.80   | Reimbursement for out-of-state trial counsel to attend trial |
| 1/24/2018 | JRJ | Meals John Randall Jefferies Trial - APCO (misc. tips)   | \$35.00    | Meals  |
| 1/18/2018 | JRJ | Meals John Randall Jefferies Trial - APCO (lunch/trial prep)   | \$47.24    | Meals during trial   |
| 1/24/2018 | JRJ | Meals John Randall Jefferies Trial - APCO  | \$17.31    | Meals during trial   |
| 1/23/2018 | JRJ | Meals John Randall Jefferies Trial - APCO  | \$70.99    | Meals during trial   |
| 1/19/2018 | JRJ | Meals John Randall Jefferies Trial - APCO  | \$70.23    | Meals during trial   |
| 1/17/2018 | JRJ | Meals John Randall Jefferies Trial - APCO  | \$43.43    | Meals during trial   |
| 1/17/2018 | JRJ | Meals John Randall Jefferies Trial - APCO  | \$50.00    | Meals during trial   |
| 1/24/2018 | JRJ | Meals John Randall Jefferies Trial - APCO  | \$30.67    | Meals during trial   |

|                      |     |   |            |   |
|----------------------|-----|---|------------|---|
| 2/2/2018             | MEB | Court reporter Mary E. Bacon Trial Transcript for day 2 of Trial (1/18/18).   | \$435.87   | Cost of trial transcript, necessary for post-trial briefing     |
| 2/2/2018             | MEB | Court reporter Mary E. Bacon Trial Transcript for day 5 of Trial (1/24/18).   | \$666.33   | Cost of trial transcript, necessary for post-trial briefing     |
| 2/12/2018            | MEB | Peel Brimley LLP - check # 11060 Trial Transcripts  | (\$863.39) | Reimbursement for portion of trial transcript                   |
| 2/12/2018            | JRJ | Cadden & Fuller LLP - check# 5371 Costs Advance   | (\$863.39) | Reimbursement for portion of trial transcript                   |
| 2/12/2018            | JRJ | AZ-Accurate Transcription Service, LLC - Transcript for the last day of trail 02/06/2018  | \$646.29   | Cost of trial transcript, necessary for for post-trial briefing |
| 2/14/2018            | MEB | Online Legal Research   | \$110.00   | Research for post-trial briefing                                |
| 2/15/2018            | JRJ | Clark County Treasurer - Trial Transcript Recording Fee   | \$280.00   | Cost of trial transcript, necessary for post-trial briefing     |
| 2/15/2018            | MEB | Online Legal Research   | \$110.00   | Research for post-trial briefing                                |
| 2/16/2018            | MEB | Online Legal Research   | \$110.00   | Research for post-trial briefing                                |
| 12/2/2017 & 1/3/2018 | JRJ | Travel John Randall Jefferies Lyft - to hotel   | \$28.95    | Travel from court to hotel                                      |
| 2/19/2018            | MEB | Online Legal Research   | \$110.00   | Research for post-trial briefing                                |
| 2/21/2018            | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Pick up Stip & Order from Richard Tobler's office.  | \$37.57    | Picking up stipulation to extend post-trial briefing            |
| 2/23/2018            | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Pick up signed Stip & Order from Peel Brimley       | \$45.48    | Picking up stipulation to extend post-trial briefing            |
| 2/23/2018            | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Pick up signed Stip & Order from Grant Morris Dodds | \$45.48    | Picking up stipulation to extend post-trial briefing            |
| 2/23/2018            | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Pick up signed Stip & Order from Bradley Slighting  | \$22.60    | Picking up stipulation to extend post-trial briefing            |

|          |     |   |         |  |
|----------|-----|---|---------|--|
| 3/9/2018 | MEB | Courier Delivery Charge American Legal Services Nevada Courier Delivery Charge, Rush delivery - deliver proposed findings of fact and conclusions of law to Judge | \$33.05 | Delivery of proposed FFCL to Judge Denton's chambers |
|----------|-----|---|---------|--|

# EXHIBIT B

**American Legal Services Nevada**

PR 951452  
P.O. Box 59701  
Los Angeles CA 90074-9701

TAX ID# 26-1476985

**INVOICE**

SPENCER FANE LLP  
ATTN: ADAM MILLER  
300 S. 4TH STREET, SUITE 700  
LAS VEGAS, NV 89101

BILLING/PAYMENT QUESTIONS  
CLIENT CARE (877) 350-8698

| Customer No.          |           | Invoice No. |   | Period Ending   | Amount Due           | Pg            |       |
|-----------------------|-----------|-------------|---|---|----------------------|---------------|-------|
| Date                  | Order No. | Svc         | Service Detail  |   |                      | Charges       | Total |
| 11/13/17              | 55056521  | ASP         | SPENCER FANE LLP<br>300 South Fourth Street<br>LAS VEGAS NV 89101<br>Caller: Adam Miller<br>08A571228<br>Apco v. Gemstone<br>Offer of Judgment to National Wood Products<br>Please ROC Offer of<br>Signed: ROC SIGNED ROR | Law Offices of Richard Tobler<br>3654 N Rancho Drive<br>LAS VEGAS NV 89130<br>Ref: 5026372.0002 | Base Chg<br>Fuel Chg | 49.50<br>6.44 | 55.94 |
| DELIVERY-ASAP VEHICLE |           |             |   |   |                      |               |       |
| 11/13/17              | 55056560  | ASP         | SPENCER FANE LLP<br>300 South Fourth Street<br>LAS VEGAS NV 89101<br>Caller: Adam Miller<br>08A571228<br>Apco v. Gemstone<br>Offer of Judgment<br>Please ROC ASAP<br>Signed: ROC SIGNED/ROR                               | Peel Brimley LLP<br>3333 E. Serene Avenue<br>HENDERSON NV 89074<br>Ref: 5026372.0002            | Base Chg<br>Fuel Chg | 56.25<br>7.31 | 63.56 |
| DELIVERY-ASAP VEHICLE |           |             |   |   |                      |               |       |

**INVOICE PAYMENT DUE UPON RECEIPT****JA006652**

**American Legal Services Nevada**

PI-MS 1452

P.O. Box 59701

Los Angeles CA 90074-9701

TAX ID# 26-1476985

**INVOICE**

SPENCER FANE LLP  
ATTN: ADAM MILLER  
300 S. 4TH STREET, SUITE 700  
LAS VEGAS, NV 89101

BILLING/PAYMENT QUESTIONS  
CLIENT CARE (877)350-8698

|                          |          |     | Customer No.   | Invoice No. | Period Ending | Amount Due | Pg  |        |  |
|--------------------------|----------|-----|--|-------------|---------------|------------|---|--------|--|
| Date                     | Ord# No. | Svc | Service Detail   |             |               |            | Charges   | Total  |  |
| 12/27/17                 | 55060886 | REG | SPENCER FANE LLP<br>300 South Fourth Street<br>LAS VEGAS NV 89101<br>Caller: Adam Miller<br>A571228<br>Apco vs. Gemstone<br>Order Granting Apco's Mtn to Request Buchele Comply<br>Please deliver Order<br>Signed: SUBMITTED DEPT 13 |             |               |            | District Court<br>200 Lewis Avenue<br>LAS VEGAS NV 89101<br><br>Base Chg : 11.25<br>Fuel Chg : 1.46                 | 12.71  |  |
| DELIVERY-REGULAR VEHICLE |          |     |  |             |               |            |   |        |  |
| 12/27/17                 | 55060903 | REG | SPENCER FANE LLP<br>300 South Fourth Street<br>LAS VEGAS NV 89101<br>Caller: Adam Miller<br>A571228<br>Apco vs. Gemstone<br>Order Granting Peel Brimley's Mtn PSJ<br>Please deliver<br>Signed: SUBMITTED DEPT 13                     |             |               |            | EIGHTH JUDICIAL DISTRICT COURT<br>200 LEWIS AVENUE<br>LAS VEGAS NV 89155<br><br>Base Chg : 11.25<br>Fuel Chg : 1.46 | 12.71  |  |
| DELIVERY-REGULAR VEHICLE |          |     |  |             |               |            |   |        |  |
|                          |          |     |  |             |               |            | Total   | 151.12 |  |

*not charged*

**INVOICE PAYMENT DUE UPON RECEIPT****JA006653**





# INVOICE

BILLING/PAYMENT QUESTIONS  
CLIENT CARE (877) 350-8698

**INVOICE PAYMENT DUE UPON RECEIPT**

**JA006654**





American Legal Services Nevada  
PI-P5 1452  
P.O. Box 59701  
Los Angeles CA 90074-9701

TAX ID# 26-1476985

# INVOICE

|  |  |
|--|--|
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|  |  |
|  |  |

SPENCER FANE LLP  
ATTN: ADAM MILLER  
300 S. 4TH STREET, SUITE 950  
LAS VEGAS, NV 89101

BILLING/PAYMENT QUESTIONS  
CLIENT CARE (877) 350-8698

| Date    | Order No. | Svc | Service Detail  | Charges  | Total |
|---------|-----------|-----|---|--|-------|
| 1/29/18 | 55064488  | REG | Sullivan Mill<br>228 S Fourth Street, 1st Floor<br>LAS VEGAS NV 89101<br>Caller: Adam Miller<br>Stip & Order<br>Please pick up<br>Signed: PICKED UP RETURNED                                    | SPENCER FANE LLP<br>300 South Fourth Street<br>LAS VEGAS NV 89101<br>Base Chg : 11.75<br>Fuel Chg : 1.53                             | 13.28 |
| 1/29/18 | 55064510  | CND | SPENCER FANE LLP<br>300 South Fourth Street<br>LAS VEGAS NV 89101<br>Caller: Adam Miller<br>A571228<br>Apco vs. Gemstone<br>Stip & Order to Dismiss<br>Please deliver Stip<br>Signed: SUBMITTED | EIGHTH JUDICIAL DISTRICT COURT<br>200 LEWIS AVENUE<br>LAS VEGAS NV 89155<br>Comment: * NO BASE CHARGE *<br>Ref: 5026372.0002         |       |
| 1/31/18 | 55064755  | ASP | SPENCER FANE LLP<br>300 South Fourth Street<br>LAS VEGAS NV 89101<br>Caller: Adam Miller<br>A571228<br>Apco vs. Gemstone<br>Checks & Invoices<br>Please deliver<br>Signed: DELIVERED DEPT 13    | EIGHTH JUDICIAL DISTRICT COURT<br>200 LEWIS AVENUE<br>LAS VEGAS NV 89155<br>Base Chg : 29.25<br>Fuel Chg : 1.80<br>Ref: 5026372.0002 | 31.05 |
|         |           |     |   | Invoice Amount: 1,078.86<br>Fees Advanced: 68.00<br>Total Amount Due: 1,146.86   |       |

*not changed*

INVOICE PAYMENT DUE UPON RECEIPT

JA006655

|            |      |                     |     |      |       |       |  |
|------------|------|---------------------|-----|------|-------|-------|--|
| 02/21/2018 | 8143 | Mary E. Bacon       | 140 | 1.00 | 37.57 | 37.57 | Courier Delivery Charge                                    |
| 05/10/2018 |      | Invoice=638242      |     | 1.00 | 37.57 | 37.57 | American Legal Services Nevada Courier Delivery            |
|            |      |                     |     |      |       |       | Charge, Pick up Stip & Order from Richard                  |
|            |      |                     |     |      |       |       | Tobler's office.   |
|            |      | Voucher=380393 Paid |     |      |       |       | Vendor=American Legal Services Nevada Balance= .00 Amount= |
|            |      |                     |     |      |       |       | 355.37   |
|            |      |                     |     |      |       |       | Check #5338664 04/04/2018                                  |
| 02/23/2018 | 8143 | Mary E. Bacon       | 140 | 1.00 | 45.48 | 45.48 | Courier Delivery Charge                                    |
| 05/10/2018 |      | Invoice=638242      |     | 1.00 | 45.48 | 45.48 | American Legal Services Nevada Courier Delivery            |
|            |      |                     |     |      |       |       | Charge, Pick up signed Stip & Order from Peel              |
|            |      |                     |     |      |       |       | Brimley  |
|            |      | Voucher=380393 Paid |     |      |       |       | Vendor=American Legal Services Nevada Balance= .00 Amount= |
|            |      |                     |     |      |       |       | 355.37   |
|            |      |                     |     |      |       |       | Check #5338664 04/04/2018                                  |

|            |      |                     |     |      |       |       |  |
|------------|------|---------------------|-----|------|-------|-------|--|
| 02/23/2018 | 8143 | Mary E. Bacon       | 140 | 1.00 | 45.48 | 45.48 | Courier Delivery Charge                                    |
| 05/10/2018 |      | Invoice=638242      |     | 1.00 | 45.48 | 45.48 | American Legal Services Nevada Courier Delivery            |
|            |      |                     |     |      |       |       | Charge, Pick up signed Stip & Order from Grant             |
|            |      |                     |     |      |       |       | Morris Dodds   |
|            |      | Voucher=380393 Paid |     |      |       |       | Vendor=American Legal Services Nevada Balance= .00 Amount= |
|            |      |                     |     |      |       |       | 355.37   |
|            |      |                     |     |      |       |       | Check #5338664 04/04/2018                                  |
| 02/23/2018 | 8143 | Mary E. Bacon       | 140 | 1.00 | 22.60 | 22.60 | Courier Delivery Charge                                    |
| 05/10/2018 |      | Invoice=638242      |     | 1.00 | 22.60 | 22.60 | American Legal Services Nevada Courier Delivery            |
|            |      |                     |     |      |       |       | Charge, Pick up signed Stip & Order from Bradley           |
|            |      |                     |     |      |       |       | Slighting  |
|            |      | Voucher=380393 Paid |     |      |       |       | Vendor=American Legal Services Nevada Balance= .00 Amount= |
|            |      |                     |     |      |       |       | 355.37   |
|            |      |                     |     |      |       |       | Check #5338664 04/04/2018                                  |



# INVOICE

|             |              |
|-------------|--------------|
| Invoice No. | Customer No. |
| [REDACTED]  |              |
|             |              |
|             |              |
|             |              |

**BILLING/PAYMENT QUESTIONS**  
**CLIENT CARE (877) 350-8698**

|                       |           |     | Customer No.   | Invoice No. | Period Ending | Amount Due  | Pg    |
|-----------------------|-----------|-----|--|-------------|---------------|---|-------|
| Date                  | Order No. | Svc | Service Detail   |             |               | Charges   | Total |
| 3/09/18               | 55069239  | ASP | SPENCER FANE LLP<br>300 South Fourth Street<br>LAS VEGAS NV 89101<br>Caller: Adam Miller<br>A571228<br>Apco vs. Gemstone<br>Proposed Findings of Facts and Conclusions of Law<br>Please deliver<br>Signed: DELIVERED |             |               | EIGHTH JUDICIAL DISTRICT COURT<br>200 LEWIS AVENUE<br>LAS VEGAS NV 89155<br><br><br><br><br><br><br><br>Base Chg : 29.25<br>Fuel Chg : 3.80 | 33.05 |
| DELIVERY-ASAP VEHICLE |           |     |  |             |               |   |       |

**INVOICE PAYMENT DUE UPON RECEIPT**

**JA006657**

# EXHIBIT C

Axion Discovery, LLC

602.492.1889

support@axiondiscovery.com

www.axiondiscovery.com

## Invoice

# AXION

## Discovery

**BILL TO**

Spencer Fane LLP  
Attn: Vivian Bowron  
2425 E. Camelback Road, Suite 850  
Phoenix, AZ 85016

| INVOICE # | DATE       | TOTAL DUE | DUE DATE   | TERMS  | ENCLOSED |
|-----------|------------|-----------|------------|--------|----------|
| 1032      | 11/14/2017 | \$798.17  | 11/29/2017 | Net 15 |          |

**PROJECT NAME**  
APCO/Gemstone

**MATTER NUMBER**  
5026372-0002

| ACTIVITY                       | QTY         | RATE | AMOUNT          |
|--------------------------------|-------------|------|-----------------|
| Prints of APCO and CAMCO files |             |      |                 |
| Printing - B/W Stapled         | 4,705       | 0.08 | 376.40T         |
| Printing - Color               | 474         | 0.79 | 374.46T         |
| Thank you for your business!   |             |      |                 |
|                                | SUBTOTAL    |      | 750.86          |
|                                | TAX (6.3%)  |      | 47.31           |
|                                | TOTAL       |      | 798.17          |
|                                | BALANCE DUE |      | <b>\$798.17</b> |

Please remit payments to:

Axion Discovery, LLC  
Attn: Accounts Receivable  
4490 N. Black Canyon Hwy  
Phoenix, AZ 85017

**JA006659**



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

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**Supreme Court Case No. 77320**  
***Consolidated with 80508***

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**HELIX ELECTRIC OF NEVADA, LLC,**

Appellant,

v.

**APCO CONSTRUCTION, INC., A NEVADA CORPORATION,**

Respondent.

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**JOINT APPENDIX**  
**VOLUME 92**

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Eric B. Zimbelman, Esq. (9407)  
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Telephone: (702) 990-7272  
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[ezimbelman@peelbrimley.com](mailto:ezimbelman@peelbrimley.com)  
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*Helix Electric of Nevada, LLC*

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Facsimile: (702) 408-3401  
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Christopher H. Byrd, Esq. (1633)  
**FENNERMORE CRAIG, P.C.**  
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Facsimile: (702) 692-8099  
[rjefferies@fclaw.com](mailto:rjefferies@fclaw.com)  
[cbyrd@fclaw.com](mailto:cbyrd@fclaw.com)  
*Attorneys for Respondent*

## **CHRONOLOGICAL APPENDIX OF EXHIBITS**

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

| <u>Date</u> | <u>Description</u>   | <u>Bates<br/>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-<br>JA000342   | 6                |
|             | Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories   | JA000343-<br>JA000379   | 6                |
|             | Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories  | JA000380-<br>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-<br>JA000409   | 6/7              |
|             | Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017  | JA000410-<br>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-<br>JA000418   | 7                |
| 11-06-17    | Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6   | JA000419-<br>JA000428   | 7                |



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

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

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

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

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

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

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|                 | <b>Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</b>  |                               |                  |
| <b>01-10-18</b> | <b>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</b> | <b>JA001561-<br/>JA001573</b> | <b>27</b>        |
| <b>01-12-18</b> | <b>Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]</b>   | <b>JA001574-<br/>JA001594</b> | <b>27/28</b>     |
|                 | Exhibit 1 – Exhibit List APCO   | JA001595-<br>JA001614         | 28               |
|                 | Exhibit 2 – Helix Trial Exhibits  | JA001615-<br>JA001616         | 28               |
|                 | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.   | JA001617-<br>JA001635         | 28               |
|                 | Exhibit 4 – Cactus Rose Trial Exhibits  | JA001636-<br>JA001637         | 28               |
|                 | Exhibit 5 – Heinaman Trial Exhibits   | JA001638-<br>JA001639         | 28               |
|                 | Exhibit 6 – Fast Glass Trial Exhibits   | JA001640-<br>JA001641         | 28               |
|                 | Exhibit 7 – SWPPP Trial Exhibits  | JA001642-<br>JA001643         | 28               |
|                 | Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>  | JA001644-<br>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-<br>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-<br>JA001653         | 28               |
|                 | Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)                     | JA001654-<br>JA001657         | 28               |
|                 | Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>                                    | JA001658-<br>JA001660         | 28               |
|                 | Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements | JA001661-<br>JA00167          | 28/9/29          |
| <b>01-17-18</b> | <b>Transcript Bench Trial (Day 1)<sup>1</sup></b>  | <b>JA001668-<br/>JA001802</b> | <b>29/30</b>     |
|                 | Trial Exhibit 1 - Grading Agreement ( <i>Admitted</i> )  | JA001803-<br>JA001825         | 30               |
|                 | Trial Exhibit 2 – APCO/Gemstone General Construction Agreement ( <i>Admitted</i> )   | JA001826-<br>JA001868         | 30               |
|                 | Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement ( <i>Admitted</i> )                       | JA001869-<br>JA001884         | 30               |

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<sup>1</sup> Filed January 31, 2018



| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone <i>(Admitted)</i>   | JA001885-<br>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-<br>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-<br>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-<br>JA001987          | 32                      |
|                    | Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>  | JA001988-<br>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-<br>JA002010          | 33                      |
|                    | Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>  | JA002011-<br>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-<br>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-<br>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-<br>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-<br>JA002120          | 34/35                   |
|                    | Trial Exhibit 45 - Subcontractor Agreement ( <i>Admitted</i> )  | JA002121-<br>JA002146          | 35                      |
|                    | Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO ( <i>Admitted</i> )                              | JA002147-<br>JA002176          | 35/36                   |
|                    | Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice ( <i>Admitted</i> )  | JA002177-<br>JA002181          | 36                      |
|                    | Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice ( <i>Admitted</i> )                                     | JA002182-<br>JA002185          | 36                      |
|                    | Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors ( <i>Admitted</i> )  | JA002186-<br>JA002188          | 36                      |
|                    | Trial Exhibit 506 – Email and Contract Revisions ( <i>Admitted</i> )  | JA002189 –<br>JA002198         | 36                      |

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| 01-18-18    | <b>Stipulation and Order Regarding Trial Exhibit Admitted into Evidence</b>                    | <b>JA002199-<br/>JA002201</b> | <b>36</b>        |
|             | Exhibit 1 – Exhibit List APCO  | JA002208-<br>JA002221         | 36               |
|             | Exhibit 2 – Helix Trial Exhibits   | JA002222-<br>JA002223         | 36               |
|             | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.                | JA002224-<br>JA002242         | 36/37            |
|             | <b>APCO TRIAL EXHIBITS:</b>  |                               |                  |
|             | <b>APCO Related Exhibits:</b>  |                               |                  |
|             | 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-<br>JA002282         | 37/38            |
|             | Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns | JA002283-<br>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-<br>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-<br>JA002308          | 39                      |
|                    | Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)  | JA002309-<br>JA002310          | 39                      |
|                    | Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)   | JA002311-<br>JA002312-         | 40                      |
|                    | Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)          | JA002313-<br>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-<br>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-<br>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-<br>JA002320          | 41                      |

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

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

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

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



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|                    | Trial Exhibit 110 - Photo of Video (Construction Project)  | JA002534-<br>JA002535          | 44                      |
|                    | Trial Exhibit 111 - Photo of Video (Construction Project)  | JA002536-<br>JA002537          | 44                      |
|                    | Trial Exhibit 112 - Photo of Video (Construction Project)  | JA002538-<br>JA002539          | 44                      |
|                    | Trial Exhibit 113 -Photo of Video (Construction Project)   | JA002550-<br>JA002541          | 44                      |
|                    | Trial Exhibit 114 -Photo of Video (Construction Project)   | JA002542-<br>JA002543          | 44                      |
|                    | Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting   | JA002544-<br>JA002545          | 44                      |
|                    | Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco                              | JA002546-<br>JA002550          | 44                      |
|                    | Trial Exhibit 117 - C to the Ratification  | JA002551-<br>JA002563          | 44                      |
|                    | Trial Exhibit 118 - Q&A from Gemstone to subcontracts  | JA002564-<br>JA002567          | 44                      |
|                    | Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2                          | JA002568-<br>JA002571          | 44                      |
|                    | Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting | JA002572-<br>JA002575          | 44/45                   |
|                    | Trial Exhibit 127 - Photo of Video (Construction Project)  | JA002576-<br>JA002577          | 45/46                   |
|                    | Trial Exhibit 128 - Photo of Video (Construction Project)  | JA002578-<br>JA002579          | 46                      |
|                    | Trial Exhibit 129 - Photo of Video (Construction Project)  | JA002580-<br>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-<br>JA002591   | 46               |
|             | Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment  | JA002592-<br>JA002598   | 46               |
|             | <b>National Wood Products Related Exhibits:</b>   |                         |                  |
|             | Trial Exhibit 160 - Documents provided for settlement   | JA002599-<br>JA002612   | 46               |
|             | <b>CAMCO Related Exhibits:</b>  |                         |                  |
|             | Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone  | JA002613-<br>JA002651   | 46/47            |
|             | Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project  | JA002652-<br>JA002653   | 47               |
|             | Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding   | JA002654<br>JA002656    | 47               |
|             | <b>Helix Related Exhibits:</b>  |                         | 47               |
|             | Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco  | JA 002665<br>JA002676   | 47/48            |
|             | Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)  | JA002677-<br>JA002713   | 48               |
|             | Trial Exhibit 171 - Work Order No. 100  | JA002714-<br>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-<br>JA002730   | 48               |

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

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

<sup>2</sup> Filed January 31, 201879

<sup>3</sup> Filed January 31, 2018

| <u><b>Date</b></u> | <u><b>Description</b></u>   | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | 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-<br>JA005808          | 80                      |
|                    | Trial Exhibit 804 – Camco Correspondence ( <i>Admitted</i> )  | JA005809-<br>JA005816          | 80                      |
|                    | Trial Exhibit 3176 – APCO Notice of Lien ( <i>Admitted</i> )  | JA005817-<br>JA005819          | 81                      |
| <b>01-24-18</b>    | <b>Transcript – Bench Trial (Day 5)<sup>4</sup></b>   | <b>JA005820-<br/>JA005952</b>  | 81                      |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting Helix Electric of Nevada, LLC’s (Proposed) Findings of Fact and Conclusions of Law</b> | <b>JA005953-<br/>JA005985</b>  | <b>81</b>               |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting APCO Construction, Inc.’s Proposed Findings of Fact and Conclusions of Law</b>         | <b>JA005986-<br/>JA006058</b>  | <b>8/821</b>            |
| <b>03-08-18</b>    | <b>APCO Construction Inc.’s Post-Trial Brief</b>  | <b>JA006059-<br/>JA006124</b>  | <b>82/83</b>            |
| <b>03-23-18</b>    | <b>APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law</b>                           | <b>JA006125-<br/>JA006172</b>  | <b>83/84</b>            |
| <b>03-23-18</b>    | <b>Helix Electric of Nevada, LLC’s Responses to APCO Construction’s Post-Trial Brief</b>                                    | <b>JA006173-<br/>JA006193</b>  | <b>84</b>               |
| <b>04-25-18</b>    | <b>Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO</b>         | <b>JA006194-<br/>JA006264</b>  | <b>84/85</b>            |

<sup>4</sup> Filed January 31, 201883

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| 05-08-18    | <b>APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.</b> | <b>JA006265-<br/>JA006284</b> | <b>85</b>        |
|             | Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO  | JA006285-<br>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-<br>JA006369         | 86               |
|             | Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)   | JA006370-<br>JA006385         | 86/87            |
|             | Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco  | JA006386-<br>JA006398         | 87               |
|             | Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC   | JA006399-<br>JA006402         | 87               |
|             | Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.  | JA006403-<br>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-<br>JA006411         | 87               |
|             | Exhibit 7A – Billing Entries   | JA006412-<br>JA006442         | 87/88            |

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|                 | Exhibit 7B – Time Recap   | JA006443-<br>JA006474         | 88               |
|                 | Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs   | JA006475-<br>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-<br>JA006487         | 88               |
|                 | Exhibit 10 – Depository Index   | JA006488-<br>JA006508         | 88/89            |
| <b>05-08-18</b> | <b>Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements</b>  | <b>JA006509-<br/>JA006521</b> | <b>89</b>        |
| <b>05-31-18</b> | <b>Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]</b>  | <b>JA006522<br/>JA006540</b>  | <b>89</b>        |
| <b>06-01-18</b> | <b>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.]</b> | <b>JA006541<br/>JA006550</b>  | <b>90</b>        |
| <b>06-01-18</b> | <b>Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs</b>   | <b>JA006551-<br/>JA006563</b> | <b>90</b>        |
|                 | 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-<br>JA006574         | 90               |

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|                 | Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)  | JA006575-<br>JA006580          | 90                   |
|                 | Exhibit 3 – Prime Interest Rate  | JA006581-<br>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-<br>JA006588          | 90                   |
|                 | Exhibit 5 – Summary of Fees  | JA006589-<br>JA006614          | 90                   |
| <b>06-15-18</b> | <b>APCO Construction, Inc.’s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Motions to Retax Costs</b> | <b>JA006615-<br/>JA006637</b>  | <b>90/91</b>         |
|                 | Exhibit 1-A Declaration of Mary Bacon in Support of APCO’s Supplement to its Motion for Attorney’s Fees  | JA006635<br>JA006638           | 91                   |
|                 | Exhibit 1-B – Declaration of Cody Munteer in Support of APCO’s Supplement to its Motion for Attorney’s Fees  | JA006639-<br>JA006916          | 91/92/93<br>94/95/96 |
| <b>06-15-18</b> | <b>Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs</b>  | <b>JA006917 –<br/>JA006942</b> | <b>96</b>            |
|                 | 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-<br>JA006948          | 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-<br>JA006954   | 96               |
|             | Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed  | JA006955-<br>JA006958   | 96               |
|             | Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration   | JA006959-<br>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-<br>JA006978   | 96               |
|             | Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire  | JA006977-<br>JA006980   | 96               |
|             | Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire  | JA006981-<br>JA006984   | 96               |
|             | Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire  | JA006985-<br>JA006993   | 96/97            |
|             | Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance   | JA006994<br>JA007001    | 97               |
|             | Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire   | JA007002-<br>JA007005   | 97               |
|             | Exhibit 7A – Motion to Appoint Special Master  | JA007006-<br>JA007036   | 97               |
|             | Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016  | JA007037-<br>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-<br>JA007046   | 97               |
|             | Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss   | JA007047<br>JA007053    | 97               |
|             | Exhibit 9 – Stipulation and Order for Dismissal with Prejudice  | JA007054-<br>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-<br>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-<br>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-<br>JA007078   | 97               |
|             | Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims                                 | JA007079-<br>JA007084   | 97               |
|             | Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary                                    | JA007085-<br>JA007087   | 97               |

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

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| <b>06-29-18</b>    | <b>Helix Electric of Nevada, LLC's Reply Re: Motion to Retax</b>   | <b>JA007225-<br/>JA007237</b>  | <b>100</b>              |
| <b>07-02-18</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA007238-<br/>JA007245</b>  | <b>100</b>              |
| <b>07-19-18</b>    | <b>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</b>   | <b>JA007246-<br/>JA007261</b>  | <b>100</b>              |
| <b>08-08-18</b>    | <b>Court's Decision on Attorneys' Fees and Cost Motions</b>  | <b>JA007262-<br/>JA007280</b>  | <b>100</b>              |
| <b>09-28-18</b>    | <b>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</b> | <b>JA007281-<br/>JA007299</b>  | <b>100</b>              |
| <b>01-24-19</b>    | <b>Transcript for All Pending Fee Motions on July 19, 2018</b>   | <b>JA007300-<br/>JA007312</b>  | <b>100/101</b>          |
| <b>07-12-19</b>    | <b>Order Dismissing Appeal (Case No. 76276)</b>  | <b>JA007313-<br/>JA007315</b>  | <b>101</b>              |

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| 08-06-19    | <b>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</b>   | JA007316-<br>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-<br>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-<br>JA007344   | 101              |
|             | Exhibit 3 - Notice of Appeal  | JA007345-<br>JA007394   | 101/102          |
|             | Exhibit 4 – Amended Notice of Appeal  | JA007395-<br>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-<br>JA007517   | 102/103          |

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|                    | Solutions, Inc., E&E Fire Protection   |                                |                                     |
|                    | Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)   | JA007518-<br>JA007519          | 103                                 |
|                    | Exhibit 7 – Order to Show Cause  | JA007520-<br>JA007542          | 103                                 |
|                    | Exhibit 8 -Order Dismissing Appeal (Case No. 76276)  | JA007524-<br>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-<br>JA007541         | 103                                 |
|                    | Exhibit 10 (Part One)  | JA007537-<br>JA007542          | 103                                 |
|                    | Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)   | JA007543-<br>JA007585          | 103                                 |
|                    | Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)   | JA007586-<br>JA008129          | 103/104/105<br>/106/107<br>/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-<br>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-<br>JA008141          | 109                                 |
|                    | Exhibit 10 (Part Two)  | JA008142-<br>JA008149          | 109                                 |

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

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|                    | 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<br>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-<br>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-<br>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-<br>JA008450          | 110/111                 |
|                    | Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008451-<br>JA008486          | 111                     |
|                    | Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008468-<br>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-<br>JA008504          | 111                     |



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

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|                    | 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-<br>JA008624          | 112                     |
|                    | Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008625-<br>JA008642          | 112                     |
|                    | Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008643-<br>JA008657          | 112                     |
|                    | Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008658-<br>JA008664          | 112                     |
|                    | Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008665-<br>JA008681          | 112                     |
|                    | Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below  | JA008682-<br>JA008685          | 112                     |
|                    | Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice   | JA008686-<br>JA008693          | 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-<br>JA008717          | 112/113                 |
|                    | Exhibit 10NN-Notice of Appeal   | JA008718<br>JA008723           | 113                     |
|                    | Exhibit 10OO – Amended Notice of Appeal   | JA008724-<br>JA008729          | 113                     |
|                    | Exhibit 10PP – Notice of Cross Appeal   | JA008730-<br>JA008736          | 113                     |
|                    | Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276  | JA008737-<br>JA008746          | 113                     |
|                    | Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195                               | JA008747-<br>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-<br>JA008758           | 113                     |
|                    | Exhibit 13 – Stipulation and Order with Prejudice   | JA008759-<br>JA008780          | 113                     |
|                    | Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment                                | JA008762-<br>JA008788          | 113                     |
|                    | Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal   | JA008789-<br>JA008798          | 113                     |

| <u>Date</u>     | <u>Description</u>   | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
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|                 | Exhibit 16 – Notice of Appeal  | JA008799-<br>JA008810         | 113              |
| <b>08-16-19</b> | <b>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</b> | <b>JA008811-<br/>JA008821</b> | <b>114</b>       |
|                 | Exhibit 1 – Order to File Amended Docketing Statement  | JA008822-<br>JA008824         | 114              |
|                 | Exhibit 2 – Order to Show Cause  | JA008825-<br>JA008828         | 114              |
|                 | Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause   | JA008829-<br>JA008892         | 114/115/116      |
|                 | Exhibit 4 – Order Dismissing Appeal  | JA008893-<br>JA008896         | 116              |
|                 | Exhibit 5 – Chart of Claims  | JA008897-<br>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-<br>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-<br>JA008965         | 117              |
|                 | Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco   | JA008966-<br>JA008986         | 117/118          |

| <u>Date</u>     | <u>Description</u>  | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
|-----------------|---|-------------------------------|------------------|
|                 | Pacific Construction's Counterclaim   |                               |                  |
|                 | 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-<br>JA008998         | 118              |
|                 | Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.   | JA008998-<br>JA009010         | 118              |
|                 | Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing  | JA009011-<br>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-<br>JA009038         | 118              |
|                 | Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO  | JA009039-<br>JA009110         | 118/119          |
|                 | Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal  | JA009111-<br>JA009113         | 119              |
|                 | Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond  | JA009114-<br>JA009116         | 119              |
| <b>08-29-19</b> | <b>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)</b>    | <b>JA009117-<br/>JA009123</b> | <b>119</b>       |

| <u>Date</u>     | <u>Description</u>   | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
|-----------------|--|-------------------------------|------------------|
|                 | <b>Dismiss All Unresolved Claims and/or (III) In The Alternative for a Rule 54(B) Certification as to Helix and APCO</b>   |                               |                  |
| <b>01-03-20</b> | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification</b>   | <b>JA009124-<br/>JA009131</b> | <b>119</b>       |
| <b>01-29-20</b> | <b>Notice of Appeal</b>  | <b>JA009132-<br/>JA009136</b> | <b>119/120</b>   |
|                 | 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-<br>JA009166         | 120              |
|                 | Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification  | JA009148-<br>JA009156         | 120              |
| <b>02-11-20</b> | <b>Case Appeal Statement</b>   | <b>JA009157-<br/>JA009163</b> | 120              |
| <b>02-11-20</b> | <b>APCO's Notice of Cross Appeal</b>   | <b>JA009164-<br/>JA010310</b> | 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-<br>JA009182         | 120              |

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

## **ALPHABETICAL APPENDIX OF EXHIBITS**

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



| <u><b>Date</b></u> | <u><b>Description</b></u>   | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    |   | JA006442                       |                         |
|                    | Exhibit 7B – Time Recap   | JA006443-<br>JA006474          | 88                      |
|                    | Exhibit 8 – Declaration of Cody S. Mounter, Esq. in Support of Motion for Attorney’s Fees and Costs   | JA006475-<br>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-<br>JA006487          | 88                      |
|                    | Exhibit 10 – Depository Index   | JA006488-<br>JA006508          | 88/89                   |
| <b>06-06-13</b>    | <b>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</b>   | <b>JA000044-<br/>JA000054</b>  | <b>1</b>                |
|                    | 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-<br>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-<br>JA000326          | 6                       |
| <b>02-11-20</b>    | <b>APCO’s Notice of Cross Appeal</b>  | <b>JA009164-<br/>JA010310</b>  | <b>120</b>              |
|                    | 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-<br>JA009182          | 114                     |

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

| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1   | JA000849-<br>JA000856          | 12                      |
|                    | Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1  | JA000857-<br>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-<br>JA000873          | 12                      |
|                    | Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017  | JA000874-<br>JA000897          | 12                      |
| <b>03-23-18</b>    | <b>APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law</b>  | <b>JA006125-<br/>JA006172</b>  | <b>83/84</b>            |
| <b>08-16-19</b>    | <b>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</b> | <b>JA008811-<br/>JA008821</b>  | <b>114</b>              |
|                    | Exhibit 1 – Order to File Amended Docketing Statement  | JA008822-<br>JA008824          | 114                     |
|                    | Exhibit 2 – Order to Show Cause  | JA008825-<br>JA008828          | 114                     |
|                    | Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause   | JA008829-<br>JA008892          | 114/115/116             |
|                    | Exhibit 4 – Order Dismissing Appeal  | JA008893-<br>JA008896          | 116                     |
|                    | Exhibit 5 – Chart of Claims  | JA008897-<br>JA008924          | 116                     |
|                    | Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco  | JA008925-<br>JA008947          | 116/117                 |

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | 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-<br>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-<br>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-<br>JA008998          | 118                     |
|                    | Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.  | JA008998-<br>JA009010          | 118                     |
|                    | Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing   | JA009011-<br>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-<br>JA009038          | 118                     |
|                    | Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO   | JA009039-<br>JA009110          | 118/119                 |
|                    | Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal   | JA009111-<br>JA009113          | 119                     |
|                    | Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond   | JA009114-<br>JA009116          | 119                     |

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

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Exhibit 1 – Special Master Report Regarding Discovery Status   | JA001149-<br>JA001151          | 21                      |
|                    | Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.  | JA001152-<br>JA001160          | 21                      |
| <b>06-29-18</b>    | <b>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.</b> | <b>JA007198-<br/>JA007220</b>  | <b>99</b>               |
|                    | Exhibit 1 – Invoice Summary by Matter Selection  | JA007221-<br>JA007222          | 99                      |
|                    | Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018   | JA007223-<br>JA007224          | 99                      |
| <b>04-26-10</b>    | <b>CAMCO and Fidelity’s Answer and CAMCO’s Counterclaim</b>  | <b>JA000031-<br/>JA000041</b>  | <b>1</b>                |
| <b>11-14-17</b>    | <b>Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6</b>   | <b>JA000898-<br/>JA000905</b>  | <b>12</b>               |
|                    | Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement   | JA000906-<br>JA000907          | 12                      |
|                    | Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board   | JA000908-<br>JA000915          | 2/13                    |
|                    | Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs  | JA000916-<br>JA000917          | 13                      |
|                    | Exhibit D – Camco Pacific’s letter dated December 22, 2008   | JA000918-<br>JA000920          | 13                      |
|                    | Exhibit E – Order Approving Sale of Property   | JA000921-<br>JA000928          | 13                      |
| <b>02-11-20</b>    | <b>Case Appeal Statement</b>   | <b>JA009157-<br/>JA009163</b>  | <b>120</b>              |

| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
|--------------------|--|--------------------------------|-------------------------|
| <b>08-08-18</b>    | <b>Court's Decision on Attorneys' Fees and Cost Motions</b>  | <b>JA007262-<br/>JA007280</b>  | <b>100</b>              |
| <b>06-15-18</b>    | <b>Declaration of S. Judy Hirahara in support of National Woods's Opposition to APCO Construction's Motion for Attorneys' Fees and Costs</b>             | <b>JA007121-<br/>JA007189</b>  | <b>98</b>               |
| <b>06-13-13</b>    | <b>Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone</b>  | <b>JA000327</b>                | <b>6</b>                |
| <b>04-25-18</b>    | <b>Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO</b>                                      | <b>JA006194-<br/>JA006264</b>  | <b>84/85</b>            |
| <b>11-06-17</b>    | <b>Helix Electric of Nevada's Motion <i>in Limine</i> Nos. 1-4</b>   | <b>JA000534-<br/>JA000542</b>  | <b>8</b>                |
|                    | Exhibit 1 – Notice of Entry of Order   | JA000543-<br>JA000549          | 8                       |
|                    | Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction   | JA000550<br>JA000558           | 8/9                     |
|                    | Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017  | JA000559<br>JA000574           | 9                       |
|                    | Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017  | JA000575-<br>JA000589          | 9                       |
| <b>06-01-18</b>    | <b>Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA006551-<br/>JA006563</b>  | <b>90</b>               |
|                    | 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-<br>JA006574          | 90                      |
|                    | Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)  | JA006575-<br>JA006580          | 90                      |
|                    | Exhibit 3 – Prime Interest Rate  | JA006581-<br>JA006601          | 90                      |

| <u><b>Date</b></u> | <u><b>Description</b></u>   | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></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-<br>JA006588          | 90                      |
|                    | Exhibit 5 – Summary of Fees   | JA006589-<br>JA006614          | 90                      |
| <b>08-06-19</b>    | <b>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</b>   | <b>JA007316-<br/>JA007331</b>  | <b>101</b>              |
|                    | 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-<br>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-<br>JA007344          | 101                     |
|                    | Exhibit 3 - Notice of Appeal  | JA007345-<br>JA007394          | 101/102                 |
|                    | Exhibit 4 – Amended Notice of Appeal  | JA007395-<br>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-<br>JA007517          | 102/103                 |



| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b>            |
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|                    | Nevada, LLC, SWPPP Compliance Solutions, Inc., E&E Fire Protection   |                                |                                    |
|                    | Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)   | JA007518-<br>JA007519          | 103                                |
|                    | Exhibit 7 – Order to Show Cause  | JA007520-<br>JA007542          | 103                                |
|                    | Exhibit 8 -Order Dismissing Appeal (Case No. 76276)  | JA007524-<br>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-<br>JA007541         | 103                                |
|                    | Exhibit 10 (Part One)  | JA007537-<br>JA007542          | 103                                |
|                    | Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)   | JA007543-<br>JA007585          | 103                                |
|                    | Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)   | JA007586-<br>JA008129          | 103/104/105/<br>106/107/108<br>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-<br>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-<br>JA008141          | 109                                |
|                    | Exhibit 10 (Part Two)  | JA008142-<br>JA008149          | 109                                |
|                    | Exhibit 10E – 131 Nev. Advance Opinion 70  | JA008150-<br>JA008167          | 109                                |
|                    | Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status   | JA008168-<br>JA008170          | 109                                |

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|                    | Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss   | JA008171-<br>JA008177          | 109                     |
|                    | Exhibit 10H – Complaint re Foreclosure   | JA008178-<br>JA008214          | 109                     |
|                    | Exhibit 10I – First Amended Complaint re Foreclosure   | JA008215-<br>JA008230          | 109                     |
|                    | Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure   | JA008231-<br>JA008265          | 109/110                 |
|                    | Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim                                      | JA008266-<br>JA008285          | 110                     |
|                    | Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim  | JA008286-<br>JA008290          | 110                     |
|                    | Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008291-<br>JA008306          | 110                     |
|                    | Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint                                | JA008307-<br>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-<br>JA008338          | 110                     |
|                    | Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs  | JA008339<br>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-<br>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-<br>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-<br>JA008450          | 110/111                 |
|                    | Exhibit 10T -WRG Design, Inc.’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008451-<br>JA008486          | 111                     |
|                    | Exhibit 10U – APCO Construction’s Answer to WRG Design Inc.’s amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008468-<br>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-<br>JA008504          | 111                     |
|                    | Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal   | JA008505-<br>JA008512          | 111                     |
|                    | Exhibit 10X – WRG Design, Inc.’s Answer to Camco Pacific Construction Company, Inc.’s Counterclaim   | JA008513<br>JA008517           | 111                     |
|                    | Exhibit 10Y – Heinaman Contract Glazing’s Amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008518-<br>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-<br>JA008551          | 111                     |

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|                    | Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing’s Motion for Attorneys’s Fees, Interest and Costs  | JA008552-<br>JA008579          | 111/112                 |
|                    | Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]   | JA008561-<br>JA008582          | 112                     |
|                    | Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim   | JA008583<br>JA008588           | 112                     |
|                    | Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008589-<br>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-<br>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-<br>JA008624          | 112                     |
|                    | Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008625-<br>JA008642          | 112                     |
|                    | Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008643-<br>JA008657          | 112                     |
|                    | Exhibit 10II – Amended Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008658-<br>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-<br>JA008681          | 112                     |
|                    | Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below   | JA008682-<br>JA008685          | 112                     |
|                    | Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice  | JA008686-<br>JA008693          | 112                     |
|                    | Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint               | JA008694-<br>JA008717          | 112/113                 |
|                    | Exhibit 10NN-Notice of Appeal   | JA008718<br>JA008723           | 113                     |
|                    | Exhibit 10OO – Amended Notice of Appeal   | JA008724-<br>JA008729          | 113                     |
|                    | Exhibit 10PP – Notice of Cross Appeal   | JA008730-<br>JA008736          | 113                     |
|                    | Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276  | JA008737-<br>JA008746          | 113                     |
|                    | Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195                               | JA008747-<br>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-<br>JA008758           | 113                     |
|                    | Exhibit 13 – Stipulation and Order with Prejudice   | JA008759-<br>JA008780          | 113                     |

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

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|                    | Precluding Defenses Based on Pay-if-Paid Agreements   |                                |                         |
|                    | Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire   | JA006977-<br>JA006980          | 96                      |
|                    | Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire   | JA006981-<br>JA006984          | 96                      |
|                    | Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire   | JA006985-<br>JA006993          | 96/97                   |
|                    | Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance  | JA006994<br>JA007001           | 97                      |
|                    | Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire  | JA007002-<br>JA007005          | 97                      |
|                    | Exhibit 7A – Motion to Appoint Special Master   | JA007006-<br>JA007036          | 97                      |
|                    | Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016   | JA007037-<br>JA007060          | 97                      |
|                    | Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda      | JA007042-<br>JA007046          | 97                      |
|                    | Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss   | JA007047<br>JA007053           | 97                      |
|                    | Exhibit 9 – Stipulation and Order for Dismissal with Prejudice  | JA007054-<br>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-<br>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-<br>JA007088          | 97                      |

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|                    | 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-<br>JA007078          | 97                      |
|                    | Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims   | JA007079-<br>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-<br>JA007087          | 97                      |
|                    | Exhibit 15 – Notice of Association of Counsel   | JA007088-<br>JA007094          | 97                      |
| <b>11-14-17</b>    | <b>Helix Electric of Nevada’s Opposition to APCO Construction’s Omnibus Motion in Limine</b>  | <b>JA000994-<br/>JA001008</b>  | <b>20</b>               |
|                    | Exhibit 1 – Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017  | JA001009-<br>JA001042          | 20                      |
|                    | Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017  | JA001043-<br>JA001055          | 20                      |
|                    | Exhibit 3 – Special Master Order Requiring Completion of Questionnaire  | JA001056-<br>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-<br>JA001064          | 20                      |
|                    | Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017   | JA001065<br>JA001132           | 20/21                   |
| <b>08-29-19</b>    | <b>Helix Electric of Nevada LLC’s Reply to APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-</b>  | <b>JA009117-<br/>JA009123</b>  | <b>119</b>              |



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|                    | <b>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</b> |                                |                         |
| <b>06-29-18</b>    | <b>Helix Electric of Nevada, LLC's Reply Re: Motion to Retax</b>  | <b>JA007225-<br/>JA007237</b>  | <b>100</b>              |
| <b>03-23-18</b>    | <b>Helix Electric of Nevada, LLC's Responses to APCO Construction's Post-Trial Brief</b>  | <b>JA006173-<br/>JA006193</b>  | <b>84</b>               |
| <b>06-24-09</b>    | <b>Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint</b>  | <b>JA000001-<br/>JA000015</b>  | <b>1</b>                |
| <b>01-12-18</b>    | <b>Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]</b>                         | <b>JA001574-<br/>JA001594</b>  | <b>27/28</b>            |
|                    | Exhibit 1 – Exhibit List APCO   | JA001595-<br>JA001614          | 28                      |
|                    | Exhibit 2 – Helix Trial Exhibits  | JA001615-<br>JA001616          | 28                      |
|                    | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.   | JA001617-<br>JA001635          | 28                      |
|                    | Exhibit 4 – Cactus Rose Trial Exhibits  | JA001636-<br>JA001637          | 28                      |
|                    | Exhibit 5 – Heinaman Trial Exhibits   | JA001638-<br>JA001639          | 28                      |
|                    | Exhibit 6 – Fast Glass Trial Exhibits   | JA001640-<br>JA001641          | 28                      |
|                    | Exhibit 7 – SWPPP Trial Exhibits  | JA001642-<br>JA001643          | 28                      |
|                    | Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>  | JA001644-<br>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-<br>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-<br>JA001653          | 28                      |
|                    | Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)   | JA001654-<br>JA001657          | 28                      |
|                    | Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>  | JA001658-<br>JA001660          | 28                      |
|                    | Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements   | JA001661-<br>JA001667          | 28/9/29                 |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law</b>  | <b>JA005986-<br/>JA006058</b>  | <b>8/821</b>            |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law</b>  | <b>JA005953-<br/>JA005985</b>  | <b>81</b>               |
| <b>01-04-18</b>    | <b>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</b> | <b>JA001199-<br/>JA001217</b>  | <b>22</b>               |
|                    | Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)  | JA001218-<br>JA001245          | 22/23/24                |
|                    | Exhibit 2 – Subcontract Agreement (Zitting Brothers)   | JA001246-<br>JA001263          | 24                      |

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|                    | Exhibit 3 – Subcontract Agreement (CabineTec)  | JA001264-<br>JA001281          | 24/25                   |
|                    | Exhibit 4 – Amended Notice of Lien   | JA001282-<br>JA001297          | 25                      |
|                    | Exhibit 5 - Amended NOL  | JA001298-<br>JA001309          | 25                      |
|                    | Exhibit 6 – Notice of Lien   | JA001310-<br>JA001313          | 25                      |
|                    | Exhibit 7 – Order Approving Sale of Property   | JA001314-<br>JA001376          | 25/26                   |
|                    | Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account   | JA001377-<br>JA001380          | 26                      |
|                    | Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration   | JA001381-<br>JA001385          | 26                      |
|                    | Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements | JA001386-<br>JA001392          | 26                      |
|                    | Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment   | JA001393-<br>JA001430          | 26                      |
|                    | Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment                                | JA001431-<br>JA001435          | 26                      |
|                    | Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)  | JA001436-<br>JA001469          | 26                      |
|                    | Exhibit 14 – Respondent’s Answering Brief  | JA001470-<br>JA001516          | 26/27                   |
|                    | Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)  | JA001517-<br>JA001551          | 27                      |
|                    | <b>Notice of Appeal</b>  | <b>JA009132-<br/>JA009136</b>  | <b>119/120</b>          |
|                    | Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention                         | JA009137-<br>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-<br>JA009156          | 120                     |
| <b>05-31-18</b>    | <b>Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]</b>   | <b>JA006522<br/>JA006540</b>   | <b>89</b>               |
| <b>06-01-18</b>    | <b>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.]</b>  | <b>JA006541<br/>JA006550</b>   | <b>90</b>               |
| <b>09-28-18</b>    | <b>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</b> | <b>JA007281-<br/>JA007299</b>  | <b>100</b>              |
| <b>12-29-17</b>    | <b>Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i></b>   | <b>JA001178-<br/>JA001186</b>  | <b>22</b>               |
| <b>07-02-18</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA007238-<br/>JA007245</b>  | <b>100</b>              |
| <b>01-03-20</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification</b>   | <b>JA009124-<br/>JA009131</b>  | <b>119</b>              |

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| 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-<br>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-<br>JA001177          | 22                      |
| 12-29-17           | Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion <i>in Limine</i> 1-6   | JA001161-<br>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-<br>JA005283          | 78                      |
| 07-12-19           | Order Dismissing Appeal (Case No. 76276)   | JA007332-<br>JA007334          | 101                     |
| 07-02-10           | Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default  | JA000042-<br>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-<br>JA000342          | 6                       |
|                    | Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories   | JA000343-<br>JA000379          | 6                       |
|                    | Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories  | JA000380-<br>JA000392          | 6                       |
| 11-06-17           | Peel Brimley Lien Claimants' Motion <i>in Limine</i> Nos. 1-6  | JA000419-<br>JA000428          | 7                       |
|                    | Exhibit 1 – Notice of Entry of Order   | JA000429                       | 7                       |

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

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|             | 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-<br>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-<br>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-<br>JA001573   | 27               |
| 01-18-18    | Stipulation and Order Regarding Trial Exhibit Admitted into Evidence   | JA002199-<br>JA002201   | 36               |
|             | Exhibit 1 – Exhibit List APCO  | JA002208-<br>JA002221   | 36               |
|             | Exhibit 2 – Helix Trial Exhibits   | JA002222-<br>JA002223   | 36               |
|             | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.  | JA002224-<br>JA002242   | 36/37            |
|             | <b>APCO TRIAL EXHIBITS:</b>  |                         |                  |
|             | <b>APCO Related Exhibits:</b>  |                         |                  |
|             | 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-<br>JA002282   | 37/38            |
|             | Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns   | JA002283-<br>JA002284   | 38               |

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|                    | 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-<br>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-<br>JA002308          | 39                      |
|                    | Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)  | JA002309-<br>JA002310          | 39                      |
|                    | Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)   | JA002311-<br>JA002312-         | 40                      |
|                    | Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)        | JA002313-<br>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-<br>JA002316          | 40                      |



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

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

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

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

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

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

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

<sup>5</sup> Filed January 31, 2018

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>  | JA001988-<br>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-<br>JA002010          | 33                      |
|                    | Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>  | JA002011-<br>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-<br>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-<br>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-<br>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-<br>JA002120          | 34/35                   |
|                    | Trial Exhibit 45 - Subcontractor Agreement <i>(Admitted)</i>   | JA002121-<br>JA002146          | 35                      |



| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO ( <i>Admitted</i> )                         | JA002147-<br>JA002176          | 35/36                   |
|                    | Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice ( <i>Admitted</i> )   | JA002177-<br>JA002181          | 36                      |
|                    | Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice ( <i>Admitted</i> )                                | JA002182-<br>JA002185          | 36                      |
|                    | Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors ( <i>Admitted</i> )   | JA002186-<br>JA002188          | 36                      |
|                    | Trial Exhibit 506 – Email and Contract Revisions ( <i>Admitted</i> )   | JA002189 –<br>JA002198         | 36                      |
| <b>01-18-18</b>    | <b>Transcript – Bench Trial (Day 2)<sup>6</sup></b>  | JA005284-<br>JA005370          | 78                      |
|                    | Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) ( <i>Admitted</i> )  | JA005371-<br>JA005623          | 78/79/80                |
| <b>01-19-18</b>    | <b>Transcript – Bench Trial (Day 3)<sup>7</sup></b>  | JA005624-<br>JA005785          | 80                      |
|                    | Trial Exhibit 231 – Helix Electric’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint ( <i>Admitted</i> )      | JA005786-<br>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-<br>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                      |

<sup>6</sup> Filed January 31, 201879

<sup>7</sup> Filed January 31, 2018

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

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<sup>8</sup> Filed January 31, 2018

Axion Discovery, LLC

## Invoice

602.492.1889

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# AXION

## Discovery

**BILL TO**

Spencer Fane LLP

Attn: Vivian Bowron

2425 E. Camelback Road, Suite 850

Phoenix, AZ 85016

| INVOICE # | DATE       | TOTAL DUE | DUE DATE   | TERMS  | ENCLOSED |
|-----------|------------|-----------|------------|--------|----------|
| 1034      | 11/21/2017 | \$238.51  | 12/06/2017 | Net 15 |          |

**PROJECT NAME**

Apco/Gemstone

**MATTER NUMBER**

5026372-0002

| ACTIVITY                        | QTY         | RATE  | AMOUNT          |
|---------------------------------|-------------|-------|-----------------|
| APCO video clips                |             |       |                 |
| Media:CD Creation               | 6           | 20.00 | 120.00T         |
| Tech Time (Hour) - Edit Video   | 1           | 95.00 | 95.00           |
| APCO104410                      |             |       |                 |
| Materials:Tabs-Custom CD Sleeve | 6           | 2.50  | 15.00T          |
| Thank you for your business!    |             |       |                 |
|                                 | SUBTOTAL    |       | 230.00          |
|                                 | TAX (6.3%)  |       | 8.51            |
|                                 | TOTAL       |       | 238.51          |
|                                 | BALANCE DUE |       | <b>\$238.51</b> |

Please remit payments to:

Axion Discovery, LLC

Attn: Accounts Receivable

4490 N. Black Canyon Hwy

Phoenix, AZ 85017

**JA006660**

Axion Discovery, LLC

## Invoice

# AXION Discovery

602.492.1889

support@axiondiscovery.com

www.axiondiscovery.com

**BILL TO**

Spencer Fane LLP

Attn: Vivian Bowron

2425 E. Camelback Road, Suite 850

Phoenix, AZ 85016

| INVOICE # | DATE       | TOTAL DUE  | DUE DATE   | TERMS  | ENCLOSED |
|-----------|------------|------------|------------|--------|----------|
| 1045      | 01/05/2018 | \$4,128.97 | 01/20/2018 | Net 15 |          |

**PROJECT NAME**

Apco/Gemstone

**MATTER NUMBER**

5026372-0002

| ACTIVITY                                  | QTY         | RATE  | AMOUNT            |
|---|-------------|-------|-------------------|
| 2 sets of prints - Helix and NWP exhibits |             |       |                   |
| 1 set of prints - Apco                    |             |       |                   |
| Printing - B/W                            | 6,872       | 0.08  | 549.76T           |
| Printing - Color                          | 3,699       | 0.79  | 2,922.21T         |
| Materials: Tabs                           | 262         | 0.35  | 91.70T            |
| Materials: Tabs-Custom                    | 350         | 0.75  | 262.50T           |
| Tech Time (Hour)                          | 0.65        | 95.00 | 61.75             |
| Thank you for your business!              |             |       |                   |
|   | SUBTOTAL    |       | 3,887.92          |
|   | TAX (6.3%)  |       | 241.05            |
|   | TOTAL       |       | 4,128.97          |
|   | BALANCE DUE |       | <b>\$4,128.97</b> |

Please remit payments to:

Axion Discovery, LLC

Attn: Accounts Receivable

4490 N. Black Canyon Hwy

Phoenix, AZ 85017

**JA006661**

Axlon Discovery, LLC

## Invoice

602.492.1889  
support@axiondiscovery.com  
www.axiondiscovery.com

# AXION

## Discovery

BILL TO  
Spencer Fane LLP  
Attn: Vivian Bowron  
2425 E. Camelback Road, Suite 850  
Phoenix, AZ 85016

| INVOICE # | DATE       | TOTAL DUE | DUE DATE   | TERMS  | ENCLOSED |
|-----------|------------|-----------|------------|--------|----------|
| 1049      | 01/12/2018 | \$667.11  | 01/27/2018 | Net 15 |          |

PROJECT NAME  
Apco/Gemstone

MATTER NUMBER  
5026372-0002

| ACTIVITY   | QTY | RATE        | AMOUNT          |
|--|-----|-------------|-----------------|
| 1/8/2018 - Print Exhibits 310-319<br>and 528-534 |     |             |                 |
| Printing - B/W                                   | 844 | 0.08        | 67.52T          |
| Printing - Color                                 | 689 | 0.79        | 544.31T         |
| Materials: Tabs                                  | 45  | 0.35        | 15.75T          |
| Thank you for your business!                     |     |             |                 |
|  |     | SUBTOTAL    | 627.58          |
|  |     | TAX (6.3%)  | 39.53           |
|  |     | TOTAL       | 667.11          |
|  |     | BALANCE DUE | <b>\$667.11</b> |

Please remit payments to:

Axlon Discovery, LLC  
Attn: Accounts Receivable  
4490 N. Black Canyon Hwy  
Phoenix, AZ 85017

JA006662

Axion Discovery, LLC

## Invoice

602.492.1889  
support@axiondiscovery.com  
www.axiondiscovery.com

# AXION

## Discovery

**BILL TO**

Spencer Fane LLP  
Attn: Vivian Bowron  
2425 E. Camelback Road, Suite 850  
Phoenix, AZ 85016

| INVOICE # | DATE       | TOTAL DUE  | DUE DATE   | TERMS  | ENCLOSED |
|-----------|------------|------------|------------|--------|----------|
| 1046      | 01/08/2018 | \$2,040.29 | 01/23/2018 | Net 15 |          |

**PROJECT NAME**

Apco/Gemstone

**MATTER NUMBER**

5026372.0002

| ACTIVITY   | QTY                | RATE  | AMOUNT            |
|--|--------------------|-------|-------------------|
| Process and print exhibits APCO-TR-EX209 through 309 |                    |       |                   |
| File Conversion (Page)                               | 3,318              | 0.04  | 132.72            |
| Branding - Electronic Bates (Page)                   | 3,318              | 0.01  | 33.18             |
| PDF Creation (Page)                                  | 3,318              | 0.02  | 66.36             |
| Tech Time (Hour)                                     | 2.40               | 95.00 | 228.00            |
| Printing - B/W                                       | 5,340              | 0.08  | 427.20T           |
| Printing - Color                                     | 1,296              | 0.79  | 1,023.84T         |
| Materials: Tabs                                      | 101                | 0.35  | 35.35T            |
| Thank you for your business!                         |                    |       |                   |
|  | <b>SUBTOTAL</b>    |       | 1,946.65          |
|  | <b>TAX (6.3%)</b>  |       | 93.64             |
|  | <b>TOTAL</b>       |       | 2,040.29          |
|  | <b>BALANCE DUE</b> |       | <b>\$2,040.29</b> |

Please remit payments to:

Axion Discovery, LLC  
Attn: Accounts Receivable  
4490 N. Black Canyon Hwy  
Phoenix, AZ 85017

JA006663



Axion Discovery, LLC

## Invoice

# AXION Discovery

602.492.1889  
support@axiondiscovery.com  
www.axiondiscovery.com

**BILL TO**

Spencer Fane LLP  
Attn: Vivian Bowron  
2425 E. Camelback Road, Suite 850  
Phoenix, AZ 85016

| INVOICE # | DATE       | TOTAL DUE  | DUE DATE   | TERMS  | ENCLOSED |
|-----------|------------|------------|------------|--------|----------|
| 1043      | 12/22/2017 | \$1,047.89 | 01/06/2018 | Net 15 |          |

**PROJECT NAME**  
Apco/Gemstone

**MATTER NUMBER**  
5026372-0002

| ACTIVITY                                | QTY         | RATE  | AMOUNT            |
|---|-------------|-------|-------------------|
| Exhibit Conversions/Printing APCO-TR-EX |             |       |                   |
| File Conversion (Page)                  | 2,215       | 0.04  | 88.60             |
| Branding - Electronic Bates (Page)      | 2,215       | 0.01  | 22.15             |
| Printing - B/W                          | 1,422       | 0.08  | 113.76T           |
| Printing - Color                        | 793         | 0.79  | 626.47T           |
| Materials: Tabs                         | 208         | 0.25  | 52.00T            |
| Tech Time (Hour)                        | 1           | 95.00 | 95.00             |
| Thank you for your business!            |             |       |                   |
|   | SUBTOTAL    |       | 997.98            |
|   | TAX (6.3%)  |       | 49.91             |
|   | TOTAL       |       | 1,047.89          |
|   | BALANCE DUE |       | <b>\$1,047.89</b> |

Please remit payments to:

Axion Discovery, LLC  
Attn: Accounts Receivable  
4490 N. Black Canyon Hwy  
Phoenix, AZ 85017

**JA006664**



HOLO Discovery  
3016 West Charleston Blvd  
Suite 170  
Las Vegas, NV 89102  
702.333.4321

## Invoice

### BILL TO

Spencer Fane LLP  
400 S. Fourth St. #500  
Las Vegas, NV 89101

|          |           |
|----------|-----------|
| INVOICE  | 4229      |
| DATE     | 1/10/2018 |
| TERMS    | Net 30    |
| DUE DATE | 2/9/2018  |

### ORDERED BY

Vivian Bowron

### CLIENT MATTER

Apco/Gemstone

### REP

Jim

| ACTIVITY   | QTY    | AMOUNT    |
|--|--------|-----------|
| CLIENT MATTER: Apco/Gemstone-5026372.0002                  |        | 0.00      |
| Description: Print documents x2 and organize into binders. |        |           |
| B/W Printing   | 33,232 | 3,323.20T |
| Color Digital Printing                                     | 860    | 593.40T   |
| Color Printing 11x17                                       | 4      | 5.96T     |
| B/W Oversize Printing-Per Sq. Ft.<br>36"x50"               | 16     | 80.00T    |
| Index Tabs   | 450    | 157.50T   |
| Index Tabs - 100+, AA+                                     | 1,298  | 584.10T   |
| 1.5 Inch Binder  | 8      | 72.00T    |
| 2 Inch Binder  | 4      | 40.00T    |
| 3 Inch Binder  | 52     | 676.00T   |
| 4 Inch Binder  | 6      | 96.00T    |
| Sales Tax  |        | 464.32    |

Project Numbers- 18982, 19018, 19017

Date Delivered- 01/02/2018, 01/09/2018, 01/11/2018

**Total Due \$6,092.48**

**Payments/Credits \$0.00**

**Balance Due \$6,092.48**

Thank you for your business. Please make checks payable to HOLO Discovery.

Tax ID: 81-2158838

**JA006665**



# EXHIBIT D

**PER DIEM BILLING INFORMATION**

|   |   |                                     |           |
|---|---|-------------------------------------|-----------|
| DATE:   | February 14, 2018   |                                     |           |
| CASE #:   | 08A571228   |                                     |           |
| CASE NAME:  | APCO Construction vs. Gemstone Development, et al.  |                                     |           |
| HEARING DATE:   | 01/17/18, 01/18/18, 01/19/18, 01/23/18, 01/24/18 & 02/06/18   |                                     |           |
| DEPARTMENT #  | 13  |                                     |           |
| COURT RECORDER<br>CONTACT INFO:   | Jennifer Gerold<br>702-671-4425   |                                     |           |
| ORDERED BY:   | J. Randy Jefferies, Mary E. Bacon   |                                     |           |
| FIRM:   | Spencer Fane  |                                     |           |
| EMAIL:  | amiller@spencerfane.com rjefferies@spencerfane.com  |                                     |           |
|   |   |                                     |           |
| PAYABLE TO:   | <p>Make check payable to:<br/>Clark County Treasurer<br/>County Tax ID#: 88-6000028<br/>Include case number on check</p> <p>Mailing Address:<br/>Regional Justice Center<br/>Fiscal Services<br/>Attn: Jennifer Garcia<br/>200 Lewis Ave.<br/>Las Vegas, NV 89155</p> |                                     |           |
| BILL AMOUNT:  |   | CDs @ \$25 each =                   | \$        |
|   | 21  | Hour(s) @ \$40/hour recording fee = | \$840.00  |
|   |   | pages @ \$ per page of trans.       | \$        |
|   | TOTAL: Split between parties  |                                     | \$280.00  |
|   |   |                                     |           |
| PAYABLE TO OUTSIDE<br>TRANSCRIBER:  | Make check/money order payable to:  |                                     | Tax ID #: |
|   |   |                                     |           |
| BILL AMOUNT:  |   | pages @ \$ per page of trans        | \$        |
|   |   |                                     |           |
| <p align="center"><b>TRANSCRIPTS WILL NOT BE FILED AND/OR RELEASED UNTIL PAYMENT IS RECEIVED.</b><br/><b>THANK YOU.</b></p> |   |                                     |           |

**JA006667**

# INVOICE

INVOICE: APCO CONSTRUCTION v.  
GEMSTONE DEVELOPMENT WEST

DATE: JANUARY 30, 2018

**Shannon D. Romero**

14445 Galy Street  
Tustin, CA 92780  
Phone 602.622.2922  
sromeagg@gmail.com

T SPENCER FANE LLP  
O Mary E. Bacon, Esq.  
300 S. Fourth Street, Suite 700  
Las Vegas, NV 89101  
(702)408-3411  
MBAcon@spencerfane.com

| PAGE TOTAL                                 | DESCRIPTION  | UNIT PRICE | LINE TOTAL |
|--|--|------------|------------|
| 87   | 01-18-2018 APCO Construction v. Gemstone Development - Bench Trial - Day 2 | 5.01       | 435.87     |
|  |  |            |            |
|  |  |            |            |
|  |  |            |            |
|  |  |            |            |
|  |  |            |            |
|  |  |            |            |
|  |  |            |            |
| Subtotal<br>SHIPPING/H<br>ANDLING<br>Total |  |            | 435.87     |
|  |  |            | 0.00       |
|  |  |            | 435.87     |
|  |  |            |            |

**Payment due within 30 days of date of invoice.**

**THANK YOU FOR YOUR BUSINESS!**

**JA006668**

FLORENCE M. HOYT  
6160 ELDORA AVENUE, SUITE A  
LAS VEGAS, NEVADA 89146  
(702) 221-0246

INVOICE

30 January 2018

Mary E. Bacon, Esq.  
Spencer Fane LLP  
400 South Fourth Street, #500  
Las Vegas, Nevada 89101

MY JOB # : 1801003  
CASE # : A-08-571228-B  
PROCEEDING DATE : 1/24/18

TAX ID # 128364993

☐ Criminal ☒ Civil

Date Ordered  
1/25/18

Date Delivered  
1/30/18

RATE: EXPEDITE

| PAGES | CASE NAME  | PRICE PER PAGE | TOTAL CHARGES |
|-------|--|----------------|---------------|
| 133   | APCO CONSTRUCTION, et al., v.<br>GEMSTONE DEVELOPMENT WEST, et<br>et al.<br><br>Bench Trial - Day 5<br><br><br>DUE UPON RECEIPT<br><br>Please Include MY Job Number on<br>Check Thank you. | \$ 5.01        | \$ 666.33     |

**AZ-Accurate Transcription Service, LLC**

8050 North 19<sup>th</sup> Avenue #215  
Phoenix, AZ 85021  
Phone 602.312.5204 Fax 623.201.2085  
AZACCURATETRANSCRIPTION@GMAIL.COM

[illegible]

Make all checks payable to AZ-Accurate Transcription Service, LLC

**JA006670**



## **INVOICE**

BRITTANY MANGELSON  
TRANSCRIBER  
4613 Standing Bluff Way  
Las Vegas, NV 89130  
(916) 753-8199  
bdmangelson@gmail.com

|                  |  |               |            |
|------------------|--|---------------|------------|
| Attention:       | <a href="mailto:mbacon@spencerfane.com">mbacon@spencerfane.com</a> | Job #:        | 209        |
| Attorney's Name: | Mary E. Bacon, Esq.  | Department #: | XIII       |
| Date Ordered:    | 01/25/18   | Case #:       | 08A571228  |
| Date Delivered:  | 01/30/18   | Tax ID #      | 46-3765787 |

**RATE: 4-day Expedited**

| # OF PAGES         | CASE INFORMATION  | PRICE PER PAGE  | TOTAL CHARGES |
|--------------------|---|-----------------|---------------|
| 135                | <i>APCO Construction versus<br/>Gemstone Development West</i><br><br>01/17/18 - Bench Trial - Day 1 | \$5.01          | \$676.35      |
| <b>TOTAL OWED:</b> |   | <b>\$676.35</b> |               |

**JA006671**

JD Reporting, Inc.  
 11246 Ethan Brook St.  
 Las Vegas, NV 89183  
 702.378-3456

# Invoice

| Bill To   |
|---|
| SPENCER FANE LLP<br>702.408.3400<br>400 S. FOURTH ST<br>#500<br>LAS VEGAS, NV 89101 |

| Date     | Invoice No. | Department No. | Terms          | Date/Case No./Name                        |
|----------|-------------|----------------|----------------|---|
| 01/30/18 | 2018-003    | 13             | Due on receipt | 2018-01-19 / 08A571228 / APCO vs Gemstone |

| Item  | Description   | Quantity | Rate | Amount   |
|---|---|----------|------|----------|
| Transcript - 4 Days   | 2018-01-19 / 08A571228 / APCO vs Gemstone - Bench Trial Day03 | 162      | 5.01 | 811.62   |
| We accept credit cards, corporate checks and bank/cashier's checks. Credit card payments are subject to a 3% transaction fee. NO PERSONAL CHECKS. |   |          |      |          |
| PLEASE NOTE NEW ADDRESS   |   |          |      |          |
| Tax ID No. 47-2121214   |   |          |      |          |
| Subtotal  |   |          |      | \$811.62 |
| Sales Tax   |   |          |      | \$0.00   |
| Total   |   |          |      | \$811.62 |

JA006672

# EXHIBIT E



## Hartloff, Terri

**From:** Jefferies, Randy  
**Sent:** Sunday, September 24, 2017 10:37 AM  
**To:** Hartloff, Terri  
**Subject:** Fwd: UPDATED flight reservation (MGJE8M) | 26SEP17 | PHX-LAS | Jefferies/John

Please print out.

John R. Jefferies  
Spencer Fane LLP  
C: 602.618.1200

Begin forwarded message:

**From:** Southwest Airlines <[SouthwestAirlines@luv.southwest.com](mailto:SouthwestAirlines@luv.southwest.com)>  
**Date:** September 24, 2017 at 10:35:52 AM MST  
**To:** <[rjefferies@spencerfane.com](mailto:rjefferies@spencerfane.com)>  
**Subject:** UPDATED flight reservation (MGJE8M) | 26SEP17 | PHX-LAS | Jefferies/John  
**Reply-To:** Southwest Airlines <[reply@wnco.com](mailto:reply@wnco.com)>

Thanks for choosing Southwest® for your trip.

**Southwest**

 [Log In](#) | [View my itinerary](#)

Check In  
Online

Check Flight  
Status

Change  
Flight

Special  
Offers

Hotel  
Offers

Car  
Offers

### Ready for takeoff!



Thanks for choosing Southwest® for your trip. You'll find everything you need to know about your reservation below. Happy travels!



Air itinerary

**AIR Confirmation: MGJE8M**

Confirmation Date: 09/24/2017

**Save up to 30%**

Plus earn up to 2,400  
Rapid Rewards® points.

Let's go!



| Date       | Flight | Early Bird | Departure/Arrival   |
|------------|--------|------------|---|
| Tue Sep 26 | 116    |            | Depart PHOENIX, AZ (PHX) on Southwest Airlines at 11:40 AM<br>Arrive in LAS VEGAS, NV (LAS) at 12:45 PM<br>Travel Time 1 hrs 5 mins<br><a href="#">Wanna Get Away</a> |

- ✓ Earn Rapid Rewards® points
- ✓ Best rate guarantee
- ✓ Free cancellation

[Book a hotel >](#)

| Date | Flight | Business Select | Departure/Arrival |
|------|--------|-----------------|-------------------|
|------|--------|-----------------|-------------------|

Thu Sep 28

948



Depart **LAS VEGAS, NV (LAS)** on Southwest Airlines at **07:30 PM**  
Arrive in **PHOENIX, AZ (PHX)** at **08:35 PM**  
Travel Time 1 hrs 5 mins  
[Business Select](#)



**Bags fly free®:** First and second checked bags. [Weight and size limits apply.](#) One small bag and one personal item are permitted as [carryon](#) items, free of charge.



**30 minutes before departure:** We encourage you to arrive in the gate area no later than 30 minutes prior to your flight's scheduled departure as we may begin boarding as early as 30 minutes before your flight.



**10 minutes before departure:** You must obtain your boarding pass(es) and be in the gate area for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.



**If you do not plan to travel on your flight:** In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on your flight. Customers who fail to cancel reservations for a Wanna Get Away fare segment at least ten (10) minutes prior to travel and who do not board the flight will be considered a no show, and all remaining unused Wanna Get Away funds will be forfeited. All remaining unused Business Select and Anytime funds will be converted to reusable travel funds. If you no show your reward travel reservation, the points will be redeposited to the purchaser's Rapid Rewards account. Any taxes and fees associated with your reward travel reservation will be held for future use in the form of reusable travel funds under the name of the traveler(s).

Customers calling Southwest to request a refund or to research travel funds for a specific ticket must provide their confirmation number, ticket number or flight information (date, origin and destination).

Air Cost: 461 96

Fare Rule(s): 5268767384434: NONTRANSFERABLE -BG WN  
Valid only on Southwest Airlines. All travel involving funds from this Confirmation Number must be completed by the expiration date. Unused travel



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- ✓ Guaranteed low rates
- ✓ Free cancellation

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- ✓ No blackout dates
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LAS4.10PHX4.10



Learn about our boarding process





Learn about inflight WiFi & entertainment

1/2  
\$230.98  
①



**Hartloff, Terri**

**From:** Prepaid Sky Harbor <support@prepaidskyharbor.com>  
**Sent:** Tuesday, September 26, 2017 9:31 AM  
**To:** Jefferies, Randy  
**Subject:** Parking Confirmation #686605 for John Jefferies

|  PHX<br>Phoenix Sky Harbor<br>International Airport |                | PARKING<br>CONFIRMATION  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
|--|----------------|--|--|---------------------------|----------|---------------------------------|--------|--------------------------------------|---------|--------------------------|-----------|-------------------------|-----------|---------------------|----------------|
| Dear John, Your reservation at Phoenix Sky Harbor Intl. Airport is confirmed.<br>Thank you for parking with Prepaid Sky Harbor.      |                |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>YOU MUST PRESENT THIS VOUCHER AT THE TIME OF CHECK-OUT OR<br/>YOU WILL BE CHARGED AGAIN</b>                                       |                |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Reservation #</b>   |                | 686605   |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Parker</b>  |                | John Jefferies   |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Parking Facility</b>  |                | Phoenix Sky Harbor Intl. Airport- Terminal 4 Parking   |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Check In</b>  |                | 9/26/2017 10:30:00 AM  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Check Out</b>   |                | 9/28/2017 10:00:00 PM  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Duration</b>  |                | 2 days, 11 hours, 30 minutes   |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Payment Information</b>   |                | <table><tr><td>Subtotal</td><td>54.00</td></tr><tr><td>Tax and Surcharge</td><td>\$2.00</td></tr><tr><td>Total Cost</td><td>\$56.00</td></tr><tr><td>Amount Paid Online</td><td>\$56.00</td></tr><tr><td>Amount Due at the Lot</td><td>\$0.00</td></tr></table>  |  | Subtotal                  | 54.00    | Tax and Surcharge               | \$2.00 | Total Cost                           | \$56.00 | Amount Paid Online       | \$56.00   | Amount Due at the Lot   | \$0.00    |                     |                |
| Subtotal   | 54.00          |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| Tax and Surcharge  | \$2.00         |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| Total Cost   | \$56.00        |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| Amount Paid Online   | \$56.00        |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| Amount Due at the Lot  | \$0.00         |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Facility Address</b>  |                | 3400 E Sky Harbor Blvd, Phoenix, AZ - 85034  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Facility Contact Information</b>  |                | <b>Phone:</b> 602-273-4545<br><b>Email:</b> <a href="mailto:avn.skyharbormarking@phoenix.gov">avn.skyharbormarking@phoenix.gov</a>   |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Detailed Instructions</b>   |                | <p>Please pull a ticket when you enter the parking facility</p> <p>When you return, exit the facility through an open cashier</p> <p>Present your ticket and payment confirmation to the cashier</p> <p>If you believe you have overpaid your parking stay please :<br/>copy of your final receipt and confirmation number to<br/><a href="mailto:support@prepaidskyharbor.com">support@prepaidskyharbor.com</a></p> |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
|  |                | <b>HELPFUL INFORMATION:</b><br><br>This voucher is your receipt. Please bring a copy of this voucher with you when you park.<br><br>Print Voucher<br><br><b>When should I arrive at the parking facility?</b><br>Please allow plenty of time to reach the terminal. Check the details of the facility you have booked for more information.<br><br><b>Our Cancellation Policy</b>                                    |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
|  |                |   |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
|  |                | <b>Phoenix Sky Harbor Int'l Airport</b><br>2114 E. Sky Harbor Circle South<br>Phoenix, AZ 85034<br>Phone: 602-273-4545 or 4546<br>Fax: 602-392-0149  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
|  |                | Receipt 6079/5071/825 09/28/17 20:53:49  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
|  |                | <table><tr><td>010149 Eval. disc. ST C30</td><td>75.00 \$</td></tr><tr><td colspan="2">09/26/17 10:20 - 09/28/17 20:53</td></tr><tr><td colspan="2">Length of stay: 2 Dy. 10 Hr. 33 Min.</td></tr><tr><td>013149 Discount CP 10149</td><td>-21.00 \$</td></tr><tr><td>000004 Per Day Overring</td><td>-54.00 \$</td></tr><tr><td><b>Total Amount</b></td><td><b>0.00 \$</b></td></tr></table>                        |  | 010149 Eval. disc. ST C30 | 75.00 \$ | 09/26/17 10:20 - 09/28/17 20:53 |        | Length of stay: 2 Dy. 10 Hr. 33 Min. |         | 013149 Discount CP 10149 | -21.00 \$ | 000004 Per Day Overring | -54.00 \$ | <b>Total Amount</b> | <b>0.00 \$</b> |
| 010149 Eval. disc. ST C30  | 75.00 \$       |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| 09/26/17 10:20 - 09/28/17 20:53  |                |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| Length of stay: 2 Dy. 10 Hr. 33 Min.   |                |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| 013149 Discount CP 10149   | -21.00 \$      |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| 000004 Per Day Overring  | -54.00 \$      |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |
| <b>Total Amount</b>  | <b>0.00 \$</b> |  |  |                           |          |                                 |        |                                      |         |                          |           |                         |           |                     |                |

\*\*\*\*\*  
Thank you  
visiting  
\*\*\*\*\*



Sep 28, 2017 - 4:16 PM

**Pickup 4:16 PM**

3170 W Charleston Blvd, Las Vegas

**Dropoff 4:39 PM**

Wayne Newton, Paradise

|                             |         |
|-----------------------------|---------|
| Lyft fare (7.96mi, 23m 36s) | \$18.55 |
|-----------------------------|---------|

|                      |        |
|----------------------|--------|
| NV Cost Recovery Fee | \$0.48 |
|----------------------|--------|

|     |        |
|-----|--------|
| Tip | \$2.00 |
|-----|--------|

|       |         |
|-------|---------|
| Total | \$21.03 |
|-------|---------|

|             |         |
|-------------|---------|
| Lyft Credit | -\$1.38 |
|-------------|---------|



\*1018

2

JA006677

**\$19.65**

1/2 \$9.82

(2)





26/09/17, 1:02 PM  
Chevrolet Traverse 559LED

16,41 US\$  
+ mancia di 3,00 US\$  
Aggiungi alla mancia

Map data ©2017 Google  
1/2 \$8.21 (2)  
Lift

- Las Vegas, NV 89119, USA
- 3570 S Las Vegas Blvd, Las Vegas, NV 89109, USA



La tua valutazione è di...

★★★★★

[Aiuto](#)

[Riepilogo](#)

Sono stato coinvolto in un incidente

Ho pagato un importo errato



Ho smarrito un oggetto JA006678

IN 1.  
CARDHOLDER'S AGREEMENT  
WITH THE ISSUER  
Vehicle: 30  
Driver ID: 24418

9/28/17 8:08 AM

Receipt N. 1957

Start 9/28/17 7:58 AM

End 9/28/17 8:08 AM

Fare \$19.83

Voucher \$3.00

Subtotal \$22.83

Excise Tax \$0.68

Tip \$3.00

Total \$26.51

AMERICAN EXPRESS  
ATC: 002B  
AC: A113A08AD7EF09C3  
TERMINAL: T261049877  
MERCHANT: 5271346181

CARDHOLDER ACKNOWLEDGES  
RECEIPT OF FUNDS IN THE  
AMOUNT OF THE TOTAL  
INDICATED AND AGREES TO  
PERFORM THE OBLIGATIONS  
NOTED IN THE  
CARDHOLDER'S AGREEMENT  
WITH THE ISSUER

1/2 \$13.26 ②

DRIVER COPY

RECEIPT

PID: 0010F3399A28

CAB ID: 6022

DATE: 09/26/17

START TIME: 14:23

END TIME: 14:44

TRIP NUMBER: 10565

DISTANCE: 10.40

RATE: 1

FARE AMOUNT: \$33.86

CC FEE: \$3.00

TAX RECOVERY: \$1.11

TIP AMOUNT: \$2.00

TOTAL USD: \$39.97

APPL. NAME:  
AMERICAN EXPRESS  
ATC: 002A  
AC:  
20964F8E9FDE89E4  
REC/INV#: 10565  
TID: 327563304

DESCRIPTION:

1/2 \$19.99 ②

**NOBU HOTEL**  
 CAESARS PALACE

3570 Las Vegas Boulevard South  
 Las Vegas, Nevada 89109  
 1-800-727-4923  
 www.nobucaesarspalace.com

Name: JOHN/CHERI      JEFFERIES  
 Address: \*\* LCO 1  
           US  
 Group Code: WNEXB17  
 Company Name: EXPEDIA ELITE

Room: NT 8007  
 Arrive: 9/26/17  
 Depart: 9/28/17  
 Persons: 2  
 Deposit Amt:  
 Reservation ID:  
 Guest Folio ID:

| DATE     | REFERENCE    | DESCRIPTION              | TKT#    | S | AMOUNT |
|----------|--------------|--------------------------|---------|---|--------|
| 09/26/17 | 430031879532 | RESORT FEE               | 0001476 |   | 39.68  |
|          |              | RESORT FEE               |         |   |        |
| 09/26/17 | 430031756455 | RESORT FEE \$39.68 DAILY |         |   |        |
| 09/26/17 | 430031765072 | MESA GRILL               | 6080027 |   | 52.38  |
| 09/27/17 | 430042549015 | RESORT FEE               | 0001255 |   | 39.68  |
|          |              | RESORT FEE               |         |   |        |

| DATE | REFERENCE | DESCRIPTION |
|------|-----------|-------------|
|------|-----------|-------------|

1/2 \$65.87 ③

TOTAL

131.74

C/O CASHIER

GUEST SIGNATURE: \_\_\_\_\_

Share your experience on TripAdvisor! [www.tripadvisor.com/Rateit-CaesarsLV](http://www.tripadvisor.com/Rateit-CaesarsLV)

Join Caesars Entertainment's loyalty program, Total Rewards, to receive credit for everything you do!  
 Download our free mobile app, "Play by Total Rewards" from the App Store or Google Play, to check your Reward Credit balance and explore  
 Caesars Entertainment resorts, shows, restaurants and nightclubs worldwide.

Visit [www.totalrewards.com](http://www.totalrewards.com) for more information or to sign up.

JA006680

## Hotel in Las Vegas

Sep 26, 2017 - Sep 28, 2017

---

See live updates to your itinerary, anywhere and anytime.

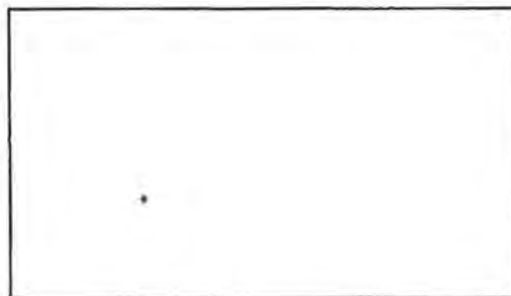
[See your itinerary](#)

Or get the free app:



---

### Hotel overview



#### **Nobu Hotel**

3570 Las Vegas Boulevard South, Las Vegas, NV, 89109 United States of America

[View hotel](#)

[Map and directions](#)

[Message hotel](#)

#### **Reservation dates**

Sep 26, 2017 - Sep 28, 2017

Extensions or missed hotel nights

24 hours after confirmation of hotel booking

---

### Check-in and Check-out

**Check-in time**  
4 PM

**Check-out time**  
11 AM



Check-in time starts at 4 PM  
Check-in time ends at 11:30 PM  
Minimum check-in age is 21  
Your room/unit will be guaranteed for late arrival.

**Special instructions**

24-hour airport shuttle service is available. Contact the property in advance to get details.

---

**Room**

**Guests**

Reserved for John Jefferies  
2 adults

**Room**

Nobu Deluxe Room, 1 King Bed

**Room requests**

1 king bed  
Non-smoking room

[Message hotel](#)

---

**Price summary**

**Price breakdown**

Room price \$519.28  
2 nights: \$229.00 avg./night  
9/26/2017 \$249.00  
9/27/2017 \$209.00  
Taxes & fees : \$61.28

**Total \$519.28**  
Collected by Expedia

1/2 \$259.64 (4)

Unless specified otherwise, rates are quoted in US dollars.

---

**Additional hotel fees**

The below fees and deposits only apply if they are not included in your selected room

6

Cafe Americano  
3570 Las Vegas B  
Las Vegas, NV 89109  
702-650-5921  
Date: Sep27'17 09:02AM

Server: 6240002 DANIELLE

Subtotal: 35.72

TIP

7.00

TOTAL

42.72

SIGNATURE

I AGREE TO PAY THE ABOVE TOTAL  
ACCORDING TO MY CARD ISSUER  
AGREEMENT!

APR

36.00

1/2 \$18.00

7

8

09/27/17 12:53  
SALES DRAFT

Caesars Las Vegas  
3570 Las Vegas Blvd South.  
Las Vegas, NV 89109

MERCH ID: 520601  
CASHIER: Patric  
TERMINAL: 636 Payard Pastr

American Exp

CHECK: 6366251  
TABLE:

TOTAL: 23.71

GRATUITY: \_\_\_\_\_

TOTAL: \_\_\_\_\_

X \_\_\_\_\_  
SIGNATURE

2017-09-27 12:53:05 564170 053240

1/2 \$11.86

Trevi  
3500 Las Vegas Blvd G 9  
Las Vegas, NV 89109  
(702)-735-4663

Server: Ryan  
09:18 PM  
P12/1

DOB: 09/27/2017  
09/27/2017  
2/20165

SALE

AMEX

1048612

Amount: \$11.91

+ Service/Tip: 5.00

= Balance Due: 16.91

I agree to pay the above  
total amount according to the  
card issuer agreement.

X

For banquet events, balance due includes  
suggested gratuity if accepted.

Trevi Copy

1/2 \$8.46



9

10

09/27/17 18:53  
SALES DRAFT

Caesars Las Vegas  
3570 Las Vegas Blvd South.  
Las Vegas, NV 89109

MERCH ID: 485888  
CASHIER: Joshua  
TERMINAL: 612 NCBU - Resta

American Exp

CHEL 123267  
TABLE: 69

TOTAL: 9.74

GRATUITY: 6.00

TOTAL: 15.74

X  
SIGNATURE

2017-09-27 18:52:55 564590 149972

1/2 \$ 7.87

09/27/17 20:03  
SALES DRAFT

Caesars Las Vegas  
3570 Las Vegas Blvd South.  
Las Vegas, NV 89109

MERCH ID: 485268  
CASHIER: David  
TERMINAL: 762 Mr. Chow

American Exp

NAME: JEFFERIES/JOHN

TABLE: 004

TOTAL: 80.65

GRATUITY: 15.00

TOTAL: 95.65

X  
SIGNATURE

2017-09-27 20:03:47 541062 295528

1/2 \$ 47.83

11

PGA TOUR GRILL B GATE  
LAS VEGAS MCCARRAN AIRPORT

Merchant ID :  
TERMINAL ID : 679917  
Check # : 2673  
Table # : 14  
Server : 117835 Romano  
Acct Num : XXXXXXXXXXXX  
Date : 9/28/17

Sub Total : \$ 55.28

GRATUITY: 12.00

TOTAL: 67.28

X

Signature

I Agree to pay total amount as  
per the Card Issuer Agreement.

Merchant Copy

1/2 \$33.64

12

Cafe Americano  
3570 Las Vegas B

Las Vegas, NV 89109  
702-650-5921

Date: Sep28'17 07:19AM

Server: 6240003 CAPTAVO

Sub Total: 29.77

IP

TOTAL

AMOUNT

TO PAY THE ABOVE TOTAL

WITH MY CARD ISSUER

AS SHOWN

1/2 \$16.89

## Hotel overview



### Golden Nugget Las Vegas Hotel & Casino

129 Fremont St, Las Vegas, NV, 89101  
United States of America

[View hotel](#)

[Map and directions](#)

#### Reservation dates

Nov 15, 2017 - Nov 16, 2017

#### Itinerary #

ons or missed hotel nights

---

## Check-in and Check-out

#### Check-in time

3 PM

#### Check-out time

11 AM

#### Check-in policies

Check-in time starts at 3 PM

Check-in time ends at 5 AM

Minimum check-in age is 18

Your room/unit will be guaranteed for late arrival.

#### Special instructions

24-hour airport shuttle service is available. Contact the property in advance to get details. The pool complex, including swimming areas at The Tank and The Hideout as well as the sundeck, poolside gaming, tank viewing area and food and beverage outlets will be closed for annual maintenance from Monday, November 27 2017 through and including Thursday, February 1 2018.

---

## Room

#### Guests

1 adult

**Room**

Rush Tower King

**Room requests**

1 King Bed

Non-smoking room

---

Price summary

**Price breakdown**

Room price \$75.25

1 night: \$66.60

Taxes & fees : \$8.65

**Total \$75.25** ✓  
Collected by Expedia

13

**Limited time offer: save 40%**

**Prices shown after -\$44.40 savings**

Unless specified otherwise, rates are quoted in US dollars

---

Additional hotel fees

The below fees and deposits only apply if they are not included in your selected room rate.

You'll be asked to pay the following charges at the property:

Resort fee: USD 33.34 per accommodation, per night

The resort fee includes:

Spa access

Fitness center access

Internet access

Newspaper

In-room bottled water

Self parking

Valet parking





JOHN R. JEFFERIES

Room Number: RT 9223  
Arrival Date: 11/15/2017  
Departure Date: 11/16/2017  
Confirmation Number:  
Page No: 1 of 1  
Date: 11/16/2017

| Date       | Description                               | Charges          | Balance |
|------------|---|------------------|---------|
| 11/15/2017 | RESORT FEE<br>RESORT FEE \$29.50/\$3.84 T | 33.34            | 33.34   |
| 11/16/2017 | FRONT DESK AMEX                           | <del>33.34</del> | (14)    |

SUMMARY OF CHARGES

ROOM 29.50  
TAX2 3.84

Balance .00



Vehicle: 1449

Driver ID: 117204

Name: David Cortez Jr.

11/15/17 5:56 PM

Receipt N. 13274

Start 11/15/17 5:13 PM

End 11/15/17 5:56 PM

Fare \$35.93

Extras \$2.00

Voucher \$3.00

Subtotal \$40.93

Excise Tax \$1.23

Tip \$4.55

Total \$46.71

CREDIT CARD \$46.71

\*\*\*\*\*

Authoriz. STFW

Method: Swipe

SIGNATURE

Thanks for using A Cab

(702) 369-5686

PASSENGER RECEIPT

PID: 0010F3364725

CAB ID: 4947

DATE: 11/16/17

START TIME: 10:31

END TIME: 10:52

TRIP NUMBER: 51543

DISTANCE: 6.30

RATE: 1

FARE AMOUNT: \$24.89

CC FEE: \$3.00

TAX RECOVERY: \$0.84

TIP AMOUNT: \$5.00

TOTAL USD: \$33.73

AMEX

AUTHOR.:

MID: 52

ENTRY METHOD:

CONTACT CHIP

AID: A0

APPL. NAME:

AMERICAN EXPRESS

ATC: 002E

AC:

7A97D8999FF4A148

REC/INV#: 51543

TID: 327679963

WWW.VERIFONETS.COM

THANK YOU!

THANK YOU!

**ANLV CAB**  
SERVING THE Metro Area

Sky Harbor Intl.

Terminal 4

from: 11/15/17 15:35:00

to: 11/16/17 13:45

Amount to Pay: 27 00 \$

American Express

XXXX XXXXX



Visit us at skyharbor.com/parking  
FOR INFORMATION REGARDING PARKING CALL (602) 273-4545  
PHOENIX SKY HARBOR INTERNATIONAL AIRPORT PARKING RECEIPT

15  
\$107.44

Phoenix Sky Harbor Int'l Airport  
3420 E. Sky Harbor Blvd. Ste 200  
Phoenix, AZ 85034  
Phone: 602-273-4545 or 4546  
Fax: 602-392-0149

Receipt 8973/5075/823 11/20/17 20:29:31

010100 Pay parking ticket 49.00 \$  
11/19/17 15:13 - 11/20/17 20:29  
Length of stay: 1 Dy. 5 Hr. 16 Min.

Total Amount 49.00 \$

Credit Amex 49.00 \$

American Express

JEFFERTES/JOHN

Account: xxxx xxxxxx

Amount = \$ 49.00

\*\*\*\*\*  
\*\* Thank you \*\*  
\*\* for visiting \*\*  
\*\*\*\*\*

116

# RECEIPT

PID: 0010F33C06D7  
CAB ID: 6456  
DATE: 11/19/17  
START TIME: 16:09  
END TIME: 16:22  
TRIP NUMBER: 8690  
DISTANCE: 12.50  
RATE: 1  
FARE AMOUNT: \$40.23  
CC FEE: \$3.00  
TAX RECOVERY: \$1.30  
TIP AMOUNT: \$4.00  
TOTAL USD: \$48.53

AMEX  
AUTHOR.:  
MID: 5  
ENTRY METHOD:  
CONTACT CHIP  
AID: A00000002501  
APPL. NAME:  
AMERICAN EXPRESS  
ATC: 002F  
AC:  
DBDFBF4D8F0BFB13  
REC/INV#: 8690  
TID: 327700554

DESCRIPTION:

SIGNATURE:

JEFFERTES/JOHN

CARDHOLDER ACKNOWLEDGES  
RECEIPT OF FUNDS IN THE  
AMOUNT OF THE TOTAL  
INDICATED AND AGREES TO  
PERFORM THE OBLIGATIONS  
NOTED IN CARDHOLDER'S  
AGREEMENT WITH ISSUER

WWW.VERIFONETS.COM

THANK YOU!  
THANK YOU!

116





JOHN JEFFERIES

Room Number: RT 18226  
Arrival Date: 11/19/2017  
Departure Date: 11/20/2017  
Confirmation Number: 430476959801  
Page No: 1 of 1  
Date: 11/20/2017

| Date       | Description                 | Charges          | Balance |
|------------|-----------------------------|------------------|---------|
| 11/19/2017 | RESORT FEE                  | 33.34            | 33.34   |
|            | RESORT FEE \$29.50/\$3.84 T |                  |         |
| 11/20/2017 | FRONT DESK AMEX<br>*****    | <del>33.34</del> | (17)    |

SUMMARY OF CHARGES

|      |       |
|------|-------|
| ROOM | 29.50 |
| TAX2 | 3.84  |

Balance .00



JOHN JEFFERIES

Room Number: RT 17212  
Arrival Date: 01/23/2018  
Departure Date: 01/24/2018  
Confirmation Number: 431223910895  
Page No: 1 of 1  
Date: 01/24/2018

| Date       | Description                               | Charges          | Balance |
|------------|---|------------------|---------|
| 01/23/2018 | RESORT FEE<br>RESORT FEE \$29.50/\$3.84 T | 33.34            | 33.34   |
| 01/24/2018 | FRONT DESK VISA                           | <del>33.34</del> | (18)    |

SUMMARY OF CHARGES

ROOM 29.50  
TAX2 3.84

Balance .00

# TRUMP

INTERNATIONAL HOTEL

LAS VEGAS

John Jefferies

Room No. : 5706  
Arrival : 01-16-18  
Departure : 01-20-18  
Folio No. :

AR No. :  
Conf. No. : 1205675

| Date     | Description                                       | Charges                  | Credits |
|----------|---|--------------------------|---------|
| 01-16-18 | Deposit Transferred at Check-In                   |                          | 211.74  |
| 01-16-18 | DJT - Dinner Food<br>Room# 5706 : CHECK# 17101    | <del>147.48</del> 100.00 |         |
| 01-16-18 | Room Charge                                       | 186.75                   |         |
| 01-16-18 | Room Tax  | 24.99                    |         |
| 01-16-18 | Resort Fee  | 35.00                    |         |
| 01-16-18 | Resort Fee Tax                                    | 4.68                     |         |
| 01-16-18 | Pet Fee 2 dogs                                    | 100.00                   |         |
| 01-16-18 | Room Tax  | 13.38                    |         |
| 01-17-18 | DJT - Breakfast Food<br>Room# 5706 : CHECK# 17160 | 28.73                    |         |
| 01-17-18 | Room Charge                                       | 186.75                   |         |
| 01-17-18 | Room Tax  | 24.99                    |         |
| 01-17-18 | Resort Fee  | 35.00                    |         |
| 01-17-18 | Resort Fee Tax                                    | 4.68                     |         |
| 01-18-18 | DJT - Breakfast Food<br>Room# 5706 : CHECK# 17321 | 37.39                    |         |
| 01-18-18 | Gift Shop<br>Room# 5706 : CHECK# 79137            | 5.41                     |         |
| 01-18-18 | DJT - Dinner Food<br>Room# 5706 : CHECK# 17432    | <del>100.00</del> 148.41 |         |
| 01-18-18 | Room Charge                                       | 186.75                   |         |
| 01-18-18 | Room Tax  | 24.99                    |         |
| 01-18-18 | Resort Fee  | 35.00                    |         |
| 01-18-18 | Resort Fee Tax                                    | 4.68                     |         |

JA006694

# T R U M P

## INTERNATIONAL HOTEL

### L A S V E G A S

John Jefferies  
12121 e Columbine Drive  
  
Scottsdale, AZ 85259  
US

Room No. : 5706  
Arrival : 01-16-18  
Departure : 01-20-18  
Folio No. :

AR No. :  
Conf. No. : 1205675

Company Name:

| Date     | Description               | Charges              | Credits         |
|----------|---------------------------|----------------------|-----------------|
| 01-19-18 | DJT - Breakfast Food      | 37.39                |                 |
| 01-19-18 | Room# 5706 : CHECK# 17499 |                      |                 |
| 01-19-18 | Room Charge               | 216.75               |                 |
| 01-19-18 | Room Tax                  | 29.00                |                 |
| 01-19-18 | Resort Fee                | 35.00                |                 |
| 01-19-18 | Resort Fee Tax            | 4.68                 |                 |
|          |                           | <b>Total Charges</b> | <b>1,527.83</b> |
|          |                           | <b>Total Credits</b> | <b>211.74</b>   |
|          |                           | <b>Balance</b>       | <b>1,316.09</b> |

Trump Hotel Collection is a proud supporter of St. Jude Children's Research Hospital, internationally recognized for its pioneering research and treatment of childhood cancer. Should you wish to make a donation to **St. Jude's Thanks and Giving** campaign please complete the below.

\$5.00 \$10.00 \$15.00 Other \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

100% of your donation benefits St. Jude Children's Research Hospital. Thank you for your support.

**\$1,356.58**

**19**



## Jefferies, Randy

**From:** Southwest Airlines <SouthwestAirlines@luv.southwest.com>  
**Sent:** Wednesday, January 24, 2018 1:24 PM  
**To:** Jefferies, Randy  
**Subject:** Flight reservation (SDR8PO) | 23JAN18 | PHX-LAS | Jefferies/John

Thanks for choosing Southwest® for your trip

**Southwest**

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[Check In  
Online](#)

[Check Flight  
Status](#)

[Change  
Flight](#)

[Special  
Offers](#)

[Hotel  
Offers](#)

[Car  
Offers](#)

### Ready for takeoff!



Thanks for choosing Southwest® for your trip. You'll find everything you need to know about your reservation below. Happy travels!

[✈ Air itinerary](#)

**AIR Confirmation: SDR8PO**

Confirmation Date: 01/22/2018

| Passenger(s)   | Rapid Rewards # | Ticket #      | Expiration   | Est. Points Earned |
|----------------|-----------------|---------------|--------------|--------------------|
| JEFFERIES/JOHN | 80772204        | 5261405858706 | Jan 20, 2019 | 5598               |

Rapid Rewards points earned are only estimates. Visit your (MySouthwest, Southwest.com or Rapid Rewards) account for the most accurate totals - including A-List & A-List Preferred bonus points.

| Date       | Flight | Business Select | Departure/Arrival  |
|------------|--------|-----------------|--|
| Tue Jan 23 | 1961   |                 | Depart <b>PHOENIX, AZ (PHX)</b> on Southwest Airlines at <b>02:50 PM</b><br>Arrive in <b>LAS VEGAS, NV (LAS)</b> at <b>02:55 PM</b><br>Travel Time 1 hrs 5 mins<br><a href="#">Business Select</a> |

| Date       | Flight | Business Select | Departure/Arrival   |
|------------|--------|-----------------|---|
| Wed Jan 24 | 184    |                 | Depart <b>LAS VEGAS, NV (LAS)</b> on Southwest Airlines at <b>04:55 PM</b><br>Arrive in <b>PHOENIX, AZ (PHX)</b> at <b>07:05 PM</b><br>Travel Time 1 hrs 10 mins<br><a href="#">Business Select</a> |



**Bags fly free®:** First and second checked bags. [Weight and size limits apply](#). One small bag and one personal item are permitted as [carryon](#) items, free of charge.



**30 minutes before departure:** We encourage you to arrive in the gate



**Save  
up to 35%**

on base rates and earn up to 2,400 Rapid Rewards® points. Terms apply.

**Hertz**

[Book car >](#)



**Earn up to 10,000  
Rapid Rewards® points  
per night**

[Select your room >](#)



**Add a rental car**

- ✓ Earn Rapid Rewards® points
- ✓ Guaranteed low rates
- ✓ Free cancellation

[Book a car >](#)

area no later than 30 minutes prior to your flight's scheduled departure as we may begin boarding as early as 30 minutes before your flight.

- L 10 minutes before departure:** You must obtain your boarding pass(es) and be in the gate area for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.

- i If you do not plan to travel on your flight:** In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on your flight. Customers who fail to cancel reservations for a Wanna Get Away fare segment at least ten (10) minutes prior to travel and who do not board the flight will be considered a no show, and all remaining unused Wanna Get Away funds will be forfeited. All remaining unused Business Select and Anytime funds will be converted to reusable travel funds. If you no show your reward travel reservation, the points will be redeposited to the purchaser's Rapid Rewards account. Any taxes and fees associated with your reward travel reservation will be held for future use in the form of reusable travel funds under the name of the traveler(s).

Need to make a change? Keep your confirmation number on record. It will be used to retrieve your reservation and apply funds to future travel.

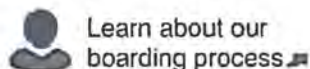
Air Cost: 529.96

Fare Rule(s): 5261405858706: NONTRANSFERABLE -BG WN

Valid only on Southwest Airlines. All travel involving funds from this Confirmation Number must be completed by the expiration date. Unused travel funds may only be applied toward the purchase of future travel for the individual named on the ticket. Any changes to this itinerary may result in a fare increase.

PHX WN LAS233.19WN PHX233.19USD466.38END ZP PHX4.20LAS4.20 XF PHX4.5LAS4.5

KZBP  
KZBP



Learn about our  
boarding process



Learn about inflight  
WiFi & entertainment

## Cost and Payment Summary

**X AIR - SDR8PO**

|                             |                  |
|-----------------------------|------------------|
| Base Fare                   | \$ 466.38        |
| Excise Taxes                | \$ 34.98         |
| September 11th Security Fee | \$ 11.20         |
| Segment Fee                 | \$ 8.40          |
| Passenger Facility Charge   | \$ 9.00          |
| <b>Total Air Cost</b>       | <b>\$ 529.96</b> |

### Payment Information

Tkls funds applied from Residual Travel Funds

**\$529.96**

20

## Travel more for less.

Exclusive deals for your  
favorite destinations

Sign up and save >

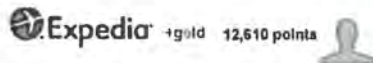
## Southwest

Rapid Rewards

- ✓ Unlimited reward seats
- ✓ No blackout dates
- ✓ Redeem for International flights and more

Enroll now >





Hello Chen ▾ My Lists 2 My Trips Support ▾ Español 简体中文

[Home](#) [Bundle and Save](#) [Hotels](#) [Cars](#) [Flights](#) [Cruises](#) [Things to Do](#) [Vacation Rentals](#) [Deals](#) [Rewards](#) [Mobile](#) [Collections](#)

## Golden Nugget Las Vegas Hotel & Casino, Las Vegas

Mon Jan 22 - Tue Jan 23 ✓Booked. No need to reconfirm Total \$109 IG

### Hotel overview



#### Golden Nugget Las Vegas Hotel & Casino

★★★★

129 Fremont St Las Vegas NV 89101

[View hotel](#) [Map and directions](#) [Message hotel](#)

#### Reservation dates

Jan 22, 2018 - Jan 23, 2018 [Review Your Hotel](#)

#### Itinerary #

7323850204356

How are you getting to your Las Vegas NV United States of America Hotel?  
Choose from rental cars or airport rides

Looking for activities in Las Vegas NV United States of America?  
Explore things to do

### Check-in and Check-out

[Back to top](#)

#### Check-in time

3 PM

#### Check-out time

11 AM

#### Check-in policies

Check-in time starts at 3 PM

Check-in time ends at 5 AM

Minimum check-in age is 18

Your room/unit will be guaranteed for late arrival

#### Special instructions

24-hour airport shuttle service is available. Contact the property in advance to get details

The pool complex, including swimming areas at The Tank and The Hideout as well as the sundeck, poolside gaming, tank viewing area and food and beverage outlets will be closed for annual maintenance from Monday, November 27, 2017 through and including Thursday, February 1, 2018

### Room

[Back to top](#)

#### Guests

Reserved for John Jettles

1 adult

#### Room type

Rush Tower King

#### Room requests

1 King Bed

Non-smoking room

[Message hotel](#)

## Price summary

[Back to top](#)

### Price breakdown

Room price \$109.16

1 night \$96.60

Taxes &amp; fees \$12.56

**Total: \$109.16 Get receipt**

Collected by Expedia

Special deal: save 40%

Prices shown after -\$64.40 savings

Unless specified otherwise, rates are quoted in US dollars

(21)

## Expedia

[Back to top](#)

On this trip you will collect 283 Expedia+ points

- 218 base points for this trip
- 65 bonus points for +gold Bonus

For Expedia+ members

[See all your rewards](#)

## Additional hotel fees

[Back to top](#)

The below fees and deposits only apply if they are not included in your selected room rate.

You'll be asked to pay the following charges at the property:

- Resort fee: USD 33.34 per accommodation, per night

The resort fee includes:

- Spa access
- Fitness center access
- Internet access
- Newspaper
- In-room bottled water
- Self parking
- Valet parking
- Parking
- Additional inclusions

We have included all charges provided to us by the property. However, charges can vary, for example, based on length of stay or the room you book.

The price shown above DOES NOT include any applicable hotel service fees, charges for optional incidentals (such as minibar snacks or telephone calls), or regulatory surcharges. The hotel will assess these fees, charges, and surcharges upon check-out.

## Rules and restrictions

[Back to top](#)

### Cancellations and Changes

We understand that sometimes plans fall through. We do not charge a cancel or change fee. When the property charges such fees in accordance with its own policies, the cost will be passed on to you. Golden Nugget Las Vegas Hotel &amp; Casino charges the following cancellation and change fees:

The room/unit type and rate selected are non-refundable. Should you change or cancel this reservation for any reason, your payment will not be refunded.

No refunds will be issued for late check-in or early check-out.

Stay extensions require a new reservation.

### Pricing and Payment

HOTEL FEES: The price above DOES NOT include any applicable hotel service fees, charges for optional incidentals (such as minibar snacks or telephone calls), or regulatory surcharges. The hotel will assess these fees, charges, and surcharges upon check-out.

## Hartloff, Terri

**From:** Jefferies, Randy  
**Sent:** Saturday, January 20, 2018 12:35 PM  
**To:** Hartloff, Terri  
**Subject:** APCO travel reimbursement

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I will give you my receipts on Monday. Please also submit a **mileage reimbursement for 633 miles** of driving to Vegas for the trial as well as \$35 for miscellaneous tips. Thanks.

John Randall Jefferies  
Spencer Fane LLP  
Direct: 602.333.5432  
Mobile: 602.618.1200  
Admitted in Arizona, Nevada

PASSENGER COPY  
CREDIT SALE  
MERCHANT ID: 00720000290562  
TERMINAL ID: C288688116  
DRIVER ID: 00031065  
CABNUMBER: 748  
DATE: 01/23/2018  
START TIME: 15:15  
END TIME: 15:45  
PASSNUMBER: 1  
TRIPNUMBER: 23569  
DISTANCE: 6.30 mi  
RATE 1  
FARE: \$ 28.80  
EXTRA: \$ 2.00  
EXCISE TAX  
RECOVERY: \$ 1.01  
TIP: \$ 3.00  
SUBTOTAL: \$ 34.81  
CC Fee \$ 3.00  
TOTAL: \$ 37.81

Sky Harbor Intl.  
Terminal 4

from: 01/23/18 13:35:00  
to: 01/24/18 18:07

Amount to pay: 46.00 \$

Visa  
XXXX XXXX XXXX 2664



Visit us at skyharbor.com/parking  
FOR INFORMATION REGARDING PARKING CALL (602) 273-4545  
PHOENIX SKY HARBOR INTERNATIONAL AIRPORT PARKING RECEIPT

**\$428.80**

22

|                  |                        |                 |                         |            |            |
|------------------|------------------------|-----------------|-------------------------|------------|------------|
| 5                | 01/20/2018             | 20              | Mileage                 | 344.99 USD | 344.99 USD |
| Business Purpose | Trial - APCO (mileage) |                 | (Driving to/from Trial) |            |            |
| Description      | Firm Paid: No          |                 |                         |            |            |
| Allocations      | 5026372-0002           | APCO Constructi | Gemstone Development    | 344.99 USD |            |
| Trip Info        |                        |                 |                         |            | 633.00     |
|                  | calculatedDistance     |                 | 0.00                    |            |            |

## Hartloff, Terri

---

**From:** Miller, Adam  
**Sent:** Thursday, January 18, 2018 12:45 PM  
**To:** Hartloff, Terri  
**Subject:** FW: Your Order from Rachel's Kitchen Is Being Prepared

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Terri,

Randy wanted me to forward the receipt below to you to be submitted for reimbursement for him. He said to put it in as a trial prep lunch for him, Mary Bacon and Mary Jo (not sure what her last name is). Let me know if you need anything else.

Adam

---

**From:** Grubhub [mailto:orders@eat.grubhub.com]  
**Sent:** Thursday, January 18, 2018 11:09 AM  
**To:** Miller, Adam  
**Subject:** Your Order from Rachel's Kitchen Is Being Prepared

**GRUBHUB™**

**Hello Adam,**

We've confirmed your delivery order from **Rachel's Kitchen**. Your food should be ready by **11:45am - 11:55am**.

[Track your order](#)

**Invite your friends to enjoy  
\$7 off delicious delivery!**



Ordered from  
**Rachel's Kitchen**

---

Delivery (ASAP) to Adam Miller, 300 S 4th St , 700 Las Vegas, NV



(702) 460-8444

Payment Method  
Credit Card

**\$47.24**

Have questions about your order?  
Contact us

Order Details  
Jan 18, 2018 11:07:31am  
Order # 450603095586700

1 Smoked Turkey and Avocado Sandwich \$11.50  
• Sourdough Bread  
• Fruit

1 Smoked Turkey and Avocado Sandwich \$11.50  
• Ciabatta Bread  
• Kettle Chips "Avacado on the side"

1 Albacore Tuna Salad Sandwich \$12.00  
• Whole Wheat bread  
• Fruit "No Mayo"

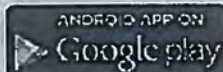
Items subtotal \$35.00  
Fee \$2.99  
Sales tax \$3.09  
Tip \$6.16

Total

24

**\$47.24**

Download FOR  
DELICIOUSNESS



e-GIFT CARDS

Give the gift of food



Learn more

25

Golden Nugget Las Vegas Buffet  
Las Vegas

Server: Janel 01/24/2018  
Fast Close/1 7:03 AM  
Guests: 1 20004  
Area: Resla

XXXXXXXXXX9774  
John Jeffe ing  
Adult Breakfast Buffet 15.99  
Subtotal 15.99  
tax 1.32  
Total 17.31

Visa #XXXXXXXXXXXX2664 \$17.31  
Auth:96140D

+ Tip: \_\_\_\_\_  
= Balance Due: \_\_\_\_\_

X \_\_\_\_\_

\*Balance Due\* \$0.00

Room # \_\_\_\_\_

Print Name \_\_\_\_\_

John Jefferies  
11016\*\*\*\*9774

Please visit [www.landryselect.com](http://www.landryselect.com) for  
points and new balance.

Suggested Gratuity  
18% Gratuity=\$ 2.88  
19% Gratuity=\$ 3.04  
20% Gratuity=\$ 3.20

A Suggested Gratuity of 18%-20% is customa  
The amount of gratuity is always discretio

26

Vic & Anthony's  
129 E. Fremont Street  
Las Vegas, NV 89101  
(702) 386-8399

Server: Efrain 01/23/2018  
Bar 2/1 7:50 PM  
Guests: 1 30063  
Area: Bar

Bt Bud L 5.50  
Roasted Stuffed Salmon 36.00  
GI PN Meiomi 13.00

Subtotal 54.50  
Tax 4.49

Total 58.99

\*Balance Due\* \$58.99

+1200  
\$70.99

Food: 36.00  
Beer: 5.50  
Wine: 13.00

Suggested Gratuity  
18% Gratuity=\$ 9.81  
19% Gratuity=\$10.36  
20% Gratuity=\$10.90

A Suggested Gratuity of 18%-20% is customa  
The amount of gratuity is always discretio

27

Capriotti's Sandwich Shop  
200 Lewis Ave.  
Las Vegas, NV 89101  
(702) 631-1112

RANDY

Host: Jake  
RANDY

01/19/2016  
12:07 PM  
20048

|                           |       |
|---------------------------|-------|
| 9" Chicken Cheese Steak   | 7.99  |
| F. Onions                 |       |
| 9" Mushroom               | 0.50  |
| F. Sweets                 |       |
| Mayo                      |       |
| Medium Drink (16 fl. oz.) | 11.94 |
| 9" Capriotti's            | 8.69  |
| NO Slaw                   |       |
| 9" Chz Steak              | 8.19  |
| F. Onions                 |       |
| 9" Mushroom               | 0.50  |
| F. Sweets                 |       |
| 9" Chicken Cheese Steak   | 7.99  |
| F. Onions                 |       |
| 9" Mushroom               | 0.50  |
| F. Hots                   |       |
| 12" Chz Steak             | 9.99  |
| Large Balsamic Chix Salad | 7.99  |

Your food and experience  
should be Extraordinary!  
Give feedback in next 3 days  
ENJOY A FREE 9" SUB  
WITH PURCHASE OF ANY SUB  
VISIT: [TELLCAPRIOTTIS.COM](http://TELLCAPRIOTTIS.COM)  
USE CODE:

| 827 401 000 097 113 |

Free sub expires in 30 days  
\*\*Valid at this Capriotti's\*\*

|          |       |
|----------|-------|
| Subtotal | 64.86 |
| Tax      | 5.35  |

Here Total 70.23

28

Capriotti's Sandwich Shop  
200 Lewis Ave.  
Las Vegas, NV 89101  
(702) 631-1112

RANDY

Host: Jake  
RANDY

01/17/2018  
12:00 PM  
20116

|                            |      |
|----------------------------|------|
| 1" Bobbie                  | 7.79 |
| NO Stuffing                |      |
| Cookie                     | 1.29 |
| Large BBQ Chicken Salad    | 7.99 |
| NO Chipotle Ranch Dressing |      |
| NO BBQ Sauce               |      |
| SD Chipotle Ranch Dressing |      |
| SD BBQ Sauce               |      |
| Combo Chip Hd Drink        | 2.59 |
| 9" Chicken Cheese Steak    | 7.99 |
| F. Onions                  |      |
| 9" Mushroom                | 0.50 |
| F. Hots                    |      |
| Medium Drink (2 @ 1.99)    | 3.98 |
| Large BBQ Turkey Salad     | 7.99 |

Your food and experience  
should be Extraordinary!  
Give feedback in next 3 days  
ENJOY A FREE 9" SUB  
WITH PURCHASE OF ANY SUB  
Visit: [TELLCAPRIOTTIS.COM](http://TELLCAPRIOTTIS.COM)  
USE CODE:

| 827 401 000 097 113 |

Free sub expires in 30 days  
\*\*Valid at this Capriotti's\*\*

|          |       |
|----------|-------|
| Subtotal | 40.12 |
| Tax      | 3.31  |

Here Total 43.43



29

California Pizza Kitchen  
3200 Las Vegas Blvd.  
Las Vegas, NV 89109  
702-893-1370

Serv: Lindsay  
08:41 PM  
Table 404/1

DOB: 01/17/2018  
01/17/2018  
5/50039

SALE

AMEX 2097183  
Card #XXXXXXXXXX1010

Approval: 7121

Amount: \$69.22

+ Tip: 15.00

= Total: 84.22

50.00

I agree to pay the above  
total amount according to the  
card issuer agreement.

Please keep this copy

For suggested gratuity  
check; after tax,  
fers or discounts.

10.38

18% tip = 12.46

20% Tip = 13.84

CUSTOM  
(RFF)

30

Capriotti's Sandwich Shop  
200 Lewis Ave.  
Las Vegas, NV 89101  
(702) 631-1112

RANDY

Host: Jake  
non

01/24/2018  
12:20 PM  
20114

|                |      |
|----------------|------|
| Large BBQ Ch   | 7.99 |
| Cookie         | 1.29 |
| Medium Drink   | 1.99 |
| 9" Chicken Lin | 7.99 |
| 9" Hot         | 0.50 |
| F              |      |
| Large sub      | 5.99 |
| NO Protein +   |      |
| NO Real Ch     |      |
| Swiss          |      |
| sub            | 2.59 |

Your food and experience  
should be extraordinary!  
Give feedback in next 3 days  
ENJOY A FREE 9" SUB  
WITH PURCHASE OF ANY SUB  
Visit: TELICAPRIOTTIS.COM  
USE CODE:

| 27 101 100 047 213 |

Free sub expires in 30 days  
\*\*Valid at this Capriotti's\*\*

|       |       |
|-------|-------|
| Total | 28.34 |
| Tax   | 2.33  |

Here Total 30.67

XXXXXXXXXX2664 30.67



## Expense Details

Report ID: 0100-2304-4874

## Expense Report

Apco misc expenses

| Item                         | Date                                | Alert           | Cost Code            | Type             | Disb Amt  | Pay Me Amt |
|------------------------------|-------------------------------------|-----------------|----------------------|------------------|-----------|------------|
| 1                            | 12/20/2017                          |                 | 20                   | Taxi/Car Service | 12.85 USD | 12.85 USD  |
| Business Purpose Description | Lyft - to hotel                     |                 |                      |                  |           |            |
|                              | Receipt Attached: Yes Firm Paid: No |                 |                      |                  |           |            |
| Allocations                  | 5026372-0002                        | APCO Constructi | Gemstone Development |                  |           | 12.85 USD  |
|                              | FromTo                              | Las Vegas       |                      |                  |           |            |
| 2                            | 01/03/2018                          |                 | 20                   | Taxi/Car Service | 16.10 USD | 16.10 USD  |
| Business Purpose Description | Lyft - to Court                     |                 |                      |                  |           |            |
|                              | Receipt Attached: Yes Firm Paid: No |                 |                      |                  |           |            |
| Allocations                  | 5026372-0002                        | APCO Constructi | Gemstone Development |                  |           | 16.10 USD  |
|                              | FromTo                              | Las Vegas       |                      |                  |           |            |

12/20/17 LYFT RIDE TUE 11PM  
(NONE) 94104  
LEADER RESTAURANT  
01/03/18 LYFT RIDE TUE 2PM  
(NONE) 94104  
LEDGER  
01/02/18

APCO  
/

SAN FRANCISCO

CA

2/285

SAN FRANCISCO

CA

\$16.10

#28.95

(31)

# **EXHIBIT F**

11/07/2017  
CLIENT NO.: 5026372  
APCO Construction



Page: 5  
INVOICE NO: 613917



FOR DISBURSEMENTS ADVANCED

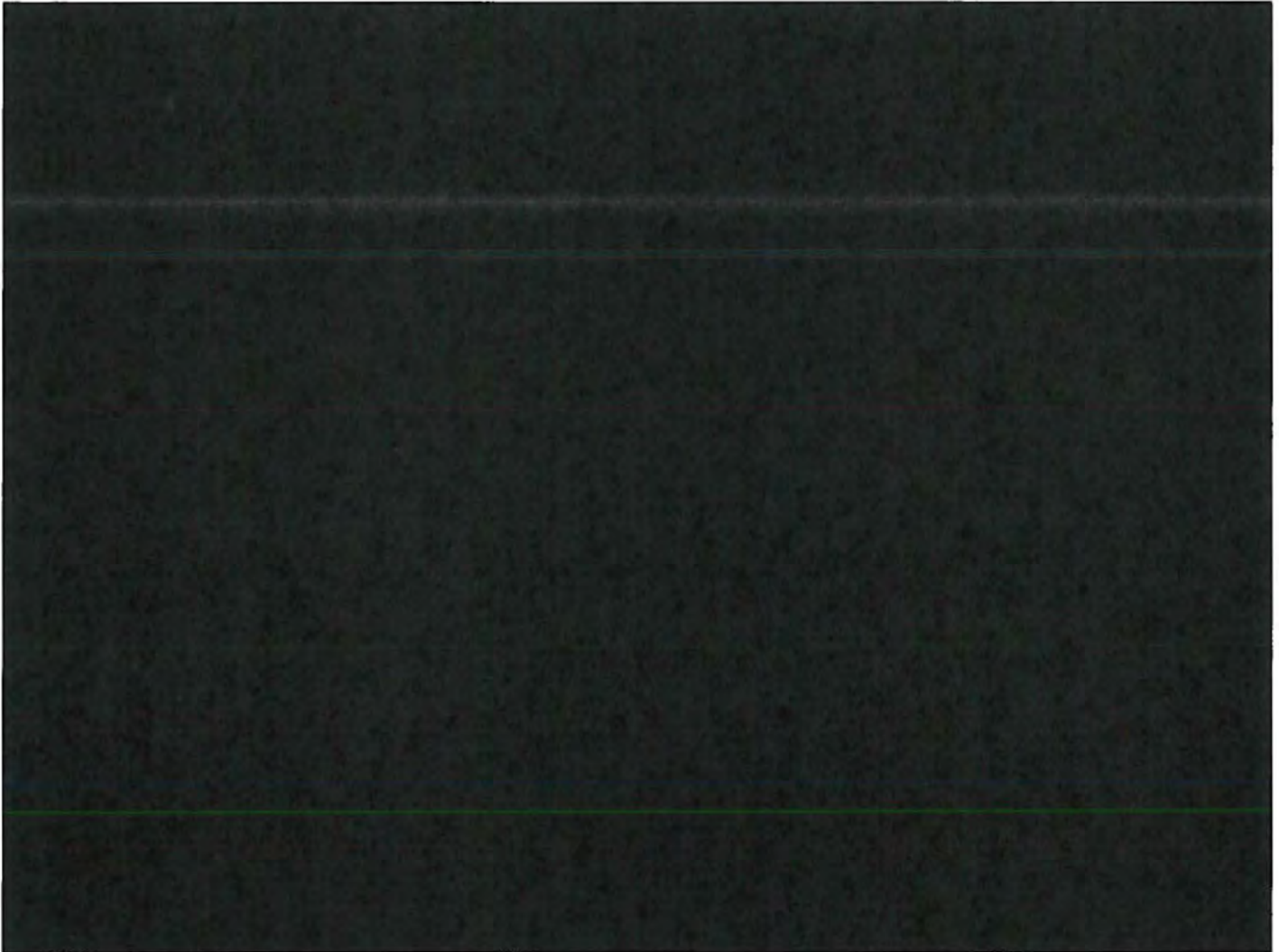
| <u>Date</u>                | <u>Description</u>    | <u>Amount</u> |
|----------------------------|-----------------------|---------------|
| 10/10/2017                 | Online Legal Research | 75.00         |
| 10/11/2017                 | Online Legal Research | 75.00         |
| 10/12/2017                 | Online Legal Research | 75.00         |
| 10/13/2017                 | Online Legal Research | 75.00         |
| 10/4/2017                  | Online Legal Research | 75.00         |
| 10/7/2017                  | Online Legal Research | 75.00         |
| <b>Total Disbursements</b> |                       | <b>450.00</b> |



12/11/2017  
CLIENT NO.: 5026372  
APCO Construction

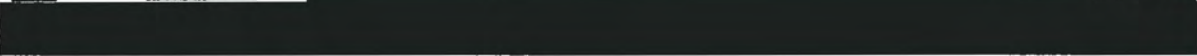


Page: 7  
INVOICE NO: 619263

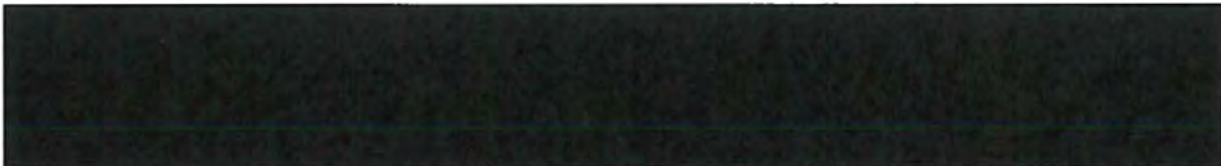


FOR DISBURSEMENTS ADVANCED

| <u>Date</u> | <u>Description</u> | <u>Amount</u> |
|-------------|--------------------|---------------|
|-------------|--------------------|---------------|



|            |                       |       |
|------------|-----------------------|-------|
| 11/10/2017 | Online Legal Research | 75.00 |
|------------|-----------------------|-------|



12/11/2017  
CLIENT NO.: 5026372  
APCO Construction



Page: 8  
INVOICE NO: 619263

11/11/2017 Online Legal Research

75.00

11/13/2017 Online Legal Research

75.00

11/14/2017 Online Legal Research

75.00

11/8/2017 Online Legal Research

75.00

JA006711



12/11/2017  
CLIENT NO.: 5026372  
APCO Construction



Page: 9  
INVOICE NO: 619263

11/9/2017    Online Legal Research

75.00



01/05/2018  
CLIENT NO.: 5026372  
APCO Construction



Page: 4  
INVOICE NO: 621172



FOR DISBURSEMENTS ADVANCED

| Date       | Description           | Amount |
|------------|-----------------------|--------|
| [REDACTED] |                       |        |
| 12/13/2017 | Online Legal Research | 75.00  |
| 12/16/2017 | Online Legal Research | 75.00  |
| [REDACTED] |                       |        |



01/05/2018  
CLIENT NO.: 5026372  
APCO Construction



SpencerFane

Page: 5  
INVOICE NO: 621172

|           |                       |       |
|-----------|-----------------------|-------|
| 12/2/2017 | Online Legal Research | 75.00 |
| 12/3/2017 | Online Legal Research | 75.00 |
| 12/5/2017 | Online Legal Research | 75.00 |
| 12/6/2017 | Online Legal Research | 75.00 |

JA006714

03/12/2018  
CLIENT NO.: 5026372  
APCO Construction

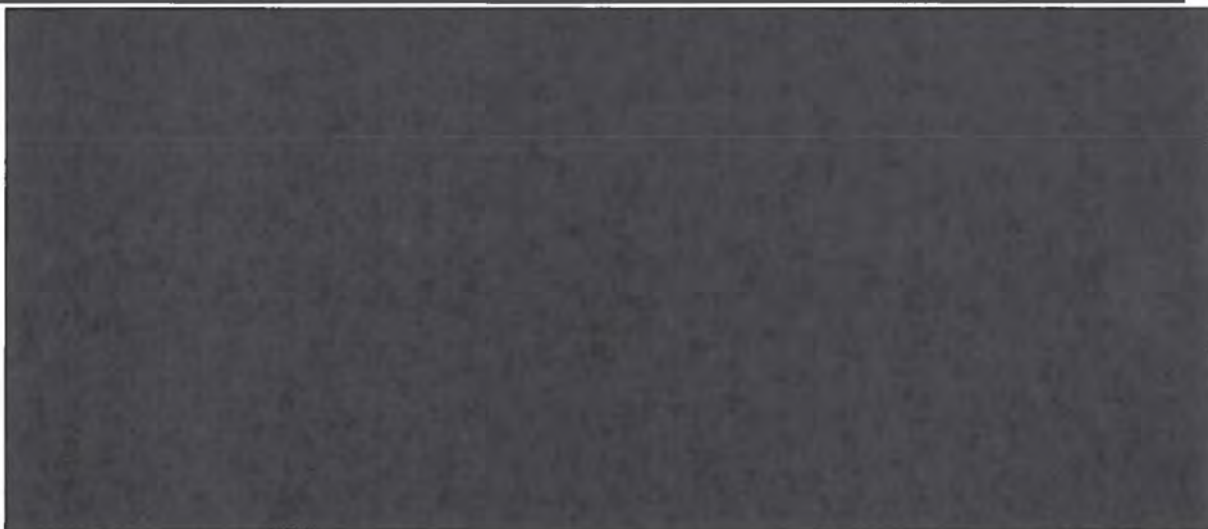


Page: 3  
INVOICE NO: 630383



FOR DISBURSEMENTS ADVANCED

| <u>Date</u> | <u>Description</u> | <u>Amount</u> |
|-------------|--------------------|---------------|
|-------------|--------------------|---------------|



|           |                       |        |
|-----------|-----------------------|--------|
| 2/14/2018 | Online Legal Research | 110.00 |
| 2/15/2018 | Online Legal Research | 110.00 |



|           |                       |        |
|-----------|-----------------------|--------|
| 2/16/2018 | Online Legal Research | 110.00 |
|-----------|-----------------------|--------|



|           |                       |        |
|-----------|-----------------------|--------|
| 2/19/2018 | Online Legal Research | 110.00 |
|-----------|-----------------------|--------|



# EXHIBIT G

|            |   |  |
|------------|---|--|
|            | <i>Apco Construction, Inc.'s Motion for Attorney's Fees and Costs against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.</i>  |  |
| 05/11/2018 | <b>Notice of Entry of Order</b><br><i>Notice of Entry of Order Determining Amount of Zitting Brothers Construction, Inc.'s Attorney's Fees, Costs, and Prejudgment Interest</i>   |  |
| 05/16/2018 | <b>Judgment</b><br><i>Judgment in Favor of E&amp;E Fire Protection and Against CAMCO Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland</i>  |  |
| 05/17/2018 | <b>Notice of Entry of Judgment</b><br><i>Notice of Entry of Judgment in Favor of E&amp;E Fire Protection and Against Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland</i>  |  |
| 05/21/2018 | <b>Notice of Appearance</b><br><i>Notice of Appearance</i>  |  |
| 05/23/2018 | <b>Judgment</b><br><i>Judgment in Favor of Zitting Brothers Construction, Inc.</i>  |  |
| 05/24/2018 | <b>Notice of Entry of Judgment</b><br><i>Notice of Entry of Judgment in Favor of Zitting Brothers Construction, Inc.</i>  |  |
| 05/25/2018 | <b>Stipulation and Order for Dismissal With Prejudice</b><br><i>Stipulation and Order for Dismissal with Prejudice</i>  |  |
| 05/25/2018 | <b>Notice of Entry of Stipulation and Order</b><br><i>Notice of Entry of Stipulation and Order</i>  |  |
| 06/04/2018 | <b>Motion for Attorney Fees</b> (9:00 AM) (Judicial Officer Denton, Mark R.)<br><i>E&amp;E Fire Protection's Motion for Attorney Fees Against Camco Pacific Construction Company</i>  |  |
| 06/11/2018 | <b>Motion to Retax</b> (9:00 AM) (Judicial Officer Denton, Mark R.)<br><i>Plaintiff In Intervention, National Wood Products, Inc.'s Notice of Motion and Motion to Retax Costs Re: Defendant APCO Construction's Memorandum of Costs and Disbursements Against Plaintiff In Intervention National Wood Products, Inc.</i> |  |
| 06/11/2018 | <b>Motion to Retax</b> (9:00 AM) (Judicial Officer Denton, Mark R.)<br><i>Helix Electric of Nevada, LLC's Motion to Retax Costs re: Defendant APCO Construction's Memorandum of Costs and Disbursements</i>   |  |
| 06/11/2018 | <b>Joinder</b> (9:00 AM) (Judicial Officer Denton, Mark R.)<br><i>Helix Electric of Nevada, LLC's Joinder to National Wood's Motion to Retax Costs re: Defendant APCO Construction's Memorandum of Costs and Disbursements</i>  |  |
| 06/11/2018 | <b>Joinder</b> (9:00 AM) (Judicial Officer Denton, Mark R.)<br><i>Plaintiff In Intervention National Wood Products, Inc.'s, Joinder to Helix Electric of Nevada, LLC's Motion to Retax Costs Re: Defendant APCO Construction's Memorandum of Costs and Disbursements</i>  |  |
| 06/11/2018 | <b>Motion for Attorney Fees and Costs</b> (9:00 AM) (Judicial Officer Denton, Mark R.)<br><i>Apco Construction, Inc.'s Motion for Attorney's Fees and Costs against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.</i>  |  |

## FINANCIAL INFORMATION

|            |   |                            |             |
|------------|---|----------------------------|-------------|
|            | <b>Consolidated Case Party Newmark Grubb Knight Frank</b>               |                            |             |
|            | Total Financial Assessment  |                            | 7.00        |
|            | Total Payments and Credits  |                            | 7.00        |
|            | <b>Balance Due as of 05/25/2018</b>                                     |                            | <b>0.00</b> |
| 02/23/2017 | Transaction Assessment  |                            | 3.50        |
| 02/23/2017 | Efile Payment   | Receipt # 2017-18224-CCCLK | (3.50)      |
| 03/30/2017 | Transaction Assessment  |                            | 3.50        |
| 03/30/2017 | Efile Payment   | Receipt # 2017-30219-CCCLK | (3.50)      |
|            | <b>Conversion Extended Connection Type No Convert Value @ 08A571228</b> |                            |             |
|            | Total Financial Assessment  |                            | 2,192.00    |
|            | Total Payments and Credits  |                            | 2,192.00    |
|            | <b>Balance Due as of 05/25/2018</b>                                     |                            | <b>0.00</b> |
| 09/09/2008 | Transaction Assessment  |                            | 2,192.00    |
| 09/09/2008 | Conversion Payment  | Receipt # 01459792         | (148.00)    |
| 12/10/2008 | Conversion Payment  | Receipt # 01477769         | (3.00)      |
| 01/05/2009 | Conversion Payment  | Receipt # 01481783         | (104.00)    |
| 01/12/2009 | Conversion Payment  | Receipt # 01483373         | (104.00)    |
| 01/15/2009 | Conversion Payment  | Receipt # 01484070         | (104.00)    |
| 01/16/2009 | Conversion Payment  | Receipt # 01484284         | (104.00)    |
| 01/16/2009 | Conversion Payment  | Receipt # 01484354         | (104.00)    |
| 02/09/2009 | Conversion Payment  | Receipt # 01488844         | (151.00)    |
| 02/19/2009 | Conversion Payment  | Receipt # 01490591         | (104.00)    |
| 02/19/2009 | Conversion Payment  | Receipt # 01490592         | (3.00)      |
| 02/24/2009 | Conversion Payment  | Receipt # 01491429         | (151.00)    |
| 02/24/2009 | Conversion Payment  | Receipt # 01491465         | (3.00)      |
| 02/26/2009 | Conversion Payment  | Receipt # 01491996         | (3.00)      |
| 02/26/2009 | Conversion Payment  | Receipt # 01491998         | (151.00)    |
| 03/12/2009 | Conversion Payment  | Receipt # 01494924         | (104.00)    |
| 03/16/2009 | Conversion Payment  | Receipt # 01495513         | (104.00)    |
| 03/20/2009 | Conversion Payment  | Receipt # 01496542         | (17.00)     |
| 03/24/2009 | Conversion Payment  | Receipt # 01497184         | (151.00)    |
| 03/24/2009 | Conversion Payment  | Receipt # 01497249         | (3.00)      |
| 03/27/2009 | Conversion Payment  | Receipt # 01498177         | (107.00)    |
| 03/27/2009 | Conversion Payment  | Receipt # 01498180         | (107.00)    |
| 03/27/2009 | Conversion Payment  | Receipt # 01498181         | (107.00)    |
| 04/03/2009 | Conversion Payment  | Receipt # 01499512         | (151.00)    |
| 04/06/2009 | Conversion Payment  | Receipt # 01499770         | (104.00)    |

|   |                                     |                             |             |
|---|-------------------------------------|-----------------------------|-------------|
| <b>Counter Claimant Camco Pacific Construction Co Inc</b> |                                     |                             |             |
|   | Total Financial Assessment          |                             | 423.00      |
|   | Total Payments and Credits          |                             | 423.00      |
|   | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b> |
| 09/11/2009  | Transaction Assessment              |                             | 223.00      |
| 09/11/2009  | Payment (Window)                    | Receipt # 2009-05045-CCCLK  | (223.00)    |
| 06/28/2010  | Transaction Assessment              |                             | 200.00      |
| 06/28/2010  | Efile Payment                       | Receipt # 2010-25575-CCCLK  | (200.00)    |
| <b>Counter Claimant Insulpro Projects Inc</b>             |                                     |                             |             |
|   | Total Financial Assessment          |                             | 21.00       |
|   | Total Payments and Credits          |                             | 21.00       |
|   | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b> |
| 06/10/2010  | Transaction Assessment              |                             | 10.00       |
| 06/10/2010  | Efile Payment                       | Receipt # 2010-22259-CCCLK  | (10.00)     |
| 10/14/2010  | Transaction Assessment              |                             | 5.50        |
| 10/14/2010  | Efile Payment                       | Receipt # 2010-54124-CCCLK  | (5.50)      |
| 01/19/2012  | Transaction Assessment              |                             | 5.50        |
| 01/19/2012  | Efile Payment                       | Receipt # 2012-07332-CCCLK  | (5.50)      |
| <b>Counter Defendant Atlas Construction Supply Inc</b>    |                                     |                             |             |
|   | Total Financial Assessment          |                             | 672.50      |
|   | Total Payments and Credits          |                             | 672.50      |
|   | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b> |
| 03/02/2010  | Transaction Assessment              |                             | 200.00      |
| 03/22/2010  | Efile Payment                       | Receipt # 2010-16984-FAM    | (200.00)    |
| 05/06/2010  | Transaction Assessment              |                             | 6.00        |
| 05/06/2010  | Efile Payment                       | Receipt # 2010-14897-CCCLK  | (6.00)      |
| 06/10/2010  | Transaction Assessment              |                             | 206.00      |
| 06/10/2010  | Efile Payment                       | Receipt # 2010-22003-CCCLK  | (206.00)    |
| 06/10/2010  | Transaction Assessment              |                             | 6.00        |
| 06/10/2010  | Efile Payment                       | Receipt # 2010-22034-CCCLK  | (6.00)      |
| 06/21/2010  | Transaction Assessment              |                             | 6.00        |
| 06/21/2010  | Efile Payment                       | Receipt # 2010-24210-CCCLK  | (6.00)      |
| 06/22/2010  | Transaction Assessment              |                             | 206.00      |
| 06/22/2010  | Efile Payment                       | Receipt # 2010-24665-CCCLK  | (206.00)    |
| 07/19/2010  | Transaction Assessment              |                             | 6.00        |
| 07/19/2010  | Efile Payment                       | Receipt # 2010-30911-CCCLK  | (6.00)      |
| 11/08/2011  | Transaction Assessment              |                             | 5.50        |
| 11/08/2011  | Efile Payment                       | Receipt # 2011-127393-CCCLK | (5.50)      |
| 01/04/2012  | Transaction Assessment              |                             | 5.50        |
| 01/04/2012  | Efile Payment                       | Receipt # 2012-00781-CCCLK  | (5.50)      |
| 03/28/2012  | Transaction Assessment              |                             | 5.50        |
| 03/28/2012  | Efile Payment                       | Receipt # 2012-40645-CCCLK  | (5.50)      |
| 03/29/2012  | Transaction Assessment              |                             | 5.50        |
| 03/29/2012  | Efile Payment                       | Receipt # 2012-41289-CCCLK  | (5.50)      |
| 04/12/2012  | Transaction Assessment              |                             | 3.50        |
| 04/12/2012  | Efile Payment                       | Receipt # 2012-47816-CCCLK  | (3.50)      |
| 04/16/2012  | Transaction Assessment              |                             | 5.50        |
| 04/16/2012  | Efile Payment                       | Receipt # 2012-49022-CCCLK  | (5.50)      |
| 04/17/2012  | Transaction Assessment              |                             | 5.50        |
| 04/17/2012  | Efile Payment                       | Receipt # 2012-49058-CCCLK  | (5.50)      |
| <b>Counter Defendant Bruin Painting Corporation</b>       |                                     |                             |             |
|   | Total Financial Assessment          |                             | 200.00      |
|   | Total Payments and Credits          |                             | 200.00      |
|   | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b> |
| 05/05/2010  | Transaction Assessment              |                             | 200.00      |
| 05/05/2010  | Efile Payment                       | Receipt # 2010-14676-CCCLK  | (200.00)    |
| <b>Counter Defendant Buchele Inc</b>                      |                                     |                             |             |
|   | Total Financial Assessment          |                             | 200.00      |
|   | Total Payments and Credits          |                             | 200.00      |
|   | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b> |
| 05/05/2010  | Transaction Assessment              |                             | 200.00      |
| 05/05/2010  | Efile Payment                       | Receipt # 2010-14664-CCCLK  | (200.00)    |

|            |  |                               |             |
|------------|--|-------------------------------|-------------|
|            | <b>Counter Defendant Fast Glass Inc</b>                    |                               |             |
|            | Total Financial Assessment                                 |                               | 200.00      |
|            | Total Payments and Credits                                 |                               | 200.00      |
|            | <b>Balance Due as of 05/25/2018</b>                        |                               | <b>0.00</b> |
| 04/16/2010 | Transaction Assessment                                     |                               | 200.00      |
| 04/16/2010 | File Payment   | Receipt # 2010-10842-CCCLK    | (200.00)    |
|            | <b>Counter Defendant Fast Glass Inc</b>                    |                               |             |
|            | Total Financial Assessment                                 |                               | 200.00      |
|            | Total Payments and Credits                                 |                               | 200.00      |
|            | <b>Balance Due as of 05/25/2018</b>                        |                               | <b>0.00</b> |
| 05/28/2010 | Transaction Assessment                                     |                               | 200.00      |
| 05/28/2010 | File Payment   | Receipt # 2010-25545-CCCLK    | (200.00)    |
|            |  | Fast Glass Inc                |             |
|            | <b>Counter Defendant Ferguson Fire and Fabrication Inc</b> |                               |             |
|            | Total Financial Assessment                                 |                               | 657.00      |
|            | Total Payments and Credits                                 |                               | 657.00      |
|            | <b>Balance Due as of 05/25/2018</b>                        |                               | <b>0.00</b> |
| 08/27/2009 | Transaction Assessment                                     |                               | 223.00      |
| 08/27/2009 | Payment (Window)   | Receipt # 2009-49806-FAM      | (223.00)    |
|            |  | Rucraft Law Office            |             |
| 06/10/2010 | Transaction Assessment                                     |                               | 206.00      |
| 06/10/2010 | File Payment   | Receipt # 2010-22459-CCCLK    | (206.00)    |
|            |  | Ferguson Fire and Fabrication |             |
| 06/19/2010 | Transaction Assessment                                     |                               | 6.00        |
| 06/19/2010 | File Payment   | Receipt # 2010-23999-CCCLK    | (6.00)      |
|            |  | Ferguson Fire and Fabrication |             |
| 07/09/2010 | Transaction Assessment                                     |                               | 206.00      |
| 07/09/2010 | File Payment   | Receipt # 2010-28328-CCCLK    | (206.00)    |
|            |  | Ferguson Fire and Fabrication |             |
| 07/19/2010 | Transaction Assessment                                     |                               | 6.00        |
| 07/19/2010 | File Payment   | Receipt # 2010-30913-CCCLK    | (6.00)      |
|            |  | Ferguson Fire and Fabrication |             |
| 07/21/2010 | Transaction Assessment                                     |                               | 10.00       |
| 07/21/2010 | File Payment   | Receipt # 2010-31698-CCCLK    | (10.00)     |
|            |  | Ferguson Fire and Fabrication |             |
|            | <b>Counter Defendant HD Supply Waterworks LP</b>           |                               |             |
|            | Total Financial Assessment                                 |                               | 200.00      |
|            | Total Payments and Credits                                 |                               | 200.00      |
|            | <b>Balance Due as of 05/25/2018</b>                        |                               | <b>0.00</b> |
| 05/05/2010 | Transaction Assessment                                     |                               | 200.00      |
| 05/05/2010 | File Payment   | Receipt # 2010-14693-CCCLK    | (200.00)    |
|            |  | HD Supply Waterworks LP       |             |
|            | <b>Counter Defendant Heinaman Contract Glazing</b>         |                               |             |
|            | Total Financial Assessment                                 |                               | 200.00      |
|            | Total Payments and Credits                                 |                               | 200.00      |
|            | <b>Balance Due as of 05/25/2018</b>                        |                               | <b>0.00</b> |
| 05/05/2010 | Transaction Assessment                                     |                               | 200.00      |
| 05/05/2010 | File Payment   | Receipt # 2010-14688-CCCLK    | (200.00)    |
|            |  | Heinaman Contract Glazing     |             |
|            | <b>Counter Defendant Insulpro Projects Inc</b>             |                               |             |
|            | Total Financial Assessment                                 |                               | 210.00      |
|            | Total Payments and Credits                                 |                               | 210.00      |
|            | <b>Balance Due as of 05/25/2018</b>                        |                               | <b>0.00</b> |
| 06/10/2010 | Transaction Assessment                                     |                               | 210.00      |
| 06/10/2010 | File Payment   | Receipt # 2010-22463-CCCLK    | (210.00)    |
|            |  | Insulpro Projects Inc         |             |
|            | <b>Counter Defendant Patent Construction Systems</b>       |                               |             |
|            | Total Financial Assessment                                 |                               | 200.00      |
|            | Total Payments and Credits                                 |                               | 200.00      |
|            | <b>Balance Due as of 05/25/2018</b>                        |                               | <b>0.00</b> |
| 05/07/2010 | Transaction Assessment                                     |                               | 200.00      |
| 05/07/2010 | File Payment   | Receipt # 2010-15387-CCCLK    | (200.00)    |
|            |  | Patent Construction Systems   |             |
|            | <b>Counter Defendant Renaissance Pools &amp; Spas Inc</b>  |                               |             |
|            | Total Financial Assessment                                 |                               | 400.00      |
|            | Total Payments and Credits                                 |                               | 400.00      |

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Supreme Court Case No. 77320  
*Consolidated with 80508*

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HELIX ELECTRIC OF NEVADA, LLC,

Appellant,

v.

APCO CONSTRUCTION, INC., A NEVADA CORPORATION,

Respondent.

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JOINT APPENDIX  
VOLUME 93

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## **CHRONOLOGICAL APPENDIX OF EXHIBITS**

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



| <u>Date</u> | <u>Description</u>   | <u>Bates<br/>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-<br>JA000342   | 6                |
|             | Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories   | JA000343-<br>JA000379   | 6                |
|             | Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories  | JA000380-<br>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-<br>JA000409   | 6/7              |
|             | Exhibit A – Excerpt from 30(b)(6) Witness for Helix Electric of Nevada, LLC taken July 20, 2017  | JA000410-<br>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-<br>JA000418   | 7                |
| 11-06-17    | Peel Brimley Lien Claimants' Motion in Limine Nos. 1-6   | JA000419-<br>JA000428   | 7                |

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

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

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

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

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

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

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|                 | <b>Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</b>  |                               |                  |
| <b>01-10-18</b> | <b>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</b> | <b>JA001561-<br/>JA001573</b> | <b>27</b>        |
| <b>01-12-18</b> | <b>Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]</b>   | <b>JA001574-<br/>JA001594</b> | <b>27/28</b>     |
|                 | Exhibit 1 – Exhibit List APCO   | JA001595-<br>JA001614         | 28               |
|                 | Exhibit 2 – Helix Trial Exhibits  | JA001615-<br>JA001616         | 28               |
|                 | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.   | JA001617-<br>JA001635         | 28               |
|                 | Exhibit 4 – Cactus Rose Trial Exhibits  | JA001636-<br>JA001637         | 28               |
|                 | Exhibit 5 – Heinaman Trial Exhibits   | JA001638-<br>JA001639         | 28               |
|                 | Exhibit 6 – Fast Glass Trial Exhibits   | JA001640-<br>JA001641         | 28               |
|                 | Exhibit 7 – SWPPP Trial Exhibits  | JA001642-<br>JA001643         | 28               |
|                 | Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>  | JA001644-<br>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-<br>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-<br>JA001653         | 28               |
|                 | Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)                     | JA001654-<br>JA001657         | 28               |
|                 | Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>                                    | JA001658-<br>JA001660         | 28               |
|                 | Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements | JA001661-<br>JA00167          | 28/9/29          |
| <b>01-17-18</b> | <b>Transcript Bench Trial (Day 1)<sup>1</sup></b>  | <b>JA001668-<br/>JA001802</b> | <b>29/30</b>     |
|                 | Trial Exhibit 1 - Grading Agreement ( <i>Admitted</i> )  | JA001803-<br>JA001825         | 30               |
|                 | Trial Exhibit 2 – APCO/Gemstone General Construction Agreement ( <i>Admitted</i> )   | JA001826-<br>JA001868         | 30               |
|                 | Trial Exhibit 3 - Nevada Construction Services /Gemstone Cost Plus/GMP Contract Disbursement Agreement ( <i>Admitted</i> )                       | JA001869-<br>JA001884         | 30               |

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<sup>1</sup> Filed January 31, 2018

| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | Trial Exhibit 4 - APCO Pay Application No. 9 Submitted to Gemstone <i>(Admitted)</i>   | JA001885-<br>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-<br>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-<br>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-<br>JA001987          | 32                      |
|                    | Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>  | JA001988-<br>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-<br>JA002010          | 33                      |
|                    | Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>  | JA002011-<br>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-<br>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-<br>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-<br>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-<br>JA002120          | 34/35                   |
|                    | Trial Exhibit 45 - Subcontractor Agreement ( <i>Admitted</i> )  | JA002121-<br>JA002146          | 35                      |
|                    | Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO ( <i>Admitted</i> )                              | JA002147-<br>JA002176          | 35/36                   |
|                    | Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice ( <i>Admitted</i> )  | JA002177-<br>JA002181          | 36                      |
|                    | Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice ( <i>Admitted</i> )                                     | JA002182-<br>JA002185          | 36                      |
|                    | Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors ( <i>Admitted</i> )  | JA002186-<br>JA002188          | 36                      |
|                    | Trial Exhibit 506 – Email and Contract Revisions ( <i>Admitted</i> )  | JA002189 –<br>JA002198         | 36                      |

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| 01-18-18    | <b>Stipulation and Order Regarding Trial Exhibit Admitted into Evidence</b>                    | <b>JA002199-<br/>JA002201</b> | <b>36</b>        |
|             | Exhibit 1 – Exhibit List APCO  | JA002208-<br>JA002221         | 36               |
|             | Exhibit 2 – Helix Trial Exhibits   | JA002222-<br>JA002223         | 36               |
|             | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.                | JA002224-<br>JA002242         | 36/37            |
|             | <b>APCO TRIAL EXHIBITS:</b>  |                               |                  |
|             | <b>APCO Related Exhibits:</b>  |                               |                  |
|             | 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-<br>JA002282         | 37/38            |
|             | Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns | JA002283-<br>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-<br>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-<br>JA002308          | 39                      |
|                    | Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)  | JA002309-<br>JA002310          | 39                      |
|                    | Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)   | JA002311-<br>JA002312-         | 40                      |
|                    | Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)          | JA002313-<br>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-<br>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-<br>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-<br>JA002320          | 41                      |

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

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

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



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

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|                    | Trial Exhibit 110 - Photo of Video (Construction Project)  | JA002534-<br>JA002535          | 44                      |
|                    | Trial Exhibit 111 - Photo of Video (Construction Project)  | JA002536-<br>JA002537          | 44                      |
|                    | Trial Exhibit 112 - Photo of Video (Construction Project)  | JA002538-<br>JA002539          | 44                      |
|                    | Trial Exhibit 113 -Photo of Video (Construction Project)   | JA002550-<br>JA002541          | 44                      |
|                    | Trial Exhibit 114 -Photo of Video (Construction Project)   | JA002542-<br>JA002543          | 44                      |
|                    | Trial Exhibit 115 - Progress Payment No. 9 Remitted to Zitting   | JA002544-<br>JA002545          | 44                      |
|                    | Trial Exhibit 116 - Ratification and Amendment of Subcontract Agreement between Buchele and Camco                              | JA002546-<br>JA002550          | 44                      |
|                    | Trial Exhibit 117 - C to the Ratification  | JA002551-<br>JA002563          | 44                      |
|                    | Trial Exhibit 118 - Q&A from Gemstone to subcontracts  | JA002564-<br>JA002567          | 44                      |
|                    | Trial Exhibit 119 - Check No. 528388 payable to APCO (\$33,847.55) – Progress Payment No. 8.1 and 8.2                          | JA002568-<br>JA002571          | 44                      |
|                    | Trial Exhibit 120 - Tri-City Drywall Pay Application No. 7 to APCO as submitted to Owner. Show percentage complete for Zitting | JA002572-<br>JA002575          | 44/45                   |
|                    | Trial Exhibit 127 - Photo of Video (Construction Project)  | JA002576-<br>JA002577          | 45/46                   |
|                    | Trial Exhibit 128 - Photo of Video (Construction Project)  | JA002578-<br>JA002579          | 46                      |
|                    | Trial Exhibit 129 - Photo of Video (Construction Project)  | JA002580-<br>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-<br>JA002591   | 46               |
|             | Trial Exhibit 152 -Terms & Conditions modified by APCO, Invoices and Check Payment  | JA002592-<br>JA002598   | 46               |
|             | <b>National Wood Products Related Exhibits:</b>   |                         |                  |
|             | Trial Exhibit 160 - Documents provided for settlement   | JA002599-<br>JA002612   | 46               |
|             | <b>CAMCO Related Exhibits:</b>  |                         |                  |
|             | Trial Exhibit 163 - Camco Pay Application No. 12 to Gemstone  | JA002613-<br>JA002651   | 46/47            |
|             | Trial Exhibit 165 - Letter from D. Parry to A. Edelstein re: Gemstone losing funding for project  | JA002652-<br>JA002653   | 47               |
|             | Trial Exhibit 166 - Letter from D. Parry to G. Hall re: withdrawal of funding   | JA002654<br>JA002656    | 47               |
|             | <b>Helix Related Exhibits:</b>  |                         | 47               |
|             | Trial Exhibit 169 - Helix Exhibit to Standard Subcontract Agreement with Camco  | JA 002665<br>JA002676   | 47/48            |
|             | Trial Exhibit 170 - Subcontract Agreement between Helix and Camco (unsigned)  | JA002677-<br>JA002713   | 48               |
|             | Trial Exhibit 171 - Work Order No. 100  | JA002714-<br>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-<br>JA002730   | 48               |

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

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

<sup>2</sup> Filed January 31, 201879

<sup>3</sup> Filed January 31, 2018

| <u><b>Date</b></u> | <u><b>Description</b></u>   | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    | 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-<br>JA005808          | 80                      |
|                    | Trial Exhibit 804 – Camco Correspondence ( <i>Admitted</i> )  | JA005809-<br>JA005816          | 80                      |
|                    | Trial Exhibit 3176 – APCO Notice of Lien ( <i>Admitted</i> )  | JA005817-<br>JA005819          | 81                      |
| <b>01-24-18</b>    | <b>Transcript – Bench Trial (Day 5)<sup>4</sup></b>   | <b>JA005820-<br/>JA005952</b>  | 81                      |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting Helix Electric of Nevada, LLC’s (Proposed) Findings of Fact and Conclusions of Law</b> | <b>JA005953-<br/>JA005985</b>  | <b>81</b>               |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting APCO Construction, Inc.’s Proposed Findings of Fact and Conclusions of Law</b>         | <b>JA005986-<br/>JA006058</b>  | <b>8/821</b>            |
| <b>03-08-18</b>    | <b>APCO Construction Inc.’s Post-Trial Brief</b>  | <b>JA006059-<br/>JA006124</b>  | <b>82/83</b>            |
| <b>03-23-18</b>    | <b>APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law</b>                           | <b>JA006125-<br/>JA006172</b>  | <b>83/84</b>            |
| <b>03-23-18</b>    | <b>Helix Electric of Nevada, LLC’s Responses to APCO Construction’s Post-Trial Brief</b>                                    | <b>JA006173-<br/>JA006193</b>  | <b>84</b>               |
| <b>04-25-18</b>    | <b>Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO</b>         | <b>JA006194-<br/>JA006264</b>  | <b>84/85</b>            |

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<sup>4</sup> Filed January 31, 201883

| <u>Date</u> | <u>Description</u>   | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
|-------------|--|-------------------------------|------------------|
| 05-08-18    | <b>APCO Construction, Inc.'s Motion for Attorneys' Fees and Costs Against Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.</b> | <b>JA006265-<br/>JA006284</b> | <b>85</b>        |
|             | Exhibit 1 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenotec Against APCO  | JA006285-<br>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-<br>JA006369         | 86               |
|             | Exhibit 3 – Plaintiff in Intervention, National Wood Products, Inc.'s Findings of Fact and Conclusions of Law (Proposed)   | JA006370-<br>JA006385         | 86/87            |
|             | Exhibit 4 – Plaintiff in Intervention, National Wood Productions, Inc.'s Findings of Fact and Conclusions of Law Re Camco  | JA006386-<br>JA006398         | 87               |
|             | Exhibit 5 – Offer of Judgment to Helix Electric of Nevada, LLC   | JA006399-<br>JA006402         | 87               |
|             | Exhibit 6 – Offer of Judgment to Plaintiff in Intervention National Wood Products, Inc.  | JA006403-<br>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-<br>JA006411         | 87               |
|             | Exhibit 7A – Billing Entries   | JA006412-<br>JA006442         | 87/88            |

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|                 | Exhibit 7B – Time Recap   | JA006443-<br>JA006474         | 88               |
|                 | Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs   | JA006475-<br>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-<br>JA006487         | 88               |
|                 | Exhibit 10 – Depository Index   | JA006488-<br>JA006508         | 88/89            |
| <b>05-08-18</b> | <b>Helix Electric of Nevada, LLC’s Motion to Retax Costs Re: Defendant APCO Construction’s Memorandum of Costs and Disbursements</b>  | <b>JA006509-<br/>JA006521</b> | <b>89</b>        |
| <b>05-31-18</b> | <b>Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]</b>  | <b>JA006522<br/>JA006540</b>  | <b>89</b>        |
| <b>06-01-18</b> | <b>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.]</b> | <b>JA006541<br/>JA006550</b>  | <b>90</b>        |
| <b>06-01-18</b> | <b>Helix Electric of Nevada, LLC’s Motion for Attorneys’ Fees, Interest and Costs</b>   | <b>JA006551-<br/>JA006563</b> | <b>90</b>        |
|                 | 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-<br>JA006574         | 90               |



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|                 | Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)  | JA006575-<br>JA006580          | 90                   |
|                 | Exhibit 3 – Prime Interest Rate  | JA006581-<br>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-<br>JA006588          | 90                   |
|                 | Exhibit 5 – Summary of Fees  | JA006589-<br>JA006614          | 90                   |
| <b>06-15-18</b> | <b>APCO Construction, Inc.’s Opposition to Helix Electric of Nevada, LLC and Plaintiff in Intervention National Wood Products, Inc.’s Motions to Retax Costs</b> | <b>JA006615-<br/>JA006637</b>  | <b>90/91</b>         |
|                 | Exhibit 1-A Declaration of Mary Bacon in Support of APCO’s Supplement to its Motion for Attorney’s Fees  | JA006635<br>JA006638           | 91                   |
|                 | Exhibit 1-B – Declaration of Cody Munteer in Support of APCO’s Supplement to its Motion for Attorney’s Fees  | JA006639-<br>JA006916          | 91/92/93<br>94/95/96 |
| <b>06-15-18</b> | <b>Helix Electric of Nevada, LLC’s Opposition to APCO Construction’s Motion for Attorneys’ Fees and Costs</b>  | <b>JA006917 –<br/>JA006942</b> | <b>96</b>            |
|                 | 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-<br>JA006948          | 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-<br>JA006954   | 96               |
|             | Exhibit 3 – Supreme Court filing notification Joint Petition for Writ of Mandamus filed  | JA006955-<br>JA006958   | 96               |
|             | Exhibit 4 – Order Denying <i>En Banc</i> Reconsideration   | JA006959-<br>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-<br>JA006978   | 96               |
|             | Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire  | JA006977-<br>JA006980   | 96               |
|             | Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire  | JA006981-<br>JA006984   | 96               |
|             | Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire  | JA006985-<br>JA006993   | 96/97            |
|             | Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance   | JA006994<br>JA007001    | 97               |
|             | Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire   | JA007002-<br>JA007005   | 97               |
|             | Exhibit 7A – Motion to Appoint Special Master  | JA007006-<br>JA007036   | 97               |
|             | Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016  | JA007037-<br>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-<br>JA007046   | 97               |
|             | Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss   | JA007047<br>JA007053    | 97               |
|             | Exhibit 9 – Stipulation and Order for Dismissal with Prejudice  | JA007054-<br>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-<br>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-<br>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-<br>JA007078   | 97               |
|             | Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims                                 | JA007079-<br>JA007084   | 97               |
|             | Exhibit 14 – Notice of Entry of Order Denying APCO Construction’s Motion for Reconsideration of Order Granting Partial Summary                                    | JA007085-<br>JA007087   | 97               |

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

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| <b>06-29-18</b>    | <b>Helix Electric of Nevada, LLC's Reply Re: Motion to Retax</b>   | <b>JA007225-<br/>JA007237</b>  | <b>100</b>              |
| <b>07-02-18</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA007238-<br/>JA007245</b>  | <b>100</b>              |
| <b>07-19-18</b>    | <b>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</b>   | <b>JA007246-<br/>JA007261</b>  | <b>100</b>              |
| <b>08-08-18</b>    | <b>Court's Decision on Attorneys' Fees and Cost Motions</b>  | <b>JA007262-<br/>JA007280</b>  | <b>100</b>              |
| <b>09-28-18</b>    | <b>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</b> | <b>JA007281-<br/>JA007299</b>  | <b>100</b>              |
| <b>01-24-19</b>    | <b>Transcript for All Pending Fee Motions on July 19, 2018</b>   | <b>JA007300-<br/>JA007312</b>  | <b>100/101</b>          |
| <b>07-12-19</b>    | <b>Order Dismissing Appeal (Case No. 76276)</b>  | <b>JA007313-<br/>JA007315</b>  | <b>101</b>              |

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| 08-06-19    | <b>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</b>   | JA007316-<br>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-<br>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-<br>JA007344   | 101              |
|             | Exhibit 3 - Notice of Appeal  | JA007345-<br>JA007394   | 101/102          |
|             | Exhibit 4 – Amended Notice of Appeal  | JA007395-<br>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-<br>JA007517   | 102/103          |

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|             | Solutions, Inc., E&E Fire Protection   |                         |                                     |
|             | Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)   | JA007518-<br>JA007519   | 103                                 |
|             | Exhibit 7 – Order to Show Cause  | JA007520-<br>JA007542   | 103                                 |
|             | Exhibit 8 -Order Dismissing Appeal (Case No. 76276)  | JA007524-<br>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-<br>JA007541  | 103                                 |
|             | Exhibit 10 (Part One)  | JA007537-<br>JA007542   | 103                                 |
|             | Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)   | JA007543-<br>JA007585   | 103                                 |
|             | Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)   | JA007586-<br>JA008129   | 103/104/105<br>/106/107<br>/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-<br>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-<br>JA008141   | 109                                 |
|             | Exhibit 10 (Part Two)  | JA008142-<br>JA008149   | 109                                 |

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



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|                    | 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<br>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-<br>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-<br>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-<br>JA008450          | 110/111                 |
|                    | Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008451-<br>JA008486          | 111                     |
|                    | Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008468-<br>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-<br>JA008504          | 111                     |

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

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|                    | 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-<br>JA008624          | 112                     |
|                    | Exhibit 10GG – HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008625-<br>JA008642          | 112                     |
|                    | Exhibit 10HH – APCO Construction's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008643-<br>JA008657          | 112                     |
|                    | Exhibit 10II – Amended Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008658-<br>JA008664          | 112                     |
|                    | Exhibit 10JJ -Defendants Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008665-<br>JA008681          | 112                     |
|                    | Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below  | JA008682-<br>JA008685          | 112                     |
|                    | Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice   | JA008686-<br>JA008693          | 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-<br>JA008717          | 112/113                 |
|                    | Exhibit 10NN-Notice of Appeal   | JA008718<br>JA008723           | 113                     |
|                    | Exhibit 10OO – Amended Notice of Appeal   | JA008724-<br>JA008729          | 113                     |
|                    | Exhibit 10PP – Notice of Cross Appeal   | JA008730-<br>JA008736          | 113                     |
|                    | Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276  | JA008737-<br>JA008746          | 113                     |
|                    | Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195                               | JA008747-<br>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-<br>JA008758           | 113                     |
|                    | Exhibit 13 – Stipulation and Order with Prejudice   | JA008759-<br>JA008780          | 113                     |
|                    | Exhibit 14 – Docket/United Subcontractors, Inc. dba Skyline Insulation’s Motion to Enforce Settlement Agreement and Enter Judgment                                | JA008762-<br>JA008788          | 113                     |
|                    | Exhibit 15 – Notice of Entry of Order Granting Motion for 54(b) Certification and for Stay Pending Appeal   | JA008789-<br>JA008798          | 113                     |

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|                 | Exhibit 16 – Notice of Appeal  | JA008799-<br>JA008810         | 113              |
| <b>08-16-19</b> | <b>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</b> | <b>JA008811-<br/>JA008821</b> | <b>114</b>       |
|                 | Exhibit 1 – Order to File Amended Docketing Statement  | JA008822-<br>JA008824         | 114              |
|                 | Exhibit 2 – Order to Show Cause  | JA008825-<br>JA008828         | 114              |
|                 | Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause   | JA008829-<br>JA008892         | 114/115/116      |
|                 | Exhibit 4 – Order Dismissing Appeal  | JA008893-<br>JA008896         | 116              |
|                 | Exhibit 5 – Chart of Claims  | JA008897-<br>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-<br>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-<br>JA008965         | 117              |
|                 | Exhibit 8 – Answer to Heinaman Contract Glazing’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco   | JA008966-<br>JA008986         | 117/118          |

| <u>Date</u>     | <u>Description</u>  | <u>Bates<br/>Number</u>       | <u>Volume(s)</u> |
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|                 | Pacific Construction's Counterclaim   |                               |                  |
|                 | 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-<br>JA008998         | 118              |
|                 | Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.   | JA008998-<br>JA009010         | 118              |
|                 | Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing  | JA009011-<br>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-<br>JA009038         | 118              |
|                 | Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO  | JA009039-<br>JA009110         | 118/119          |
|                 | Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal  | JA009111-<br>JA009113         | 119              |
|                 | Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond  | JA009114-<br>JA009116         | 119              |
| <b>08-29-19</b> | <b>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)</b>    | <b>JA009117-<br/>JA009123</b> | <b>119</b>       |

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|                 | <b>Dismiss All Unresolved Claims and/or (III) In The Alternative for a Rule 54(B) Certification as to Helix and APCO</b>   |                               |                  |
| <b>01-03-20</b> | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification</b>   | <b>JA009124-<br/>JA009131</b> | <b>119</b>       |
| <b>01-29-20</b> | <b>Notice of Appeal</b>  | <b>JA009132-<br/>JA009136</b> | <b>119/120</b>   |
|                 | 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-<br>JA009166         | 120              |
|                 | Exhibit [C] – Notice of Entry of Order Granting Helix Electric of Nevada's Rule 54(b) Certification  | JA009148-<br>JA009156         | 120              |
| <b>02-11-20</b> | <b>Case Appeal Statement</b>   | <b>JA009157-<br/>JA009163</b> | 120              |
| <b>02-11-20</b> | <b>APCO's Notice of Cross Appeal</b>   | <b>JA009164-<br/>JA010310</b> | 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-<br>JA009182         | 120              |

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



## **ALPHABETICAL APPENDIX OF EXHIBITS**

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

| <u><b>Date</b></u> | <u><b>Description</b></u>   | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
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|                    |   | JA006442                       |                         |
|                    | Exhibit 7B – Time Recap   | JA006443-<br>JA006474          | 88                      |
|                    | Exhibit 8 – Declaration of Cody S. Munteer, Esq. in Support of Motion for Attorney’s Fees and Costs   | JA006475-<br>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-<br>JA006487          | 88                      |
|                    | Exhibit 10 – Depository Index   | JA006488-<br>JA006508          | 88/89                   |
| <b>06-06-13</b>    | <b>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</b>   | <b>JA000044-<br/>JA000054</b>  | <b>1</b>                |
|                    | 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-<br>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-<br>JA000326          | 6                       |
| <b>02-11-20</b>    | <b>APCO’s Notice of Cross Appeal</b>  | <b>JA009164-<br/>JA010310</b>  | <b>120</b>              |
|                    | 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-<br>JA009182          | 114                     |

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|                    | 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-<br>JA00991           | 120                     |
| <b>11-06-17</b>    | <b>APCO Construction, Inc.'s Omnibus Motion <i>in Limine</i></b>   | <b>JA000590<br/>JA000614</b>   | <b>9</b>                |
|                    | Exhibit 1 – Second Amended Notice of taking NRCP Rule 30(b)(6) Deposition of Person Most Knowledgeable for Zitting Brothers Construction, Inc.   | JA000615-<br>JA000624          | 9                       |
|                    | Exhibit 2 – Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction  | JA000625-<br>JA000646          | 9                       |
|                    | Exhibit 3 – Excerpts from Samuel Zitting's Deposition Transcript taken October 27, 2017  | JA000647-<br>JA000678          | 9/10                    |
|                    | Exhibit 4 – Statement of Facts Constituting Lien on Behalf of Buchele, Inc.  | JA000679-<br>JA000730          | 10                      |
|                    | Exhibit 5 – Subcontract Agreement dated April 17, 2007   | JA000731-<br>JA000808          | 10/11                   |
|                    | Exhibit 6 – Subcontract Agreement dated April 17, 2007   | JA000809-<br>JA000826          | 11/12                   |
|                    | Exhibit 7 – Email from Mary Bacon dated October 16, 2017   | JA000827-<br>JA000831          | 12                      |
|                    | Exhibit 8 – Email from Mary Bacon dated October 17, 2017   | JA000832-<br>JA000837          | 12                      |
|                    | Exhibit 9 – Email from Eric Zimbelman dated October 17, 2017   | JA000838-<br>JA000844          | 12                      |
|                    | Exhibit 10 – Special Master Report, Recommendation and District Court Order  | JA00845-<br>JA000848           | 12                      |

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|                    | Exhibit 11 – Plaintiff in Intervention, National Wood Products, Inc.’s Initial Disclosures Pursuant to NRCP 16.1   | JA000849-<br>JA000856          | 12                      |
|                    | Exhibit 12 – Plaintiff in Intervention, National Wood Products, Inc.’s First Supplemental Disclosures Pursuant to NRCP 16.1  | JA000857-<br>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-<br>JA000873          | 12                      |
|                    | Exhibit 14 – Excerpts from Helix Electric of Nevada, LLC’s 30(b)(6) Witness Deposition Transcript taken July 20, 2017  | JA000874-<br>JA000897          | 12                      |
| <b>03-23-18</b>    | <b>APCO Opposition to Helix Electric of Nevada, LLC’s Findings of Fact and Conclusions of Law</b>  | <b>JA006125-<br/>JA006172</b>  | <b>83/84</b>            |
| <b>08-16-19</b>    | <b>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</b> | <b>JA008811-<br/>JA008821</b>  | <b>114</b>              |
|                    | Exhibit 1 – Order to File Amended Docketing Statement  | JA008822-<br>JA008824          | 114                     |
|                    | Exhibit 2 – Order to Show Cause  | JA008825-<br>JA008828          | 114                     |
|                    | Exhibit 3 – Appellant/Cross-Respondent’s Response to Order to Show Cause   | JA008829-<br>JA008892          | 114/115/116             |
|                    | Exhibit 4 – Order Dismissing Appeal  | JA008893-<br>JA008896          | 116                     |
|                    | Exhibit 5 – Chart of Claims  | JA008897-<br>JA008924          | 116                     |
|                    | Exhibit 6 – Answer to Helix Electric’s Statement of Facts Constituting Lien and Third-Party Complaint and Camco  | JA008925-<br>JA008947          | 116/117                 |

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | 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-<br>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-<br>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-<br>JA008998          | 118                     |
|                    | Exhibit 10 – Findings of Fact and Conclusions of Law as to the Claims of Cactus Rose Construction Co., Inc.  | JA008998-<br>JA009010          | 118                     |
|                    | Exhibit 11 – Findings of Fact and Conclusions of Law as to the Claims of Heinaman Contract Glazing   | JA009011-<br>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-<br>JA009038          | 118                     |
|                    | Exhibit 13 – Findings of Fact and Conclusions of Law as to the Claims of Helix Electric and Cabenetec Against APCO   | JA009039-<br>JA009110          | 118/119                 |
|                    | Exhibit 14 – Order Granting Motion to Deposit Bond Penal Sum with Court, Exoneration of Bond and Dismissal   | JA009111-<br>JA009113          | 119                     |
|                    | Exhibit 15 – Order Approving Distribution of Fidelity and Deposit Company of Maryland's Bond   | JA009114-<br>JA009116          | 119                     |

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

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Exhibit 1 – Special Master Report Regarding Discovery Status   | JA001149-<br>JA001151          | 21                      |
|                    | Exhibit 2 – Notice of Taking NRCP Rule 30(b)(6) Deposition of the Person Most Knowledgeable for Zitting Brothers Construction, Inc.  | JA001152-<br>JA001160          | 21                      |
| <b>06-29-18</b>    | <b>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.</b> | <b>JA007198-<br/>JA007220</b>  | <b>99</b>               |
|                    | Exhibit 1 – Invoice Summary by Matter Selection  | JA007221-<br>JA007222          | 99                      |
|                    | Exhibit 2 – Marquis Aurbach Coffing Invoice to APCO dated April 30, 2018   | JA007223-<br>JA007224          | 99                      |
| <b>04-26-10</b>    | <b>CAMCO and Fidelity’s Answer and CAMCO’s Counterclaim</b>  | <b>JA000031-<br/>JA000041</b>  | <b>1</b>                |
| <b>11-14-17</b>    | <b>Camco Pacific Construction Company, Inc.’s Opposition to Lien Claimants’ Motions in Limine Nos. 1-6</b>   | <b>JA000898-<br/>JA000905</b>  | <b>12</b>               |
|                    | Exhibit A – Nevada Construction Services Cost Plus GMP Contract Disbursement Agreement   | JA000906-<br>JA000907          | 12                      |
|                    | Exhibit B – Scott Financial Corporation’s April 28, 2009 letter to the Nevada State Contractor’s Board   | JA000908-<br>JA000915          | 2/13                    |
|                    | Exhibit C – E-mail from Alex Edelstein dated December 15, 2008 Re: Letter to Subs  | JA000916-<br>JA000917          | 13                      |
|                    | Exhibit D – Camco Pacific’s letter dated December 22, 2008   | JA000918-<br>JA000920          | 13                      |
|                    | Exhibit E – Order Approving Sale of Property   | JA000921-<br>JA000928          | 13                      |
| <b>02-11-20</b>    | <b>Case Appeal Statement</b>   | <b>JA009157-<br/>JA009163</b>  | <b>120</b>              |

| <b><u>Date</u></b> | <b><u>Description</u></b>  | <b><u>Bates<br/>Number</u></b> | <b><u>Volume(s)</u></b> |
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| <b>08-08-18</b>    | <b>Court's Decision on Attorneys' Fees and Cost Motions</b>  | <b>JA007262-<br/>JA007280</b>  | <b>100</b>              |
| <b>06-15-18</b>    | <b>Declaration of S. Judy Hirahara in support of National Woods's Opposition to APCO Construction's Motion for Attorneys' Fees and Costs</b>             | <b>JA007121-<br/>JA007189</b>  | <b>98</b>               |
| <b>06-13-13</b>    | <b>Docket Entry and Minute Order Granting APCO's Motion for Summary Judgment Against Gemstone</b>  | <b>JA000327</b>                | <b>6</b>                |
| <b>04-25-18</b>    | <b>Findings of Fact and Conclusions of Law and Order as the Claims of Helix Electric and Cabinetec Against APCO</b>                                      | <b>JA006194-<br/>JA006264</b>  | <b>84/85</b>            |
| <b>11-06-17</b>    | <b>Helix Electric of Nevada's Motion <i>in Limine</i> Nos. 1-4</b>   | <b>JA000534-<br/>JA000542</b>  | <b>8</b>                |
|                    | Exhibit 1 – Notice of Entry of Order   | JA000543-<br>JA000549          | 8                       |
|                    | Exhibit 2 – Helix Electric of Nevada, LLC's Amended Notice of 30(b)(6) Deposition of APCO Construction   | JA000550<br>JA000558           | 8/9                     |
|                    | Exhibit 3 - Excerpts from Brian Benson Deposition Transcript taken June 5, 2017  | JA000559<br>JA000574           | 9                       |
|                    | Exhibit 4 – Excerpts from Mary Jo Allen's Deposition Transcript taken July 18, 2017  | JA000575-<br>JA000589          | 9                       |
| <b>06-01-18</b>    | <b>Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA006551-<br/>JA006563</b>  | <b>90</b>               |
|                    | 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-<br>JA006574          | 90                      |
|                    | Exhibit 2 – Memorandum of Costs and Disbursements (Helix Electric of Nevada, LLC)  | JA006575-<br>JA006580          | 90                      |
|                    | Exhibit 3 – Prime Interest Rate  | JA006581-<br>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-<br>JA006588         | 90               |
|                 | Exhibit 5 – Summary of Fees   | JA006589-<br>JA006614         | 90               |
| <b>08-06-19</b> | <b>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</b>   | <b>JA007316-<br/>JA007331</b> | <b>101</b>       |
|                 | 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-<br>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-<br>JA007344         | 101              |
|                 | Exhibit 3 - Notice of Appeal  | JA007345-<br>JA007394         | 101/102          |
|                 | Exhibit 4 – Amended Notice of Appeal  | JA007395-<br>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-<br>JA007517         | 102/103          |

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|                    | Nevada, LLC, SWPPP Compliance Solutions, Inc., E&E Fire Protection   |                                |                                    |
|                    | Exhibit 6 – Order Dismissing Appeal in Part (Case No. 76276)   | JA007518-<br>JA007519          | 103                                |
|                    | Exhibit 7 – Order to Show Cause  | JA007520-<br>JA007542          | 103                                |
|                    | Exhibit 8 -Order Dismissing Appeal (Case No. 76276)  | JA007524-<br>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-<br>JA007541         | 103                                |
|                    | Exhibit 10 (Part One)  | JA007537-<br>JA007542          | 103                                |
|                    | Exhibit 10A – Docket 09A587168 (Accuracy Glass & Mirror v. APCO)   | JA007543-<br>JA007585          | 103                                |
|                    | Exhibit 10B -Docket 08A571228 (APCO v. Gemstone)   | JA007586-<br>JA008129          | 103/104/105/<br>106/107/108<br>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-<br>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-<br>JA008141          | 109                                |
|                    | Exhibit 10 (Part Two)  | JA008142-<br>JA008149          | 109                                |
|                    | Exhibit 10E – 131 Nev. Advance Opinion 70  | JA008150-<br>JA008167          | 109                                |
|                    | Exhibit 10F – Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status   | JA008168-<br>JA008170          | 109                                |

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|                    | Exhibit 10EG – Notice of Entry of Granting Plaintiff’s Motion to Dismiss   | JA008171-<br>JA008177          | 109                     |
|                    | Exhibit 10H – Complaint re Foreclosure   | JA008178-<br>JA008214          | 109                     |
|                    | Exhibit 10I – First Amended Complaint re Foreclosure   | JA008215-<br>JA008230          | 109                     |
|                    | Exhibit 10J – APCO Construction’s Answer to Accuracy Glass & Mirror Company’s First Amended Complaint re Foreclosure   | JA008231-<br>JA008265          | 109/110                 |
|                    | Exhibit 10K – Answer to Accuracy Glass & Mirror Company, Inc.’s Complaint and Camco Pacific Construction, Inc.’s Counterclaim                                      | JA008266-<br>JA008285          | 110                     |
|                    | Exhibit 10L – Accuracy Glass & Mirror Company, Inc.’s Answer to Camco Pacific Construction Company’s Counterclaim  | JA008286-<br>JA008290          | 110                     |
|                    | Exhibit 10M – Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008291-<br>JA008306          | 110                     |
|                    | Exhibit 10N – APCO Construction’s Answer to Helix Electric’s Amended Statement of Facts Constituting Lien and Third-Party Complaint                                | JA008307-<br>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-<br>JA008338          | 110                     |
|                    | Exhibit 10P – Notice of Entry of Helix Electric of Nevada, LLC’s Motion for Attorney’s Fees, Interest and Costs  | JA008339<br>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-<br>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-<br>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-<br>JA008450          | 110/111                 |
|                    | Exhibit 10T -WRG Design, Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008451-<br>JA008486          | 111                     |
|                    | Exhibit 10U – APCO Construction's Answer to WRG Design Inc.'s amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008468-<br>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-<br>JA008504          | 111                     |
|                    | Exhibit 10W – Notice of Entry of Stipulation and Order Dismissal   | JA008505-<br>JA008512          | 111                     |
|                    | Exhibit 10X – WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Counterclaim   | JA008513<br>JA008517           | 111                     |
|                    | Exhibit 10Y – Heinaman Contract Glazing's Amended Statement of Facts Constituting Lien and Third-Party Complaint   | JA008518-<br>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-<br>JA008551          | 111                     |

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|                    | Exhibit 10AA – Notice of Entry of Granting Heinaman Glazing’s Motion for Attorneys’s Fees, Interest and Costs  | JA008552-<br>JA008579          | 111/112                 |
|                    | Exhibit 10BB -Notice of Entry of Judgment [As to the Claims of Heinaman Contract Glazing Against Camco Construction Co., Inc.]   | JA008561-<br>JA008582          | 112                     |
|                    | Exhibit 10CC – Heinaman Contract Glazing’s Answer to Camco Pacific Construction Company’s Counterclaim   | JA008583<br>JA008588           | 112                     |
|                    | Exhibit 10DD - Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint   | JA008589-<br>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-<br>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-<br>JA008624          | 112                     |
|                    | Exhibit 10GG – HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008625-<br>JA008642          | 112                     |
|                    | Exhibit 10HH – APCO Construction’s Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008643-<br>JA008657          | 112                     |
|                    | Exhibit 10II – Amended Answer to HD Supply Waterworks’ Amended Statement of Facts Constituting Lien and Third-Party Complaint  | JA008658-<br>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-<br>JA008681          | 112                     |
|                    | Exhibit 10KK – Stipulation and Order to Dismiss E & E Fire Protection, LLC Only Pursuant to the Terms State Below   | JA008682-<br>JA008685          | 112                     |
|                    | Exhibit 10LL – HD Supply Waterworks, LP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice  | JA008686-<br>JA008693          | 112                     |
|                    | Exhibit 10MM – Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting Lien and Third-Party Complaint               | JA008694-<br>JA008717          | 112/113                 |
|                    | Exhibit 10NN-Notice of Appeal   | JA008718<br>JA008723           | 113                     |
|                    | Exhibit 10OO – Amended Notice of Appeal   | JA008724-<br>JA008729          | 113                     |
|                    | Exhibit 10PP – Notice of Cross Appeal   | JA008730-<br>JA008736          | 113                     |
|                    | Exhibit 10QQ – Motion to Suspend Briefing Pending Outcome of Order to Show Cause in Supreme Court Case No. 76276  | JA008737-<br>JA008746          | 113                     |
|                    | Exhibit 11 – Order to Consolidate this Action with Case Nos. A574391, A574792, A57623. A58389, A584730, A58716, A580889 and A589195                               | JA008747-<br>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-<br>JA008758           | 113                     |
|                    | Exhibit 13 – Stipulation and Order with Prejudice   | JA008759-<br>JA008780          | 113                     |

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

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|                    | Precluding Defenses Based on Pay-if-Paid Agreements   |                                |                         |
|                    | Exhibit 6A – Interstate Plumbing and Air Conditioning, LLC’s Response to Special Master Questionnaire   | JA006977-<br>JA006980          | 96                      |
|                    | Exhibit 6B – Nevada Prefab Engineers, Inc.’s Response to Special Master Questionnaire   | JA006981-<br>JA006984          | 96                      |
|                    | Exhibit 6C – Zitting Brothers Construction, Inc.’s Response to Special Master Questionnaire   | JA006985-<br>JA006993          | 96/97                   |
|                    | Exhibit 6D – Noorda Sheet Metal’s Notice of Compliance  | JA006994<br>JA007001           | 97                      |
|                    | Exhibit 6 E – Unitah Investments, LLC’s Special Master Questionnaire  | JA007002-<br>JA007005          | 97                      |
|                    | Exhibit 7A – Motion to Appoint Special Master   | JA007006-<br>JA007036          | 97                      |
|                    | Exhibit 7B – Letter from Floyd A. Hale dated August 2, 2016   | JA007037-<br>JA007060          | 97                      |
|                    | Exhibit 7C – Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amended Case Agenda      | JA007042-<br>JA007046          | 97                      |
|                    | Exhibit 8 – Notice of Entry of Order Granting Plaintiff’s Motion to Dismiss   | JA007047<br>JA007053           | 97                      |
|                    | Exhibit 9 – Stipulation and Order for Dismissal with Prejudice  | JA007054-<br>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-<br>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-<br>JA007088          | 97                      |



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|                    | 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-<br>JA007078          | 97                      |
|                    | Exhibit 13 – Notice of Entry of Order Denying APCO Constructions’ Motion for Partial Summary Judgment Re: Lien Foreclosure Claims   | JA007079-<br>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-<br>JA007087          | 97                      |
|                    | Exhibit 15 – Notice of Association of Counsel   | JA007088-<br>JA007094          | 97                      |
| <b>11-14-17</b>    | <b>Helix Electric of Nevada’s Opposition to APCO Construction’s Omnibus Motion in Limine</b>  | <b>JA000994-<br/>JA001008</b>  | <b>20</b>               |
|                    | Exhibit 1 – Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017  | JA001009-<br>JA001042          | 20                      |
|                    | Exhibit 2 - Excerpts from the Deposition Transcript of Brian Benson taken June 5, 2017  | JA001043-<br>JA001055          | 20                      |
|                    | Exhibit 3 – Special Master Order Requiring Completion of Questionnaire  | JA001056-<br>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-<br>JA001064          | 20                      |
|                    | Exhibit 5 - Excerpts from the Deposition Transcript of David E. Parry taken June 20, 2017   | JA001065<br>JA001132           | 20/21                   |
| <b>08-29-19</b>    | <b>Helix Electric of Nevada LLC’s Reply to APCO’s Opposition to Helix Electric of Nevada LLC’s Motion to (I) Re-</b>  | <b>JA009117-<br/>JA009123</b>  | <b>119</b>              |

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|                    | <b>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</b> |                                |                         |
| <b>06-29-18</b>    | <b>Helix Electric of Nevada, LLC's Reply Re: Motion to Retax</b>  | <b>JA007225-<br/>JA007237</b>  | <b>100</b>              |
| <b>03-23-18</b>    | <b>Helix Electric of Nevada, LLC's Responses to APCO Construction's Post-Trial Brief</b>  | <b>JA006173-<br/>JA006193</b>  | <b>84</b>               |
| <b>06-24-09</b>    | <b>Helix Electric's Statement of Facts Constituting Lien and Third-Party Complaint</b>  | <b>JA000001-<br/>JA000015</b>  | <b>1</b>                |
| <b>01-12-18</b>    | <b>Joint Pre-Trial Memorandum [for APCO Construction, Inc., the Peel Brimley Lien Claimants and National Wood Products, LLC ONLY]</b>                         | <b>JA001574-<br/>JA001594</b>  | <b>27/28</b>            |
|                    | Exhibit 1 – Exhibit List APCO   | JA001595-<br>JA001614          | 28                      |
|                    | Exhibit 2 – Helix Trial Exhibits  | JA001615-<br>JA001616          | 28                      |
|                    | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.   | JA001617-<br>JA001635          | 28                      |
|                    | Exhibit 4 – Cactus Rose Trial Exhibits  | JA001636-<br>JA001637          | 28                      |
|                    | Exhibit 5 – Heinaman Trial Exhibits   | JA001638-<br>JA001639          | 28                      |
|                    | Exhibit 6 – Fast Glass Trial Exhibits   | JA001640-<br>JA001641          | 28                      |
|                    | Exhibit 7 – SWPPP Trial Exhibits  | JA001642-<br>JA001643          | 28                      |
|                    | Exhibit 8 - Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i>  | JA001644-<br>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-<br>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-<br>JA001653          | 28                      |
|                    | Exhibit 11 - order granting Peel Brimley Lien Claimants' Motion in Limine Nos.1-6 (against Camco Pacific Construction, Inc.)   | JA001654-<br>JA001657          | 28                      |
|                    | Exhibit 12 - Order Granting Plaintiff in Intervention, National Wood Products, Inc.'s Motion <i>in Limine</i>  | JA001658-<br>JA001660          | 28                      |
|                    | Exhibit 13 - Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements   | JA001661-<br>JA001667          | 28/9/29                 |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting APCO Construction, Inc.'s Proposed Findings of Fact and Conclusions of Law</b>  | <b>JA005986-<br/>JA006058</b>  | <b>8/821</b>            |
| <b>03-08-18</b>    | <b>Letter to Judge Denton submitting Helix Electric of Nevada, LLC's (Proposed) Findings of Fact and Conclusions of Law</b>  | <b>JA005953-<br/>JA005985</b>  | <b>81</b>               |
| <b>01-04-18</b>    | <b>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</b> | <b>JA001199-<br/>JA001217</b>  | <b>22</b>               |
|                    | Exhibit 1 – Subcontract Agreement (Helix Electric of Nevada, LLC)  | JA001218-<br>JA001245          | 22/23/24                |
|                    | Exhibit 2 – Subcontract Agreement (Zitting Brothers)   | JA001246-<br>JA001263          | 24                      |

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|                    | Exhibit 3 – Subcontract Agreement (CabineTec)  | JA001264-<br>JA001281          | 24/25                   |
|                    | Exhibit 4 – Amended Notice of Lien   | JA001282-<br>JA001297          | 25                      |
|                    | Exhibit 5 - Amended NOL  | JA001298-<br>JA001309          | 25                      |
|                    | Exhibit 6 – Notice of Lien   | JA001310-<br>JA001313          | 25                      |
|                    | Exhibit 7 – Order Approving Sale of Property   | JA001314-<br>JA001376          | 25/26                   |
|                    | Exhibit 8 – Order Releasing Sale Proceeds from Court Controlled Escrow Account   | JA001377-<br>JA001380          | 26                      |
|                    | Exhibit 9 – Order Denying <i>En Banc</i> Reconsideration   | JA001381-<br>JA001385          | 26                      |
|                    | Exhibit 10 – Order Granting Peel Brimley Lien Claimants’ Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements | JA001386-<br>JA001392          | 26                      |
|                    | Exhibit 11 – Notice of Entry of Findings of Fact and Conclusions of Law and Judgment   | JA001393-<br>JA001430          | 26                      |
|                    | Exhibit 12 – Order Big D Construction Corp.’s Motion for Attorney’s Fees, Costs and Interest Pursuant to Judgment                                | JA001431-<br>JA001435          | 26                      |
|                    | Exhibit 13 – Appellant’s Opening Brief (Padilla v. Big D)  | JA001436-<br>JA001469          | 26                      |
|                    | Exhibit 14 – Respondent’s Answering Brief  | JA001470-<br>JA001516          | 26/27                   |
|                    | Exhibit 15 – Appellant’s Reply Brief (Padilla v. Big D)  | JA001517-<br>JA001551          | 27                      |
| <b>01-29-20</b>    | <b>Notice of Appeal</b>  | <b>JA009132-<br/>JA009136</b>  | <b>119/120</b>          |
|                    | Exhibit A – Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC and Plaintiff in Intervention                         | JA009137-<br>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-<br>JA009156          | 120                     |
| <b>05-31-18</b>    | <b>Notice of Entry of Judgment [As to the Claims of Helix Electric of Nevada, LLC Against Camco Construction, Co., Inc.]</b>   | <b>JA006522<br/>JA006540</b>   | <b>89</b>               |
| <b>06-01-18</b>    | <b>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.]</b>  | <b>JA006541<br/>JA006550</b>   | <b>90</b>               |
| <b>09-28-18</b>    | <b>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</b> | <b>JA007281-<br/>JA007299</b>  | <b>100</b>              |
| <b>12-29-17</b>    | <b>Notice of Entry of Order Granting in Part and Denying in Part APCO Construction's Omnibus Motion <i>in Limine</i></b>   | <b>JA001178-<br/>JA001186</b>  | <b>22</b>               |
| <b>07-02-18</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Attorneys' Fees, Interest and Costs</b>  | <b>JA007238-<br/>JA007245</b>  | <b>100</b>              |
| <b>01-03-20</b>    | <b>Notice of Entry of Order Granting Helix Electric of Nevada, LLC's Motion for Rule 54(b) Certification</b>   | <b>JA009124-<br/>JA009131</b>  | <b>119</b>              |

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| 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-<br>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-<br>JA001177          | 22                      |
| 12-29-17           | Notice of Entry of Order Granting Peel Brimley Lien Claimants' Motion <i>in Limine</i> 1-6   | JA001161-<br>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-<br>JA005283          | 78                      |
| 07-12-19           | Order Dismissing Appeal (Case No. 76276)   | JA007332-<br>JA007334          | 101                     |
| 07-02-10           | Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaim and Entering Default  | JA000042-<br>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-<br>JA000342          | 6                       |
|                    | Exhibit 1 – APCO Construction's Answers to Helix Electric of Nevada, LLC's First Request for Interrogatories   | JA000343-<br>JA000379          | 6                       |
|                    | Exhibit 2 – Camco Pacific Construction Company, Inc.'s Responses to Helix Electric of Nevada, LLC's Interrogatories  | JA000380-<br>JA000392          | 6                       |
| 11-06-17           | Peel Brimley Lien Claimants' Motion <i>in Limine</i> Nos. 1-6  | JA000419-<br>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-<br>JA000472          | 7/8                     |
|                    | Exhibit 3 – Excerpt from David E. Parry’s Deposition Transcript taken June 20, 2017   | JA000473<br>JA00489            | 8                       |
|                    | Exhibit 4 – Cactus Rose Construction, Inc.’s First Set of Request for Admissions to Camco Pacific Construction  | JA00490<br>JA000500            | 8                       |
|                    | Exhibit 5 – Fast Glass, Inc.’s First Set of Request for Admissions to Camco Pacific Construction  | JA000501-<br>JA000511          | 8                       |
|                    | Exhibit 6 – Heinaman Contract Glazing, Inc.’s First Set of Request for Admissions to Camco Pacific Construction   | JA000512-<br>JA000522          | 8                       |
|                    | Exhibit 7 – Helix Electric of Nevada, LLC’s First Set of Request for Admissions to Camco Pacific Construction   | JA000523-<br>JA000533          | 8                       |
| <b>09-28-17</b>    | <b>Peel Brimley Lien Claimants’ Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</b>   | <b>JA000413-<br/>JA00418</b>   | <b>7</b>                |
| <b>01-09-18</b>    | <b>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</b>                             | <b>JA001552-<br/>JA001560</b>  | <b>27</b>               |
| <b>06-18-18</b>    | <b>Plaintiff in Intervention National Wood Products, Inc.’s Joinder to Helix Electric of Nevada, LLC’s Opposition</b>   | <b>JA007190-<br/>JA007192</b>  | <b>99</b>               |

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|             | 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-<br>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-<br>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-<br>JA001573   | 27               |
| 01-18-18    | Stipulation and Order Regarding Trial Exhibit Admitted into Evidence   | JA002199-<br>JA002201   | 36               |
|             | Exhibit 1 – Exhibit List APCO  | JA002208-<br>JA002221   | 36               |
|             | Exhibit 2 – Helix Trial Exhibits   | JA002222-<br>JA002223   | 36               |
|             | Exhibit 3 – Exhibit List Plaintiff in Intervention National Wood Products, Inc.  | JA002224-<br>JA002242   | 36/37            |
|             | <b>APCO TRIAL EXHIBITS:</b>  |                         |                  |
|             | <b>APCO Related Exhibits:</b>  |                         |                  |
|             | 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-<br>JA002282   | 37/38            |
|             | Trial Exhibit 12 and 107 - Email from C. Colligan to Subcontractors re: Subcontractor Concerns   | JA002283-<br>JA002284   | 38               |



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|                    | 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-<br>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-<br>JA002308          | 39                      |
|                    | Trial Exhibits 33 and 126 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)  | JA002309-<br>JA002310          | 39                      |
|                    | Exhibit 34 and 128 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed)   | JA002311-<br>JA002312-         | 40                      |
|                    | Trial Exhibit 35 - Photo re: Building 8 & 9, Interior (Showing drywall still not completed and no electrical trim or fixtures installed)        | JA002313-<br>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-<br>JA002316          | 40                      |

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

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

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

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

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

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

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

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<sup>5</sup> Filed January 31, 2018



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|                    | Trial Exhibit 13 - Letter from A. Edelstein to Re. Nickerl Re: Termination for Cause (Gemstone) <i>(Admitted)</i>  | JA001988-<br>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-<br>JA002010          | 33                      |
|                    | Trial Exhibit 15 - Letter from R. Nickerl to A. Edelstein Re: 48-Hour Notices <i>(Admitted)</i>  | JA002011-<br>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-<br>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-<br>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-<br>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-<br>JA002120          | 34/35                   |
|                    | Trial Exhibit 45 - Subcontractor Agreement <i>(Admitted)</i>   | JA002121-<br>JA002146          | 35                      |

| <u><b>Date</b></u> | <u><b>Description</b></u>  | <u><b>Bates<br/>Number</b></u> | <u><b>Volume(s)</b></u> |
|--------------------|--|--------------------------------|-------------------------|
|                    | Trial Exhibit 162 - Amended and Restated General Construction Agreement between Gemstone and CAMCO ( <i>Admitted</i> )                         | JA002147-<br>JA002176          | 35/36                   |
|                    | Trial Exhibit 212 - Letter from Edelstein to R. Nickerl re: NRS 624 Notice ( <i>Admitted</i> )   | JA002177-<br>JA002181          | 36                      |
|                    | Trial Exhibit 215 - Email from C. Colligan to Subcontractors re: 48-hour Termination Notice ( <i>Admitted</i> )                                | JA002182-<br>JA002185          | 36                      |
|                    | Trial Exhibit 216 - Email from C. Colligan re: Meeting with Subcontractors ( <i>Admitted</i> )   | JA002186-<br>JA002188          | 36                      |
|                    | Trial Exhibit 506 – Email and Contract Revisions ( <i>Admitted</i> )   | JA002189 –<br>JA002198         | 36                      |
| <b>01-18-18</b>    | <b>Transcript – Bench Trial (Day 2)<sup>6</sup></b>  | JA005284-<br>JA005370          | 78                      |
|                    | Trial Exhibit 535 – Deposition Transcript of Andrew Rivera (Exhibit 99) ( <i>Admitted</i> )  | JA005371-<br>JA005623          | 78/79/80                |
| <b>01-19-18</b>    | <b>Transcript – Bench Trial (Day 3)<sup>7</sup></b>  | JA005624-<br>JA005785          | 80                      |
|                    | Trial Exhibit 231 – Helix Electric’s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint ( <i>Admitted</i> )      | JA005786-<br>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-<br>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                      |

<sup>6</sup> Filed January 31, 201879

<sup>7</sup> Filed January 31, 2018

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

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<sup>8</sup> Filed January 31, 2018

|  |                            |                            |                                   |             |
|--|----------------------------|----------------------------|-----------------------------------|-------------|
| <b>Balance Due as of 05/25/2018</b>                        |                            |                            |                                   | <b>0.00</b> |
| 05/12/2010   | Transaction Assessment     |                            |                                   | 200.00      |
| 05/12/2010   | Efile Payment              | Receipt # 2010-16126-CCCLK | Renaissance Pools & Spas Inc      | (200.00)    |
| 07/19/2010   | Transaction Assessment     |                            |                                   | 200.00      |
| 07/19/2010   | Efile Payment              | Receipt # 2010-30910-CCCLK | Renaissance Pools & Spas Inc      | (200.00)    |
| <b>Counter Defendant Selectbuild Nevada Inc</b>            |                            |                            |                                   |             |
|  | Total Financial Assessment |                            |                                   | 422.00      |
|  | Total Payments and Credits |                            |                                   | 422.00      |
| <b>Balance Due as of 05/25/2018</b>                        |                            |                            |                                   | <b>0.00</b> |
| 05/14/2010   | Transaction Assessment     |                            |                                   | 200.00      |
| 05/14/2010   | Efile Payment              | Receipt # 2010-16711-CCCLK | Selectbuild Nevada Inc            | (200.00)    |
| 06/26/2010   | Transaction Assessment     |                            |                                   | 200.00      |
| 06/26/2010   | Efile Payment              | Receipt # 2010-25454-CCCLK | Selectbuild Nevada Inc            | (200.00)    |
| 01/09/2012   | Transaction Assessment     |                            |                                   | 5.50        |
| 01/09/2012   | Efile Payment              | Receipt # 2012-02855-CCCLK | Selectbuild Nevada Inc            | (5.50)      |
| 01/17/2012   | Transaction Assessment     |                            |                                   | 5.50        |
| 01/17/2012   | Efile Payment              | Receipt # 2012-06163-CCCLK | Selectbuild Nevada Inc            | (5.50)      |
| 03/21/2012   | Transaction Assessment     |                            |                                   | 5.50        |
| 03/21/2012   | Efile Payment              | Receipt # 2012-37097-CCCLK | Selectbuild Nevada Inc            | (5.50)      |
| 06/12/2012   | Transaction Assessment     |                            |                                   | 5.50        |
| 06/12/2012   | Efile Payment              | Receipt # 2012-74173-CCCLK | Selectbuild Nevada Inc            | (5.50)      |
| <b>Counter Defendant Steel Structures Inc</b>              |                            |                            |                                   |             |
|  | Total Financial Assessment |                            |                                   | 200.00      |
|  | Total Payments and Credits |                            |                                   | 200.00      |
| <b>Balance Due as of 05/25/2018</b>                        |                            |                            |                                   | <b>0.00</b> |
| 08/04/2017   | Transaction Assessment     |                            |                                   | 200.00      |
| 08/04/2017   | Efile Payment              | Receipt # 2017-62463-CCCLK | Steel Structures Inc              | (200.00)    |
| <b>Counter Defendant WRG Design Inc</b>                    |                            |                            |                                   |             |
|  | Total Financial Assessment |                            |                                   | 200.00      |
|  | Total Payments and Credits |                            |                                   | 200.00      |
| <b>Balance Due as of 05/25/2018</b>                        |                            |                            |                                   | <b>0.00</b> |
| 05/06/2010   | Transaction Assessment     |                            |                                   | 200.00      |
| 05/06/2010   | Efile Payment              | Receipt # 2010-14941-CCCLK | WRG Design Inc                    | (200.00)    |
| <b>Counter Defendant Zitting Brothers Construction Inc</b> |                            |                            |                                   |             |
|  | Total Financial Assessment |                            |                                   | 1,200.00    |
|  | Total Payments and Credits |                            |                                   | 1,200.00    |
| <b>Balance Due as of 05/25/2018</b>                        |                            |                            |                                   | <b>0.00</b> |
| 05/28/2010   | Transaction Assessment     |                            |                                   | 200.00      |
| 05/28/2010   | Efile Payment              | Receipt # 2010-19998-CCCLK | Zitting Brothers Construction     | (200.00)    |
| 07/23/2010   | Transaction Assessment     |                            |                                   | 200.00      |
| 07/23/2010   | Efile Payment              | Receipt # 2010-32573-CCCLK | Zitting Brothers Construction     | (200.00)    |
| 06/01/2016   | Transaction Assessment     |                            |                                   | 200.00      |
| 06/01/2016   | Efile Payment              | Receipt # 2016-52498-CCCLK | Zitting Brothers Construction Inc | (200.00)    |
| 08/02/2017   | Transaction Assessment     |                            |                                   | 200.00      |
| 08/02/2017   | Efile Payment              | Receipt # 2017-61635-CCCLK | Zitting Brothers Construction Inc | (200.00)    |
| 08/04/2017   | Transaction Assessment     |                            |                                   | 200.00      |
| 08/04/2017   | Efile Payment              | Receipt # 2017-62282-CCCLK | Zitting Brothers Construction Inc | (200.00)    |
| 08/09/2017   | Transaction Assessment     |                            |                                   | 200.00      |
| 08/09/2017   | Efile Payment              | Receipt # 2017-63393-CCCLK | Zitting Brothers Construction Inc | (200.00)    |
| <b>Defendant Gemstone Development West Inc</b>             |                            |                            |                                   |             |
|  | Total Financial Assessment |                            |                                   | 222.00      |
|  | Total Payments and Credits |                            |                                   | 222.00      |
| <b>Balance Due as of 05/25/2018</b>                        |                            |                            |                                   | <b>0.00</b> |
| 05/04/2009   | Transaction Assessment     |                            |                                   | 9.00        |
| 05/04/2009   | Payment (Window)           | Receipt # 2009-18685-FAM   | Bowler dixon & Twitchell LLP      | (9.00)      |
| 07/29/2009   | Transaction Assessment     |                            |                                   | 203.00      |
| 08/04/2009   | Efile Payment              | Receipt # 2009-03738-CCCLK | HOLLAND & HART, LLP               | (203.00)    |
| 05/24/2013   | Transaction Assessment     |                            |                                   | 5.00        |
| 05/24/2013   | Transaction Assessment     |                            |                                   | 5.00        |
| 05/24/2013   | Payment (Window)           | Receipt # 2013-63938-CCCLK | American Legal Investigation      | (10.00)     |

|                                       |                        |                             |          |
|---------------------------------------|------------------------|-----------------------------|----------|
| Defendant Scott Financial Corporation |                        |                             |          |
| Total Financial Assessment            |                        |                             | 1,021.50 |
| Total Payments and Credits            |                        |                             | 1,021.50 |
| Balance Due as of 05/25/2018          |                        |                             | 0.00     |
| 08/25/2009                            | Transaction Assessment |                             | 223.00   |
| 08/25/2009                            | Efile Payment          | Receipt # 2009-49342-FAM    | (223.00) |
| 05/07/2010                            | Transaction Assessment |                             | 10.00    |
| 05/07/2010                            | Efile Payment          | Receipt # 2010-15307-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16819-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16820-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16821-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16823-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16825-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16827-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16828-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16830-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16832-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16833-CCCLK  | (10.00)  |
| 05/14/2010                            | Transaction Assessment |                             | 10.00    |
| 05/14/2010                            | Efile Payment          | Receipt # 2010-16835-CCCLK  | (10.00)  |
| 05/18/2010                            | Transaction Assessment |                             | 10.00    |
| 05/18/2010                            | Efile Payment          | Receipt # 2010-17318-CCCLK  | (10.00)  |
| 05/18/2010                            | Transaction Assessment |                             | 10.00    |
| 05/18/2010                            | Efile Payment          | Receipt # 2010-17321-CCCLK  | (10.00)  |
| 06/10/2010                            | Transaction Assessment |                             | 210.00   |
| 06/10/2010                            | Efile Payment          | Receipt # 2010-22473-CCCLK  | (210.00) |
| 06/12/2010                            | Transaction Assessment |                             | 10.00    |
| 06/12/2010                            | Efile Payment          | Receipt # 2010-22859-CCCLK  | (10.00)  |
| 06/12/2010                            | Transaction Assessment |                             | 10.00    |
| 06/12/2010                            | Efile Payment          | Receipt # 2010-22893-CCCLK  | (10.00)  |
| 06/12/2010                            | Transaction Assessment |                             | 10.00    |
| 06/12/2010                            | Efile Payment          | Receipt # 2010-22895-CCCLK  | (10.00)  |
| 06/12/2010                            | Transaction Assessment |                             | 10.00    |
| 06/12/2010                            | Efile Payment          | Receipt # 2010-22911-CCCLK  | (10.00)  |
| 06/16/2010                            | Transaction Assessment |                             | 10.00    |
| 06/16/2010                            | Efile Payment          | Receipt # 2010-23410-CCCLK  | (10.00)  |
| 06/17/2010                            | Transaction Assessment |                             | 10.00    |
| 06/17/2010                            | Efile Payment          | Receipt # 2010-23804-CCCLK  | (10.00)  |
| 06/23/2010                            | Transaction Assessment |                             | 6.00     |
| 06/23/2010                            | Efile Payment          | Receipt # 2010-24810-CCCLK  | (6.00)   |
| 06/25/2010                            | Transaction Assessment |                             | 6.00     |
| 06/25/2010                            | Efile Payment          | Receipt # 2010-25260-CCCLK  | (6.00)   |
| 06/30/2010                            | Transaction Assessment |                             | 10.00    |
| 06/30/2010                            | Efile Payment          | Receipt # 2010-25906-CCCLK  | (10.00)  |
| 06/30/2010                            | Transaction Assessment |                             | 10.00    |
| 06/30/2010                            | Efile Payment          | Receipt # 2010-25907-CCCLK  | (10.00)  |
| 06/30/2010                            | Transaction Assessment |                             | 10.00    |
| 06/30/2010                            | Efile Payment          | Receipt # 2010-25908-CCCLK  | (10.00)  |
| 07/09/2010                            | Transaction Assessment |                             | 10.00    |
| 07/09/2010                            | Efile Payment          | Receipt # 2010-28546-CCCLK  | (10.00)  |
| 07/19/2010                            | Transaction Assessment |                             | 10.00    |
| 07/19/2010                            | Efile Payment          | Receipt # 2010-30810-CCCLK  | (10.00)  |
| 07/22/2010                            | Transaction Assessment |                             | 10.00    |
| 07/22/2010                            | Efile Payment          | Receipt # 2010-31997-CCCLK  | (10.00)  |
| 09/04/2010                            | Transaction Assessment |                             | 10.00    |
| 09/04/2010                            | Efile Payment          | Receipt # 2010-44313-CCCLK  | (10.00)  |
| 10/02/2010                            | Transaction Assessment |                             | 5.50     |
| 10/02/2010                            | Efile Payment          | Receipt # 2010-51382-CCCLK  | (5.50)   |
| 10/05/2010                            | Transaction Assessment |                             | 5.50     |
| 10/05/2010                            | Efile Payment          | Receipt # 2010-51919-CCCLK  | (5.50)   |
| 12/15/2010                            | Transaction Assessment |                             | 5.50     |
| 12/15/2010                            | Efile Payment          | Receipt # 2010-70226-CCCLK  | (5.50)   |
| 12/17/2010                            | Transaction Assessment |                             | 5.50     |
| 12/17/2010                            | Efile Payment          | Receipt # 2010-70634-CCCLK  | (5.50)   |
| 11/07/2011                            | Transaction Assessment |                             | 5.50     |
| 11/07/2011                            | Efile Payment          | Receipt # 2011-126523-CCCLK | (5.50)   |
| 11/08/2011                            | Transaction Assessment |                             | 5.50     |
| 11/08/2011                            | Efile Payment          | Receipt # 2011-127208-CCCLK | (5.50)   |
| 11/09/2011                            | Transaction Assessment |                             | 5.50     |
| 11/09/2011                            | Efile Payment          | Receipt # 2011-127436-CCCLK | (5.50)   |
| 12/13/2011                            | Transaction Assessment |                             | 5.50     |
| 12/13/2011                            | Efile Payment          | Receipt # 2011-141761-CCCLK | (5.50)   |
| 12/13/2011                            | Transaction Assessment |                             | 5.50     |

|            |                        |                             |                             |        |
|------------|------------------------|-----------------------------|-----------------------------|--------|
| 12/13/2011 | Efile Payment          | Receipt # 2011-142197-CCCLK | Scott Financial Corporation | (5.50) |
| 12/15/2011 | Transaction Assessment |                             |                             | 5.50   |
| 12/15/2011 | Efile Payment          | Receipt # 2011-142818-CCCLK | Scott Financial Corporation | (5.50) |
| 01/13/2012 | Transaction Assessment |                             |                             | 5.50   |
| 01/13/2012 | Efile Payment          | Receipt # 2012-05434-CCCLK  | Scott Financial Corporation | (5.50) |
| 01/19/2012 | Transaction Assessment |                             |                             | 5.50   |
| 01/19/2012 | Efile Payment          | Receipt # 2012-07902-CCCLK  | Scott Financial Corporation | (5.50) |
| 02/15/2012 | Transaction Assessment |                             |                             | 5.50   |
| 02/15/2012 | Efile Payment          | Receipt # 2012-21516-CCCLK  | Scott Financial Corporation | (5.50) |
| 03/06/2012 | Transaction Assessment |                             |                             | 5.50   |
| 03/06/2012 | Efile Payment          | Receipt # 2012-29995-CCCLK  | Scott Financial Corporation | (5.50) |
| 03/16/2012 | Transaction Assessment |                             |                             | 5.50   |
| 03/16/2012 | Efile Payment          | Receipt # 2012-34488-CCCLK  | Scott Financial Corporation | (5.50) |
| 03/16/2012 | Transaction Assessment |                             |                             | 5.50   |
| 03/16/2012 | Efile Payment          | Receipt # 2012-34853-CCCLK  | Scott Financial Corporation | (5.50) |
| 03/20/2012 | Transaction Assessment |                             |                             | 5.50   |
| 03/20/2012 | Efile Payment          | Receipt # 2012-36471-CCCLK  | Scott Financial Corporation | (5.50) |
| 05/07/2012 | Transaction Assessment |                             |                             | 5.50   |
| 05/07/2012 | Efile Payment          | Receipt # 2012-59115-CCCLK  | Scott Financial Corporation | (5.50) |
| 05/08/2012 | Transaction Assessment |                             |                             | 5.50   |
| 05/08/2012 | Efile Payment          | Receipt # 2012-59775-CCCLK  | Scott Financial Corporation | (5.50) |
| 05/30/2012 | Transaction Assessment |                             |                             | 3.50   |
| 05/30/2012 | Efile Payment          | Receipt # 2012-68537-CCCLK  | Scott Financial Corporation | (3.50) |
| 05/31/2012 | Transaction Assessment |                             |                             | 3.50   |
| 05/31/2012 | Efile Payment          | Receipt # 2012-69160-CCCLK  | Scott Financial Corporation | (3.50) |
| 05/31/2012 | Transaction Assessment |                             |                             | 3.50   |
| 05/31/2012 | Efile Payment          | Receipt # 2012-69162-CCCLK  | Scott Financial Corporation | (3.50) |
| 05/31/2012 | Transaction Assessment |                             |                             | 3.50   |
| 05/31/2012 | Efile Payment          | Receipt # 2012-69166-CCCLK  | Scott Financial Corporation | (3.50) |
| 05/31/2012 | Transaction Assessment |                             |                             | 3.50   |
| 05/31/2012 | Efile Payment          | Receipt # 2012-69170-CCCLK  | Scott Financial Corporation | (3.50) |
| 06/01/2012 | Transaction Assessment |                             |                             | 3.50   |
| 06/01/2012 | Efile Payment          | Receipt # 2012-69593-CCCLK  | Scott Financial Corporation | (3.50) |
| 06/27/2012 | Transaction Assessment |                             |                             | 5.50   |
| 06/27/2012 | Efile Payment          | Receipt # 2012-81300-CCCLK  | Scott Financial Corporation | (5.50) |
| 06/28/2012 | Transaction Assessment |                             |                             | 5.50   |
| 06/28/2012 | Efile Payment          | Receipt # 2012-81993-CCCLK  | Scott Financial Corporation | (5.50) |
| 07/03/2012 | Transaction Assessment |                             |                             | 3.50   |
| 07/03/2012 | Efile Payment          | Receipt # 2012-84038-CCCLK  | Scott Financial Corporation | (3.50) |
| 08/10/2012 | Transaction Assessment |                             |                             | 5.50   |
| 08/10/2012 | Efile Payment          | Receipt # 2012-100979-CCCLK | Scott Financial Corporation | (5.50) |
| 08/13/2012 | Transaction Assessment |                             |                             | 5.50   |
| 08/13/2012 | Efile Payment          | Receipt # 2012-101532-CCCLK | Scott Financial Corporation | (5.50) |
| 10/30/2012 | Transaction Assessment |                             |                             | 3.50   |
| 10/30/2012 | Efile Payment          | Receipt # 2012-134288-CCCLK | Scott Financial Corporation | (3.50) |
| 01/24/2013 | Transaction Assessment |                             |                             | 3.50   |
| 01/24/2013 | Efile Payment          | Receipt # 2013-09310-CCCLK  | Scott Financial Corporation | (3.50) |
| 01/28/2013 | Transaction Assessment |                             |                             | 3.50   |
| 01/28/2013 | Efile Payment          | Receipt # 2013-11007-CCCLK  | Scott Financial Corporation | (3.50) |
| 01/29/2013 | Transaction Assessment |                             |                             | 3.50   |
| 01/29/2013 | Efile Payment          | Receipt # 2013-12083-CCCLK  | Scott Financial Corporation | (3.50) |
| 01/30/2013 | Transaction Assessment |                             |                             | 3.50   |
| 01/30/2013 | Efile Payment          | Receipt # 2013-12129-CCCLK  | Scott Financial Corporation | (3.50) |
| 01/30/2013 | Transaction Assessment |                             |                             | 3.50   |
| 01/30/2013 | Efile Payment          | Receipt # 2013-12139-CCCLK  | Scott Financial Corporation | (3.50) |
| 01/31/2013 | Transaction Assessment |                             |                             | 3.50   |
| 01/31/2013 | Efile Payment          | Receipt # 2013-12849-CCCLK  | Scott Financial Corporation | (3.50) |
| 01/31/2013 | Transaction Assessment |                             |                             | 3.50   |
| 01/31/2013 | Efile Payment          | Receipt # 2013-12875-CCCLK  | Scott Financial Corporation | (3.50) |
| 01/31/2013 | Transaction Assessment |                             |                             | 5.50   |
| 01/31/2013 | Efile Payment          | Receipt # 2013-13012-CCCLK  | Scott Financial Corporation | (5.50) |
| 01/31/2013 | Transaction Assessment |                             |                             | 5.50   |
| 01/31/2013 | Efile Payment          | Receipt # 2013-13362-CCCLK  | Scott Financial Corporation | (5.50) |
| 02/06/2013 | Transaction Assessment |                             |                             | 3.50   |
| 02/06/2013 | Efile Payment          | Receipt # 2013-15285-CCCLK  | Scott Financial Corporation | (3.50) |
| 02/06/2013 | Transaction Assessment |                             |                             | 3.50   |
| 02/06/2013 | Efile Payment          | Receipt # 2013-15525-CCCLK  | Scott Financial Corporation | (3.50) |
| 02/06/2013 | Transaction Assessment |                             |                             | 5.50   |
| 02/06/2013 | Efile Payment          | Receipt # 2013-15806-CCCLK  | Scott Financial Corporation | (5.50) |
| 02/08/2013 | Transaction Assessment |                             |                             | 3.50   |
| 02/08/2013 | Efile Payment          | Receipt # 2013-16833-CCCLK  | Scott Financial Corporation | (3.50) |
| 02/11/2013 | Transaction Assessment |                             |                             | 5.50   |
| 02/11/2013 | Efile Payment          | Receipt # 2013-17163-CCCLK  | Scott Financial Corporation | (5.50) |
| 02/12/2013 | Transaction Assessment |                             |                             | 3.50   |
| 02/12/2013 | Efile Payment          | Receipt # 2013-18186-CCCLK  | Scott Financial Corporation | (3.50) |
| 02/12/2013 | Transaction Assessment |                             |                             | 3.50   |
| 02/12/2013 | Efile Payment          | Receipt # 2013-18189-CCCLK  | Scott Financial Corporation | (3.50) |
| 02/12/2013 | Transaction Assessment |                             |                             | 3.50   |
| 02/12/2013 | Efile Payment          | Receipt # 2013-18191-CCCLK  | Scott Financial Corporation | (3.50) |
| 02/12/2013 | Transaction Assessment |                             |                             | 3.50   |
| 02/12/2013 | Efile Payment          | Receipt # 2013-18198-CCCLK  | Scott Financial Corporation | (3.50) |
| 02/13/2013 | Transaction Assessment |                             |                             | 3.50   |
| 02/13/2013 | Efile Payment          | Receipt # 2013-18667-CCCLK  | Scott Financial Corporation | (3.50) |
| 02/13/2013 | Transaction Assessment |                             |                             | 3.50   |

|   |                              |                            |                               |            |
|---|------------------------------|----------------------------|-------------------------------|------------|
| 02/13/2013  | Efile Payment                | Receipt # 2013-18866-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/14/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 02/14/2013  | Efile Payment                | Receipt # 2013-19195-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/14/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 02/14/2013  | Efile Payment                | Receipt # 2013-19197-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/14/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 02/14/2013  | Efile Payment                | Receipt # 2013-19201-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/15/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 02/15/2013  | Efile Payment                | Receipt # 2013-19776-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/15/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 02/15/2013  | Efile Payment                | Receipt # 2013-19781-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/15/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 02/15/2013  | Efile Payment                | Receipt # 2013-19784-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/15/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 02/15/2013  | Efile Payment                | Receipt # 2013-19786-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/15/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 02/15/2013  | Efile Payment                | Receipt # 2013-19796-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/15/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 02/15/2013  | Efile Payment                | Receipt # 2013-19800-CCCLK | Scott Financial Corporation   | (3.50)     |
| 02/25/2013  | Transaction Assessment       |                            |                               | 5.50       |
| 02/25/2013  | Efile Payment                | Receipt # 2013-23282-CCCLK | Scott Financial Corporation   | (5.50)     |
| 02/27/2013  | Transaction Assessment       |                            |                               | 5.50       |
| 02/27/2013  | Efile Payment                | Receipt # 2013-24000-CCCLK | Scott Financial Corporation   | (5.50)     |
| 04/26/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 04/26/2013  | Efile Payment                | Receipt # 2013-51562-CCCLK | Scott Financial Corporation   | (3.50)     |
| 04/30/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 04/30/2013  | Efile Payment                | Receipt # 2013-53288-CCCLK | Scott Financial Corporation   | (3.50)     |
| 05/02/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 05/02/2013  | Efile Payment                | Receipt # 2013-54107-CCCLK | Scott Financial Corporation   | (3.50)     |
| 05/20/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 05/20/2013  | Efile Payment                | Receipt # 2013-61335-CCCLK | Scott Financial Corporation   | (3.50)     |
| 05/24/2013  | Transaction Assessment       |                            |                               | 3.50       |
| 05/24/2013  | Efile Payment                | Receipt # 2013-63900-CCCLK | Scott Financial Corporation   | (3.50)     |
| 05/24/2013  | Transaction Assessment       |                            |                               | 5.00       |
| 05/24/2013  | Payment (Window)             | Receipt # 2013-64034-CCCLK | American Legal Investigation  | (5.00)     |
| 06/13/2013  | Transaction Assessment       |                            |                               | 5.50       |
| 06/13/2013  | Efile Payment                | Receipt # 2013-72015-CCCLK | Scott Financial Corporation   | (5.50)     |
| 06/23/2014  | Transaction Assessment       |                            |                               | 3.50       |
| 06/23/2014  | Efile Payment                | Receipt # 2014-71775-CCCLK | Scott Financial Corporation   | (3.50)     |
| <b>Defendant Scott, Bradley J</b>                   |                              |                            |                               |            |
|   | Total Financial Assessment   |                            |                               | 1,483.00   |
|   | Total Payments and Credits   |                            |                               | 1,483.00   |
|   | Balance Due as of 05/25/2018 |                            |                               | 0.00       |
| 10/09/2009  | Transaction Assessment       |                            |                               | 1,483.00   |
| 10/16/2009  | Efile Payment                | Receipt # 2009-62487-FAM   | KEMP JONES & COULTHARD        | (1,483.00) |
| <b>Doing Business As Helix Electric</b>             |                              |                            |                               |            |
|   | Total Financial Assessment   |                            |                               | 400.00     |
|   | Total Payments and Credits   |                            |                               | 400.00     |
|   | Balance Due as of 05/25/2018 |                            |                               | 0.00       |
| 05/06/2010  | Transaction Assessment       |                            |                               | 200.00     |
| 05/06/2010  | Efile Payment                | Receipt # 2010-14944-CCCLK | Helix Electric                | (200.00)   |
| 08/02/2017  | Transaction Assessment       |                            |                               | 200.00     |
| 08/02/2017  | Efile Payment                | Receipt # 2017-61853-CCCLK | Helix Electric                | (200.00)   |
| <b>Interpleader Hydropressure Cleaning Inc</b>      |                              |                            |                               |            |
|   | Total Financial Assessment   |                            |                               | 200.00     |
|   | Total Payments and Credits   |                            |                               | 200.00     |
|   | Balance Due as of 05/25/2018 |                            |                               | 0.00       |
| 05/19/2010  | Transaction Assessment       |                            |                               | 200.00     |
| 05/19/2010  | Efile Payment                | Receipt # 2010-17677-CCCLK | Hydropressure Cleaning Inc    | (200.00)   |
| <b>Intervenor Cell Crete Fireproofing Of NV Inc</b> |                              |                            |                               |            |
|   | Total Financial Assessment   |                            |                               | 400.00     |
|   | Total Payments and Credits   |                            |                               | 400.00     |
|   | Balance Due as of 05/25/2018 |                            |                               | 0.00       |
| 06/10/2010  | Transaction Assessment       |                            |                               | 200.00     |
| 06/10/2010  | Efile Payment                | Receipt # 2010-22472-CCCLK | Cell Crete Fireproofing Of NV | (200.00)   |
| 06/28/2010  | Transaction Assessment       |                            |                               | 200.00     |
| 06/28/2010  | Efile Payment                | Receipt # 2010-25577-CCCLK | Cell Crete Fireproofing Of NV | (200.00)   |

|            |  |                             |                                |             |
|------------|--|-----------------------------|--------------------------------|-------------|
|            | <b>Intervenor Custom Select Billing Inc</b>      |                             |                                |             |
|            | Total Financial Assessment                       |                             |                                | 1,683.00    |
|            | Total Payments and Credits                       |                             |                                | 1,683.00    |
|            | <b>Balance Due as of 05/25/2018</b>              |                             |                                | <b>0.00</b> |
| 08/31/2009 | Transaction Assessment                           |                             |                                | 1,483.00    |
| 08/31/2009 | Payment (Window)                                 | Receipt # 2009-50877-FAM    | Howard & Howard Attorneys PLLC | (1,483.00)  |
| 05/19/2010 | Transaction Assessment                           |                             |                                | 200.00      |
| 05/19/2010 | Efile Payment                                    | Receipt # 2010-17668-CCCLK  | Custom Select Billing Inc      | (200.00)    |
|            | <b>Intervenor E &amp; E Fire Protectiong LLC</b> |                             |                                |             |
|            | Total Financial Assessment                       |                             |                                | 400.00      |
|            | Total Payments and Credits                       |                             |                                | 400.00      |
|            | <b>Balance Due as of 05/25/2018</b>              |                             |                                | <b>0.00</b> |
| 07/06/2010 | Transaction Assessment                           |                             |                                | 200.00      |
| 07/06/2010 | Efile Payment                                    | Receipt # 2010-26937-CCCLK  | E & E Fire Protectiong LLC     | (200.00)    |
| 08/09/2010 | Transaction Assessment                           |                             |                                | 200.00      |
| 08/09/2010 | Efile Payment                                    | Receipt # 2010-36894-CCCLK  | E & E Fire Protectiong LLC     | (200.00)    |
|            | <b>Intervenor EZA P C</b>                        |                             |                                |             |
|            | Total Financial Assessment                       |                             |                                | 200.00      |
|            | Total Payments and Credits                       |                             |                                | 200.00      |
|            | <b>Balance Due as of 05/25/2018</b>              |                             |                                | <b>0.00</b> |
| 05/07/2010 | Transaction Assessment                           |                             |                                | 200.00      |
| 05/07/2010 | Efile Payment                                    | Receipt # 2010-15390-CCCLK  | EZA P C                        | (200.00)    |
|            | <b>Intervenor Granite Construction Company</b>   |                             |                                |             |
|            | Total Financial Assessment                       |                             |                                | 203.00      |
|            | Total Payments and Credits                       |                             |                                | 203.00      |
|            | <b>Balance Due as of 05/25/2018</b>              |                             |                                | <b>0.00</b> |
| 07/22/2009 | Transaction Assessment                           |                             |                                | 203.00      |
| 07/22/2009 | Payment (Window)                                 | Receipt # 2009-40516-FAM    | Watt, Tieder, Hoffar & Fitzger | (203.00)    |
|            | <b>Intervenor Insulpro Projects Inc</b>          |                             |                                |             |
|            | Total Financial Assessment                       |                             |                                | 276.50      |
|            | Total Payments and Credits                       |                             |                                | 276.50      |
|            | <b>Balance Due as of 05/25/2018</b>              |                             |                                | <b>0.00</b> |
| 05/05/2010 | Transaction Assessment                           |                             |                                | 6.00        |
| 05/05/2010 | Efile Payment                                    | Receipt # 2010-14806-CCCLK  | Insulpro Projects Inc          | (6.00)      |
| 06/24/2010 | Transaction Assessment                           |                             |                                | 210.00      |
| 06/24/2010 | Efile Payment                                    | Receipt # 2010-24920-CCCLK  | Insulpro Projects Inc          | (210.00)    |
| 07/12/2010 | Transaction Assessment                           |                             |                                | 10.00       |
| 07/12/2010 | Efile Payment                                    | Receipt # 2010-28942-CCCLK  | Insulpro Projects Inc          | (10.00)     |
| 07/12/2010 | Transaction Assessment                           |                             |                                | 10.00       |
| 07/12/2010 | Efile Payment                                    | Receipt # 2010-28945-CCCLK  | Insulpro Projects Inc          | (10.00)     |
| 08/04/2010 | Transaction Assessment                           |                             |                                | 10.00       |
| 08/04/2010 | Efile Payment                                    | Receipt # 2010-35799-CCCLK  | Insulpro Projects Inc          | (10.00)     |
| 02/04/2011 | Transaction Assessment                           |                             |                                | 3.50        |
| 02/04/2011 | Efile Payment                                    | Receipt # 2011-10033-CCCLK  | Insulpro Projects Inc          | (3.50)      |
| 02/04/2011 | Transaction Assessment                           |                             |                                | 3.50        |
| 02/04/2011 | Efile Payment                                    | Receipt # 2011-10035-CCCLK  | Insulpro Projects Inc          | (3.50)      |
| 04/26/2011 | Transaction Assessment                           |                             |                                | 3.50        |
| 04/26/2011 | Efile Payment                                    | Receipt # 2011-41856-CCCLK  | Insulpro Projects Inc          | (3.50)      |
| 04/27/2011 | Transaction Assessment                           |                             |                                | 5.50        |
| 04/27/2011 | Efile Payment                                    | Receipt # 2011-42531-CCCLK  | Insulpro Projects Inc          | (5.50)      |
| 06/29/2011 | Transaction Assessment                           |                             |                                | 3.50        |
| 06/29/2011 | Efile Payment                                    | Receipt # 2011-68948-CCCLK  | Insulpro Projects Inc          | (3.50)      |
| 11/07/2011 | Transaction Assessment                           |                             |                                | 5.50        |
| 11/07/2011 | Efile Payment                                    | Receipt # 2011-126780-CCCLK | Insulpro Projects Inc          | (5.50)      |
| 01/04/2012 | Transaction Assessment                           |                             |                                | 5.50        |
| 01/04/2012 | Efile Payment                                    | Receipt # 2012-00971-CCCLK  | Insulpro Projects Inc          | (5.50)      |
|            | <b>Intervenor National Wood Products, Inc.'s</b> |                             |                                |             |
|            | Total Financial Assessment                       |                             |                                | 1,683.00    |
|            | Total Payments and Credits                       |                             |                                | 1,683.00    |
|            | <b>Balance Due as of 05/25/2018</b>              |                             |                                | <b>0.00</b> |
| 08/09/2017 | Transaction Assessment                           |                             |                                | 1,483.00    |



|  |                              |                            |                                |            |
|--|------------------------------|----------------------------|--------------------------------|------------|
| 08/09/2017   | Efile Payment                | Receipt # 2017-63409-CCCLK | National Wood Products, Inc.'s | (1,483.00) |
| 08/09/2017   | Transaction Assessment       |                            |                                | 200.00     |
| 08/09/2017   | Efile Payment                | Receipt # 2017-63414-CCCLK | National Wood Products, Inc.'s | (200.00)   |
| <b>Intervenor Nevada Prefab Engineers Inc</b>                      |                              |                            |                                |            |
|  | Total Financial Assessment   |                            |                                | 200.00     |
|  | Total Payments and Credits   |                            |                                | 200.00     |
|  | Balance Due as of 05/25/2018 |                            |                                | 0.00       |
| 02/06/2012   | Transaction Assessment       |                            |                                | 200.00     |
| 02/06/2012   | Efile Payment                | Receipt # 2012-17150-CCCLK | Nevada Prefab Engineers Inc    | (200.00)   |
| <b>Intervenor Patent Construction Systems</b>                      |                              |                            |                                |            |
|  | Total Financial Assessment   |                            |                                | 104.00     |
|  | Total Payments and Credits   |                            |                                | 104.00     |
|  | Balance Due as of 05/25/2018 |                            |                                | 0.00       |
| 06/04/2009   | Transaction Assessment       |                            |                                | 104.00     |
| 06/04/2009   | Payment (Window)             | Receipt # 2009-00657-CCCLK | Law Offices of Donald H Willia | (104.00)   |
| <b>Intervenor Pressure Grout Co</b>                                |                              |                            |                                |            |
|  | Total Financial Assessment   |                            |                                | 104.00     |
|  | Total Payments and Credits   |                            |                                | 104.00     |
|  | Balance Due as of 05/25/2018 |                            |                                | 0.00       |
| 04/25/2009   | Transaction Assessment       |                            |                                | 104.00     |
| 04/25/2009   | Payment (Mail)               | Receipt # 2009-15664-FAM   | Bowler Dixon & Twitchell LLP   | (104.00)   |
| <b>Intervenor Professional Doors &amp; Millworks LLC</b>           |                              |                            |                                |            |
|  | Total Financial Assessment   |                            |                                | 200.00     |
|  | Total Payments and Credits   |                            |                                | 200.00     |
|  | Balance Due as of 05/25/2018 |                            |                                | 0.00       |
| 08/09/2010   | Transaction Assessment       |                            |                                | 200.00     |
| 08/09/2010   | Efile Payment                | Receipt # 2010-36900-CCCLK | Professional Doors & Millworks | (200.00)   |
| <b>Intervenor Steel Structures Inc</b>                             |                              |                            |                                |            |
|  | Total Financial Assessment   |                            |                                | 200.00     |
|  | Total Payments and Credits   |                            |                                | 200.00     |
|  | Balance Due as of 05/25/2018 |                            |                                | 0.00       |
| 02/06/2012   | Transaction Assessment       |                            |                                | 200.00     |
| 02/06/2012   | Efile Payment                | Receipt # 2012-17149-CCCLK | Steel Structures Inc           | (200.00)   |
| <b>Intervenor Steel Structures Inc</b>                             |                              |                            |                                |            |
|  | Total Financial Assessment   |                            |                                | 200.00     |
|  | Total Payments and Credits   |                            |                                | 200.00     |
|  | Balance Due as of 05/25/2018 |                            |                                | 0.00       |
| 08/04/2017   | Transaction Assessment       |                            |                                | 200.00     |
| 08/04/2017   | Efile Payment                | Receipt # 2017-62455-CCCLK | Steel Structures Inc           | (200.00)   |
| <b>Intervenor Tri-City Drywall Inc</b>                             |                              |                            |                                |            |
|  | Total Financial Assessment   |                            |                                | 200.00     |
|  | Total Payments and Credits   |                            |                                | 200.00     |
|  | Balance Due as of 05/25/2018 |                            |                                | 0.00       |
| 06/10/2010   | Transaction Assessment       |                            |                                | 200.00     |
| 06/10/2010   | Efile Payment                | Receipt # 2010-22476-CCCLK | Tri-City Drywall Inc           | (200.00)   |
| <b>Intervenor Defendant Accuracy Glas &amp; Mirror Company Inc</b> |                              |                            |                                |            |
|  | Total Financial Assessment   |                            |                                | 200.00     |
|  | Total Payments and Credits   |                            |                                | 200.00     |
|  | Balance Due as of 05/25/2018 |                            |                                | 0.00       |
| 05/05/2010   | Transaction Assessment       |                            |                                | 200.00     |
| 05/05/2010   | Efile Payment                | Receipt # 2010-14667-CCCLK | Accuracy Glas & Mirror Company | (200.00)   |

|  |                                     |                             |   |
|--|-------------------------------------|-----------------------------|---|
| <b>Intervenor Defendant APCO Construction</b>                          |                                     |                             |   |
|  | Total Financial Assessment          |                             | 0.00                                      |
|  | Total Payments and Credits          |                             | 0.00                                      |
|  | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b>                               |
| 07/17/2009   | Efile Payment                       | Receipt # 2009-39174-FAM    | R. Scott Rasmussen, PC (203.00)           |
| 07/17/2009   | Efile Payment                       | Receipt # 2009-39175-FAM    | R. Scott Rasmussen (203.00)               |
| 07/17/2009   | Efile Payment                       | Receipt # 2009-39176-FAM    | Howard & Howard (203.00)                  |
| 07/17/2009   | Efile Payment                       | Receipt # 2009-39177-FAM    | Howard & Howard (203.00)                  |
| <b>Intervenor Defendant Camco Pacific Construction Co Inc</b>          |                                     |                             |   |
|  | Total Financial Assessment          |                             | 223.00                                    |
|  | Total Payments and Credits          |                             | 223.00                                    |
|  | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b>                               |
| 09/17/2009   | Transaction Assessment              |                             | 223.00                                    |
| 09/17/2009   | Efile Payment                       | Receipt # 2009-55230-FAM    | WOODBURY MORRIS & BROWN (223.00)          |
| <b>Intervenor Defendant Club Vista Financial Services LLC</b>          |                                     |                             |   |
|  | Total Financial Assessment          |                             | 1,483.00                                  |
|  | Total Payments and Credits          |                             | 1,483.00                                  |
|  | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b>                               |
| 08/18/2009   | Transaction Assessment              |                             | 1,483.00                                  |
| 08/18/2009   | Payment (Window)                    | Receipt # 2009-47258-FAM    | Albright Stoddard Warnick & Al (1,483.00) |
| <b>Intervenor Defendant Edelstein, Alex</b>                            |                                     |                             |   |
|  | Total Financial Assessment          |                             | 1,483.00                                  |
|  | Total Payments and Credits          |                             | 1,483.00                                  |
|  | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b>                               |
| 12/19/2011   | Transaction Assessment              |                             | 1,483.00                                  |
| 12/19/2011   | Efile Payment                       | Receipt # 2011-143789-CCCLK | Edelstein, Alex (1,483.00)                |
| <b>Intervenor Defendant Fidelity &amp; Deposit Company Of Maryland</b> |                                     |                             |   |
|  | Total Financial Assessment          |                             | 223.00                                    |
|  | Total Payments and Credits          |                             | 223.00                                    |
|  | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b>                               |
| 09/11/2009   | Transaction Assessment              |                             | 223.00                                    |
| 09/11/2009   | Payment (Window)                    | Receipt # 2009-05047-CCCLK  | Woodbury Morris and Brown LTD (223.00)    |
| <b>Intervenor Defendant Fidelity &amp; Deposit Company Of Maryland</b> |                                     |                             |   |
|  | Total Financial Assessment          |                             | 223.00                                    |
|  | Total Payments and Credits          |                             | 223.00                                    |
|  | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b>                               |
| 09/11/2009   | Transaction Assessment              |                             | 223.00                                    |
| 09/11/2009   | Payment (Window)                    | Receipt # 2009-05060-CCCLK  | Woodbury morris and Brown Ltd (223.00)    |
| <b>Intervenor Defendant Jeff Heit Plumbing Co LLC</b>                  |                                     |                             |   |
|  | Total Financial Assessment          |                             | 223.00                                    |
|  | Total Payments and Credits          |                             | 223.00                                    |
|  | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b>                               |
| 08/10/2009   | Transaction Assessment              |                             | 223.00                                    |
| 08/10/2009   | Payment (Window)                    | Receipt # 2009-45218-FAM    | Keith E Gregory & Associates (223.00)     |
| <b>Intervenor Defendant Old Republic Surety</b>                        |                                     |                             |   |
|  | Total Financial Assessment          |                             | 30.00                                     |
|  | Total Payments and Credits          |                             | 30.00                                     |
|  | <b>Balance Due as of 05/25/2018</b> |                             | <b>0.00</b>                               |
| 08/10/2009   | Transaction Assessment              |                             | 30.00                                     |
| 08/10/2009   | Payment (Window)                    | Receipt # 2009-45221-FAM    | Keith E Gregory & Associates (30.00)      |

|  |                              |                                |            |
|--|------------------------------|--------------------------------|------------|
| <b>Intervenor Defendant Scott Financial Corporation</b>  |                              |                                |            |
|  | Total Financial Assessment   |                                | 10.00      |
|  | Total Payments and Credits   |                                | 10.00      |
|  | Balance Due as of 05/25/2018 |                                | 0.00       |
| 07/07/2010   | Transaction Assessment       |                                | 10.00      |
| 07/07/2010   | Efile Payment                | Receipt # 2010-27258-CCCLK     | (10.00)    |
|  |                              | Scott Financial Corporation    |            |
| <b>Intervenor Defendant Scott Financial Corporation</b>  |                              |                                |            |
|  | Total Financial Assessment   |                                | 25.00      |
|  | Total Payments and Credits   |                                | 25.00      |
|  | Balance Due as of 05/25/2018 |                                | 0.00       |
| 06/04/2015   | Transaction Assessment       |                                | 25.00      |
| 06/04/2015   | Payment (Window)             | Receipt # 2015-58504-CCCLK     | (25.00)    |
|  |                              | Brownstein Hyatt Farber Schrec |            |
| <b>Intervenor Defendant Tharaldson Motels II Inc</b>     |                              |                                |            |
|  | Total Financial Assessment   |                                | 30.00      |
|  | Total Payments and Credits   |                                | 30.00      |
|  | Balance Due as of 05/25/2018 |                                | 0.00       |
| 08/18/2009   | Transaction Assessment       |                                | 30.00      |
| 08/18/2009   | Payment (Window)             | Receipt # 2009-47258-FAM       | (30.00)    |
|  |                              | Albright Stoddard Warnick & Al |            |
| <b>Intervenor Plaintiff Ahern Rental Inc</b>             |                              |                                |            |
|  | Total Financial Assessment   |                                | 400.00     |
|  | Total Payments and Credits   |                                | 400.00     |
|  | Balance Due as of 05/25/2018 |                                | 0.00       |
| 02/26/2010   | Transaction Assessment       |                                | 200.00     |
| 02/26/2010   | Efile Payment                | Receipt # 2010-03457-CCCLK     | (200.00)   |
| 06/10/2010   | Transaction Assessment       |                                | 200.00     |
| 06/10/2010   | Efile Payment                | Receipt # 2010-22465-CCCLK     | (200.00)   |
|  |                              | Ahern Rental Inc               |            |
|  |                              | Ahern Rental Inc               |            |
| <b>Intervenor Plaintiff Arch Aluminum And Glass Co</b>   |                              |                                |            |
|  | Total Financial Assessment   |                                | 800.00     |
|  | Total Payments and Credits   |                                | 800.00     |
|  | Balance Due as of 05/25/2018 |                                | 0.00       |
| 05/14/2010   | Transaction Assessment       |                                | 200.00     |
| 05/14/2010   | Efile Payment                | Receipt # 2010-16658-CCCLK     | (200.00)   |
| 05/14/2010   | Transaction Assessment       |                                | 200.00     |
| 05/14/2010   | Efile Payment                | Receipt # 2010-16673-CCCLK     | (200.00)   |
| 06/21/2010   | Transaction Assessment       |                                | 200.00     |
| 06/21/2010   | Efile Payment                | Receipt # 2010-24359-CCCLK     | (200.00)   |
| 06/24/2010   | Transaction Assessment       |                                | 200.00     |
| 06/24/2010   | Efile Payment                | Receipt # 2010-24918-CCCLK     | (200.00)   |
|  |                              | Arch Aluminum And Glass Co     |            |
|  |                              | Arch Aluminum And Glass Co     |            |
|  |                              | Arch Aluminum And Glass Co     |            |
|  |                              | Arch Aluminum And Glass Co     |            |
|  |                              | Arch Aluminum And Glass Co     |            |
|  |                              | Arch Aluminum And Glass Co     |            |
| <b>Intervenor Plaintiff Cactus Rose Construction Inc</b> |                              |                                |            |
|  | Total Financial Assessment   |                                | 1,683.00   |
|  | Total Payments and Credits   |                                | 1,683.00   |
|  | Balance Due as of 05/25/2018 |                                | 0.00       |
| 04/13/2010   | Transaction Assessment       |                                | 1,483.00   |
| 04/13/2010   | Efile Payment                | Receipt # 2010-10164-CCCLK     | (1,483.00) |
| 05/05/2010   | Transaction Assessment       |                                | 200.00     |
| 05/05/2010   | Efile Payment                | Receipt # 2010-14684-CCCLK     | (200.00)   |
|  |                              | Cactus Rose Construction Inc   |            |
| <b>Intervenor Plaintiff Harsco Corporation</b>           |                              |                                |            |
|  | Total Financial Assessment   |                                | 400.00     |
|  | Total Payments and Credits   |                                | 400.00     |
|  | Balance Due as of 05/25/2018 |                                | 0.00       |
| 05/06/2010   | Transaction Assessment       |                                | 200.00     |
| 05/06/2010   | Efile Payment                | Receipt # 2010-14992-CCCLK     | (200.00)   |
| 06/21/2010   | Transaction Assessment       |                                | 200.00     |
| 06/21/2010   | Efile Payment                | Receipt # 2010-24397-CCCLK     | (200.00)   |
|  |                              | Harsco Corporation             |            |
|  |                              | Harsco Corporation             |            |
| <b>Intervenor Plaintiff Inquipco</b>                     |                              |                                |            |
|  | Total Financial Assessment   |                                | 107.00     |

|            |  |                            |                                |             |
|------------|--|----------------------------|--------------------------------|-------------|
|            | Total Payments and Credits   |                            |                                | 107.00      |
|            | <b>Balance Due as of 05/25/2018</b>  |                            |                                | <b>0.00</b> |
| 06/24/2009 | Transaction Assessment   |                            |                                | 104.00      |
| 06/24/2009 | Payment (Window)   | Receipt # 2009-32184-FAM   | Pezzillo and Robinson          | (104.00)    |
| 06/24/2009 | Transaction Assessment   |                            |                                | 3.00        |
| 06/24/2009 | Payment (Window)   | Receipt # 2009-32185-FAM   | Pezzillo and Robinson          | (3.00)      |
|            |  |                            |                                |             |
|            | <b>Intervenor Plaintiff Interstate Plumbing &amp; Air Conditioning Inc</b> |                            |                                |             |
|            | Total Financial Assessment   |                            |                                | 1,683.00    |
|            | Total Payments and Credits   |                            |                                | 1,683.00    |
|            | <b>Balance Due as of 05/25/2018</b>  |                            |                                | <b>0.00</b> |
| 04/13/2010 | Transaction Assessment   |                            |                                | 1,483.00    |
| 04/13/2010 | Efile Payment  | Receipt # 2010-10163-CCCLK |                                | (1,483.00)  |
| 05/05/2010 | Transaction Assessment   |                            |                                | 200.00      |
| 05/05/2010 | Efile Payment  | Receipt # 2010-14657-CCCLK | Interstate Plumbing & Air Cond | (200.00)    |
|            |  |                            |                                |             |
|            | <b>Intervenor Plaintiff Las Vegas Pipeline LLC</b>                         |                            |                                |             |
|            | Total Financial Assessment   |                            |                                | 555.00      |
|            | Total Payments and Credits   |                            |                                | 555.00      |
|            | <b>Balance Due as of 05/25/2018</b>  |                            |                                | <b>0.00</b> |
| 06/15/2009 | Transaction Assessment   |                            |                                | 104.00      |
| 06/15/2009 | Transaction Assessment   |                            |                                | 47.00       |
| 06/15/2009 | Payment (Window)   | Receipt # 2009-29672-FAM   | Gerrard and Cox a Professional | (151.00)    |
| 06/15/2009 | Transaction Assessment   |                            |                                | 4.00        |
| 06/15/2009 | Payment (Window)   | Receipt # 2009-29675-FAM   | Gerrard and Cox a Professional | (4.00)      |
| 06/10/2010 | Transaction Assessment   |                            |                                | 200.00      |
| 06/10/2010 | Efile Payment  | Receipt # 2010-22479-CCCLK | Las Vegas Pipeline LLC         | (200.00)    |
| 06/28/2010 | Transaction Assessment   |                            |                                | 200.00      |
| 06/28/2010 | Efile Payment  | Receipt # 2010-25558-CCCLK | Las Vegas Pipeline LLC         | (200.00)    |
|            |  |                            |                                |             |
|            | <b>Intervenor Plaintiff Northstar Concrete, Inc.</b>                       |                            |                                |             |
|            | Total Financial Assessment   |                            |                                | 453.00      |
|            | Total Payments and Credits   |                            |                                | 453.00      |
|            | <b>Balance Due as of 05/25/2018</b>  |                            |                                | <b>0.00</b> |
| 07/09/2009 | Transaction Assessment   |                            |                                | 250.00      |
| 07/09/2009 | Payment (Window)   | Receipt # 2009-37088-FAM   | Pezzillo Robinson              | (250.00)    |
| 07/09/2009 | Transaction Assessment   |                            |                                | 3.00        |
| 07/09/2009 | Payment (Window)   | Receipt # 2009-37089-FAM   | Pezzillo Robinson              | (3.00)      |
| 07/06/2010 | Transaction Assessment   |                            |                                | 200.00      |
| 07/06/2010 | Efile Payment  | Receipt # 2010-26935-CCCLK | Northstar Concrete, Inc.       | (200.00)    |
|            |  |                            |                                |             |
|            | <b>Intervenor Plaintiff Pape Material Handling</b>                         |                            |                                |             |
|            | Total Financial Assessment   |                            |                                | 104.00      |
|            | Total Payments and Credits   |                            |                                | 104.00      |
|            | <b>Balance Due as of 05/25/2018</b>  |                            |                                | <b>0.00</b> |
| 05/29/2009 | Transaction Assessment   |                            |                                | 104.00      |
| 05/29/2009 | Payment (Window)   | Receipt # 2009-25556-FAM   | Jolley Urga Wirth Woodbury & S | (104.00)    |
|            |  |                            |                                |             |
|            | <b>Intervenor Plaintiff S R Bray Corp</b>                                  |                            |                                |             |
|            | Total Financial Assessment   |                            |                                | 1,683.00    |
|            | Total Payments and Credits   |                            |                                | 1,683.00    |
|            | <b>Balance Due as of 05/25/2018</b>  |                            |                                | <b>0.00</b> |
| 04/26/2010 | Transaction Assessment   |                            |                                | 1,483.00    |
| 04/26/2010 | Efile Payment  | Receipt # 2010-12399-CCCLK | S R Bray Corp                  | (1,483.00)  |
| 05/05/2010 | Transaction Assessment   |                            |                                | 200.00      |
| 05/05/2010 | Efile Payment  | Receipt # 2010-14687-CCCLK | S R Bray Corp                  | (200.00)    |
|            |  |                            |                                |             |
|            | <b>Intervenor Plaintiff Sunstate Companies Inc</b>                         |                            |                                |             |
|            | Total Financial Assessment   |                            |                                | 1,483.00    |
|            | Total Payments and Credits   |                            |                                | 1,483.00    |
|            | <b>Balance Due as of 05/25/2018</b>  |                            |                                | <b>0.00</b> |
| 04/14/2010 | Transaction Assessment   |                            |                                | 1,483.00    |
| 04/14/2010 | Efile Payment  | Receipt # 2010-10343-CCCLK | Sunstate Companies Inc         | (1,483.00)  |

|  |                                     |                            |             |
|--|-------------------------------------|----------------------------|-------------|
| <b>Intervenor Plaintiff SWPPP Compliance Solutions LLC</b> |                                     |                            |             |
|  | Total Financial Assessment          |                            | 1,683.00    |
|  | Total Payments and Credits          |                            | 1,683.00    |
|  | <b>Balance Due as of 05/25/2018</b> |                            | <b>0.00</b> |
| 04/26/2010   | Transaction Assessment              |                            | 1,483.00    |
| 04/26/2010   | Efile Payment                       | Receipt # 2010-12464-CCCLK | (1,483.00)  |
| 05/08/2010   | Transaction Assessment              |                            | 200.00      |
| 05/08/2010   | Efile Payment                       | Receipt # 2010-15596-CCCLK | (200.00)    |
| <b>Other Chapter 7 Trustee</b>                             |                                     |                            |             |
|  | Total Financial Assessment          |                            | 200.00      |
|  | Total Payments and Credits          |                            | 200.00      |
|  | <b>Balance Due as of 05/25/2018</b> |                            | <b>0.00</b> |
| 08/07/2017   | Transaction Assessment              |                            | 200.00      |
| 08/07/2017   | Efile Payment                       | Receipt # 2017-62766-CCCLK | (200.00)    |
| <b>Other Graybar Electric Company</b>                      |                                     |                            |             |
|  | Total Financial Assessment          |                            | 400.00      |
|  | Total Payments and Credits          |                            | 400.00      |
|  | <b>Balance Due as of 05/25/2018</b> |                            | <b>0.00</b> |
| 07/06/2010   | Transaction Assessment              |                            | 200.00      |
| 07/06/2010   | Efile Payment                       | Receipt # 2010-26931-CCCLK | (200.00)    |
| 07/06/2010   | Transaction Assessment              |                            | 200.00      |
| 07/06/2010   | Efile Payment                       | Receipt # 2010-27219-CCCLK | (200.00)    |
| <b>Other HD Supply Construction Supply LP</b>              |                                     |                            |             |
|  | Total Financial Assessment          |                            | 200.00      |
|  | Total Payments and Credits          |                            | 200.00      |
|  | <b>Balance Due as of 05/25/2018</b> |                            | <b>0.00</b> |
| 06/26/2010   | Transaction Assessment              |                            | 200.00      |
| 06/26/2010   | Efile Payment                       | Receipt # 2010-25455-CCCLK | (200.00)    |
| <b>Other United Subcontractors Inc</b>                     |                                     |                            |             |
|  | Total Financial Assessment          |                            | 400.00      |
|  | Total Payments and Credits          |                            | 400.00      |
|  | <b>Balance Due as of 05/25/2018</b> |                            | <b>0.00</b> |
| 08/12/2017   | Transaction Assessment              |                            | 200.00      |
| 08/12/2017   | Efile Payment                       | Receipt # 2017-64144-CCCLK | (200.00)    |
| 08/12/2017   | Transaction Assessment              |                            | 200.00      |
| 08/12/2017   | Efile Payment                       | Receipt # 2017-64237-CCCLK | (200.00)    |
| <b>Other Wiss, Janney, Elstner Associates, Inc.</b>        |                                     |                            |             |
|  | Total Financial Assessment          |                            | 200.00      |
|  | Total Payments and Credits          |                            | 200.00      |
|  | <b>Balance Due as of 05/25/2018</b> |                            | <b>0.00</b> |
| 06/30/2010   | Transaction Assessment              |                            | 200.00      |
| 06/30/2010   | Efile Payment                       | Receipt # 2010-25904-CCCLK | (200.00)    |
| <b>Plaintiff Apco Construction</b>                         |                                     |                            |             |
|  | Total Financial Assessment          |                            | 1,551.50    |
|  | Total Payments and Credits          |                            | 1,551.50    |
|  | <b>Balance Due as of 05/25/2018</b> |                            | <b>0.00</b> |
| 01/12/2010   | Transaction Assessment              |                            | 5.00        |
| 01/12/2010   | Payment (Window)                    | Receipt # 2010-01898-FAM   | (5.00)      |
| 04/01/2010   | Transaction Assessment              |                            | 6.00        |
| 04/01/2010   | Efile Payment                       | Receipt # 2010-08098-CCCLK | (6.00)      |
| 04/09/2010   | Transaction Assessment              |                            | 6.00        |
| 04/09/2010   | Efile Payment                       | Receipt # 2010-09403-CCCLK | (6.00)      |
| 04/13/2010   | Transaction Assessment              |                            | 6.00        |
| 04/13/2010   | Efile Payment                       | Receipt # 2010-09861-CCCLK | (6.00)      |
| 04/13/2010   | Transaction Assessment              |                            | 6.00        |
| 04/13/2010   | Efile Payment                       | Receipt # 2010-09870-CCCLK | (6.00)      |
| 04/13/2010   | Transaction Assessment              |                            | 6.00        |
| 04/13/2010   | Efile Payment                       | Receipt # 2010-09889-CCCLK | (6.00)      |

|            |                        |                             |                                |          |
|------------|------------------------|-----------------------------|--------------------------------|----------|
| 04/13/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/13/2010 | Efile Payment          | Receipt # 2010-09890-CCCLK  | Apco Construction              | (6.00)   |
| 04/13/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/13/2010 | Efile Payment          | Receipt # 2010-09891-CCCLK  | Apco Construction              | (6.00)   |
| 04/13/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/13/2010 | Efile Payment          | Receipt # 2010-09934-CCCLK  | Apco Construction              | (6.00)   |
| 04/13/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/13/2010 | Efile Payment          | Receipt # 2010-09935-CCCLK  | Apco Construction              | (6.00)   |
| 04/13/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/13/2010 | Efile Payment          | Receipt # 2010-09936-CCCLK  | Apco Construction              | (6.00)   |
| 04/13/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/13/2010 | Efile Payment          | Receipt # 2010-09937-CCCLK  | Apco Construction              | (6.00)   |
| 04/13/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/13/2010 | Efile Payment          | Receipt # 2010-09938-CCCLK  | Apco Construction              | (6.00)   |
| 04/13/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/13/2010 | Efile Payment          | Receipt # 2010-09939-CCCLK  | Apco Construction              | (6.00)   |
| 04/13/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/13/2010 | Efile Payment          | Receipt # 2010-09940-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10903-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10904-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10905-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10906-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10907-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10908-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10909-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10910-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10911-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10912-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10913-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10914-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10915-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/16/2010 | Efile Payment          | Receipt # 2010-10916-CCCLK  | Apco Construction              | (6.00)   |
| 04/16/2010 | Transaction Assessment |                             |                                | 12.00    |
| 04/16/2010 | Payment (Window)       | Receipt # 2010-22821-FAM    | T James Truman & Associates    | (12.00)  |
| 04/16/2010 | Transaction Assessment |                             |                                | 3.00     |
| 04/16/2010 | Payment (Window)       | Receipt # 2010-22843-FAM    | T James Truman & Associates    | (3.00)   |
| 04/19/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/19/2010 | Efile Payment          | Receipt # 2010-11283-CCCLK  | Apco Construction              | (6.00)   |
| 04/19/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/19/2010 | Efile Payment          | Receipt # 2010-11284-CCCLK  | Apco Construction              | (6.00)   |
| 04/19/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/19/2010 | Efile Payment          | Receipt # 2010-11285-CCCLK  | Apco Construction              | (6.00)   |
| 04/19/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/19/2010 | Efile Payment          | Receipt # 2010-11286-CCCLK  | Apco Construction              | (6.00)   |
| 04/27/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/27/2010 | Efile Payment          | Receipt # 2010-12554-CCCLK  | Apco Construction              | (6.00)   |
| 04/27/2010 | Transaction Assessment |                             |                                | 6.00     |
| 04/27/2010 | Efile Payment          | Receipt # 2010-12555-CCCLK  | Apco Construction              | (6.00)   |
| 04/28/2010 | Transaction Assessment |                             |                                | 10.00    |
| 04/28/2010 | Efile Payment          | Receipt # 2010-12870-CCCLK  | Apco Construction              | (10.00)  |
| 04/28/2010 | Transaction Assessment |                             |                                | 10.00    |
| 04/28/2010 | Efile Payment          | Receipt # 2010-12871-CCCLK  | Apco Construction              | (10.00)  |
| 06/22/2010 | Transaction Assessment |                             |                                | 200.00   |
| 06/22/2010 | Efile Payment          | Receipt # 2010-24659-CCCLK  | Apco Construction              | (200.00) |
| 07/09/2010 | Transaction Assessment |                             |                                | 200.00   |
| 07/09/2010 | Efile Payment          | Receipt # 2010-28651-CCCLK  | Apco Construction              | (200.00) |
| 08/30/2010 | Transaction Assessment |                             |                                | 3.00     |
| 08/30/2010 | Payment (Window)       | Receipt # 2010-44107-FAM    | Dixon Truman Fisher & Clifford | (3.00)   |
| 06/06/2012 | Transaction Assessment |                             |                                | 5.00     |
| 06/06/2012 | Payment (Window)       | Receipt # 2012-71258-CCCLK  | Dixon Truman Fisher & Clifford | (5.00)   |
| 07/06/2012 | Transaction Assessment |                             |                                | 3.50     |
| 07/06/2012 | Efile Payment          | Receipt # 2012-85450-CCCLK  | Apco Construction              | (3.50)   |
| 07/18/2012 | Transaction Assessment |                             |                                | 22.00    |
| 07/18/2012 | Payment (Window)       | Receipt # 2012-90177-CCCLK  | Peel & Brimley                 | (22.00)  |
| 07/18/2012 | Transaction Assessment |                             |                                | 33.00    |
| 07/18/2012 | Payment (Window)       | Receipt # 2012-90189-CCCLK  | Peel & Brimley                 | (33.00)  |
| 12/12/2012 | Transaction Assessment |                             |                                | 9.00     |
| 12/12/2012 | Payment (Window)       | Receipt # 2012-152184-CCCLK | LEE MOHEN                      | (9.00)   |
| 02/15/2013 | Transaction Assessment |                             |                                | 3.50     |
| 02/15/2013 | Efile Payment          | Receipt # 2013-19772-CCCLK  | Apco Construction              | (3.50)   |



|            |                        |                            |                                |          |
|------------|------------------------|----------------------------|--------------------------------|----------|
| 02/15/2013 | Transaction Assessment |                            |                                | 3.50     |
| 02/15/2013 | Efile Payment          | Receipt # 2013-19774-CCCLK | Apco Construction              | (3.50)   |
| 02/15/2013 | Transaction Assessment |                            |                                | 3.50     |
| 02/15/2013 | Efile Payment          | Receipt # 2013-19778-CCCLK | Apco Construction              | (3.50)   |
| 02/15/2013 | Transaction Assessment |                            |                                | 3.50     |
| 02/15/2013 | Efile Payment          | Receipt # 2013-19790-CCCLK | Apco Construction              | (3.50)   |
| 02/15/2013 | Transaction Assessment |                            |                                | 3.50     |
| 02/15/2013 | Efile Payment          | Receipt # 2013-19792-CCCLK | Apco Construction              | (3.50)   |
| 02/15/2013 | Transaction Assessment |                            |                                | 3.50     |
| 02/15/2013 | Efile Payment          | Receipt # 2013-19794-CCCLK | Apco Construction              | (3.50)   |
| 02/28/2013 | Transaction Assessment |                            |                                | 20.00    |
| 02/28/2013 | Payment (Window)       | Receipt # 2013-24798-CCCLK | Dixon Truman Fisher & Clifford | (20.00)  |
| 03/11/2013 | Transaction Assessment |                            |                                | 10.00    |
| 03/11/2013 | Payment (Window)       | Receipt # 2013-29119-CCCLK | Dixon Truman Fisher & Clifford | (10.00)  |
| 03/27/2013 | Transaction Assessment |                            |                                | 10.00    |
| 03/27/2013 | Payment (Window)       | Receipt # 2013-37341-CCCLK | Dixon Truman Fisher & Clifford | (10.00)  |
| 05/20/2013 | Transaction Assessment |                            |                                | 20.00    |
| 05/20/2013 | Payment (Window)       | Receipt # 2013-61451-CCCLK | Meier & Fine, LLC              | (20.00)  |
| 05/21/2013 | Transaction Assessment |                            |                                | 10.00    |
| 05/21/2013 | Payment (Window)       | Receipt # 2013-62135-CCCLK | American Legal Investigation   | (10.00)  |
| 03/18/2014 | Transaction Assessment |                            |                                | 3.50     |
| 03/18/2014 | Efile Payment          | Receipt # 2014-31944-CCCLK | Apco Construction              | (3.50)   |
| 04/05/2016 | Transaction Assessment |                            |                                | 3.50     |
| 04/05/2016 | Efile Payment          | Receipt # 2016-33556-CCCLK | Apco Construction              | (3.50)   |
| 05/09/2016 | Transaction Assessment |                            |                                | 3.50     |
| 05/09/2016 | Efile Payment          | Receipt # 2016-44796-CCCLK | Apco Construction              | (3.50)   |
| 06/01/2016 | Transaction Assessment |                            |                                | 3.50     |
| 06/01/2016 | Efile Payment          | Receipt # 2016-52392-CCCLK | Apco Construction              | (3.50)   |
| 06/07/2016 | Transaction Assessment |                            |                                | 203.50   |
| 06/07/2016 | Efile Payment          | Receipt # 2016-54407-CCCLK | Apco Construction              | (200.00) |
| 06/07/2016 | Efile Payment          | Receipt # 2016-54408-CCCLK | Apco Construction              | (3.50)   |
| 06/07/2016 | Transaction Assessment |                            |                                | 3.50     |
| 06/07/2016 | Efile Payment          | Receipt # 2016-54410-CCCLK | Apco Construction              | (3.50)   |
| 06/09/2016 | Transaction Assessment |                            |                                | 3.50     |
| 06/09/2016 | Efile Payment          | Receipt # 2016-55595-CCCLK | Apco Construction              | (3.50)   |
| 06/13/2016 | Transaction Assessment |                            |                                | 3.50     |
| 06/13/2016 | Efile Payment          | Receipt # 2016-56398-CCCLK | Apco Construction              | (3.50)   |
| 07/01/2016 | Transaction Assessment |                            |                                | 3.50     |
| 07/01/2016 | Efile Payment          | Receipt # 2016-63555-CCCLK | Apco Construction              | (3.50)   |
| 07/01/2016 | Transaction Assessment |                            |                                | 3.50     |
| 07/01/2016 | Efile Payment          | Receipt # 2016-63702-CCCLK | Apco Construction              | (3.50)   |
| 03/17/2017 | Transaction Assessment |                            |                                | 203.50   |
| 03/17/2017 | Efile Payment          | Receipt # 2017-25896-CCCLK | Apco Construction              | (200.00) |
| 03/17/2017 | Efile Payment          | Receipt # 2017-25897-CCCLK | Apco Construction              | (3.50)   |
| 04/10/2017 | Transaction Assessment |                            |                                | 3.50     |
| 04/10/2017 | Efile Payment          | Receipt # 2017-33488-CCCLK | Apco Construction              | (3.50)   |
| 05/25/2017 | Transaction Assessment |                            |                                | 3.50     |
| 05/25/2017 | Efile Payment          | Receipt # 2017-46023-CCCLK | Apco Construction              | (3.50)   |
| 05/26/2017 | Transaction Assessment |                            |                                | 3.50     |
| 05/26/2017 | Efile Payment          | Receipt # 2017-46146-CCCLK | Apco Construction              | (3.50)   |
| 06/09/2017 | Transaction Assessment |                            |                                | 0.50     |
| 06/09/2017 | Payment (Window)       | Receipt # 2017-49503-CCCLK | Stephen Kopolow Attorney       | (0.50)   |
| 06/20/2017 | Transaction Assessment |                            |                                | 3.50     |
| 06/20/2017 | Efile Payment          | Receipt # 2017-51596-CCCLK | Apco Construction              | (3.50)   |
| 06/21/2017 | Transaction Assessment |                            |                                | 3.50     |
| 06/21/2017 | Efile Payment          | Receipt # 2017-51974-CCCLK | Apco Construction              | (3.50)   |
| 06/27/2017 | Transaction Assessment |                            |                                | 203.50   |
| 06/27/2017 | Efile Payment          | Receipt # 2017-53265-CCCLK | Apco Construction              | (203.50) |
| 08/02/2017 | Transaction Assessment |                            |                                | 3.50     |
| 08/02/2017 | Efile Payment          | Receipt # 2017-61590-CCCLK | Apco Construction              | (3.50)   |
| 08/22/2017 | Transaction Assessment |                            |                                | 3.50     |
| 08/22/2017 | Efile Payment          | Receipt # 2017-66175-CCCLK | Apco Construction              | (3.50)   |
| 08/22/2017 | Transaction Assessment |                            |                                | 3.50     |
| 08/22/2017 | Efile Payment          | Receipt # 2017-66179-CCCLK | Apco Construction              | (3.50)   |
| 09/21/2017 | Transaction Assessment |                            |                                | 3.50     |
| 09/21/2017 | Efile Payment          | Receipt # 2017-73371-CCCLK | Apco Construction              | (3.50)   |
| 09/21/2017 | Transaction Assessment |                            |                                | 3.50     |
| 09/21/2017 | Efile Payment          | Receipt # 2017-73429-CCCLK | Apco Construction              | (3.50)   |
| 10/30/2017 | Transaction Assessment |                            |                                | 3.50     |
| 10/30/2017 | Efile Payment          | Receipt # 2017-82295-CCCLK | Apco Construction              | (3.50)   |
| 10/30/2017 | Transaction Assessment |                            |                                | 3.50     |
| 10/30/2017 | Efile Payment          | Receipt # 2017-82543-CCCLK | Apco Construction              | (3.50)   |
| 11/07/2017 | Transaction Assessment |                            |                                | 3.50     |
| 11/07/2017 | Efile Payment          | Receipt # 2017-84287-CCCLK | Apco Construction              | (3.50)   |
| 11/07/2017 | Transaction Assessment |                            |                                | 3.50     |
| 11/07/2017 | Efile Payment          | Receipt # 2017-84449-CCCLK | Apco Construction              | (3.50)   |
| 01/11/2018 | Transaction Assessment |                            |                                | 3.50     |
| 01/11/2018 | Efile Payment          | Receipt # 2018-02741-CCCLK | Apco Construction              | (3.50)   |
| 01/16/2018 | Transaction Assessment |                            |                                | 3.50     |
| 01/16/2018 | Efile Payment          | Receipt # 2018-03127-CCCLK | Apco Construction              | (3.50)   |
| 02/20/2018 | Transaction Assessment |                            |                                | 27.50    |
| 02/20/2018 | Efile Payment          | Receipt # 2018-12275-CCCLK | Apco Construction              | (27.50)  |
| 05/18/2018 | Transaction Assessment |                            |                                | 3.00     |
| 05/18/2018 | Payment (Window)       | Receipt # 2018-33955-CCCLK | T. James Truman & Associates   | (3.00)   |

|            |  |                            |   |             |
|------------|--|----------------------------|---|-------------|
| 05/24/2018 | Transaction Assessment                                     |                            |   | 5.00        |
| 05/24/2018 | Payment (Window)   | Receipt # 2018-35495-CCCLK | American Legal Investigation Services Nevada Inc. | (5.00)      |
| 05/25/2018 | Transaction Assessment                                     |                            |   | 3.50        |
| 05/25/2018 | Efile Payment  | Receipt # 2018-35664-CCCLK | Apco Construction                                 | (3.50)      |
| 05/25/2018 | Transaction Assessment                                     |                            |   | 3.50        |
| 05/25/2018 | Efile Payment  | Receipt # 2018-35755-CCCLK | Apco Construction                                 | (3.50)      |
|            |  |                            |   |             |
|            | <b>Third Party Plaintiff E &amp; E Fire Protection LLC</b> |                            |   |             |
|            | Total Financial Assessment                                 |                            |   | 200.00      |
|            | Total Payments and Credits                                 |                            |   | 200.00      |
|            | <b>Balance Due as of 05/25/2018</b>                        |                            |   | <b>0.00</b> |
| 08/11/2017 | Transaction Assessment                                     |                            |   | 200.00      |
| 08/11/2017 | Efile Payment  | Receipt # 2017-63784-CCCLK | E & E Fire Protection LLC                         | (200.00)    |
|            |  |                            |   |             |
|            | <b>Third Party Plaintiff Insulpro Projects Inc</b>         |                            |   |             |
|            | Total Financial Assessment                                 |                            |   | 200.00      |
|            | Total Payments and Credits                                 |                            |   | 200.00      |
|            | <b>Balance Due as of 05/25/2018</b>                        |                            |   | <b>0.00</b> |
| 05/18/2016 | Efile Payment  | Receipt # 2016-48150-CCCLK | Insulpro Projects Inc                             | (200.00)    |
| 06/28/2016 | Transaction Assessment                                     |                            |   | 200.00      |



# EXHIBIT H



## STATEMENT OF ACCOUNT

Statement Date

05/09/18

TO: Jack Chen Min Juan, Esq.  
Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas, NV 89145

Reference #: 1260003908 DKH  
Billing Specialist: Glenn Mason  
Email: gmason@jamsadr.com  
Telephone: 949-224-4654  
Employer ID: 68-0542699

RE: APCO Construction vs. Gemstone Development West, Inc.

Representing: APCO Construction

Neutrals(s): Floyd Hale Esq.

Hearing Type: Court Reference

REP# 1

| Date     | Description  | Charges  | Credits  | Balance  |
|----------|--|----------|----------|----------|
| 10/28/16 | INVOICE #0003874092-260                              | 1,144.63 |          | 1,144.63 |
| 11/21/16 | CK #119643<br>9-4 Paid By: Marquis Aurbach Coffing   |          | 1,144.63 | 0.00     |
| 12/29/16 | INVOICE #0003923892-260                              | 111.36   |          | 111.36   |
| 01/17/17 | CK #120138<br>10-12 Paid By: Marquis Aurbach Coffing |          | 111.36   | 0.00     |
| 01/30/17 | INVOICE #0003946170-260                              | 160.86   |          | 160.86   |
| 02/17/17 | CK #120414<br>5-14 Paid By: Marquis Aurbach Coffing  |          | 160.86   | 0.00     |
| 02/27/17 | INVOICE #0003969622-260                              | 260.74   |          | 260.74   |
| 03/20/17 | CK #120653<br>16-18 Paid By: Marquis Aurbach Coffing |          | 260.74   | 0.00     |
| 03/30/17 | INVOICE #0003996550-260                              | 149.34   |          | 149.34   |
| 04/20/17 | CK #120953<br>1-23 Paid By: Marquis Aurbach Coffing  |          | 149.34   | 0.00     |
| 04/27/17 | INVOICE #0004021816-260                              | 99.02    |          | 99.02    |
| 05/18/17 | CK #121189<br>1-3 Paid By: Marquis Aurbach Coffing   |          | 99.02    | 0.00     |
| 05/30/17 | INVOICE #0004046386-260                              | 533.92   |          | 533.92   |
| 06/19/17 | CK #121470<br>16-19 Paid By: Marquis Aurbach Coffing |          | 533.92   | 0.00     |
| 06/29/17 | INVOICE #0004072976-260                              | 309.42   |          | 309.42   |

YOUR ACCOUNT BALANCE IS DUE UPON RECEIPT

Please make checks payable to JAMS, Inc.

Standard mail:  
P.O. Box 845402  
Los Angeles, CA 90084

Overnight mail:  
18881 Von Karman Ave. Suite 350  
Irvine, CA 92612

Page 1 of 2

JA006734



RE: **APCO Construction vs. Gemstone Development West, Inc.**

Representing: **APCO Construction**

Neutrals(s): **Floyd Hale Esq.**

Hearing Type: **Court Reference**

Reference #: **1260003908**

REP# **1**

| Date     | Description   | Charges | Credits | Balance |
|----------|---|---------|---------|---------|
| 07/20/17 | CK #121738<br>4-23 Paid By: Marquis Aurbach Coffing |         | 309.42  | 0.00    |
| 07/28/17 | INVOICE #0004095582-260                             | 99.02   |         | 99.02   |
| 08/21/17 | CK #121973<br>5-18 Paid By: Marquis Aurbach Coffing |         | 99.02   | 0.00    |
| 08/30/17 | INVOICE #0004121362-260                             | 49.52   |         | 49.52   |
| 09/22/17 | CK #122236<br>3-16 Paid By: Marquis Aurbach Coffing |         | 49.52   | 0.00    |
| 09/28/17 | INVOICE #0004146236-260                             | 24.75   |         | 24.75   |
| 10/18/17 | CK #1224771<br>2-1 Paid By: Marquis & Aurbach       |         | 24.75   | 0.00    |
| 10/30/17 | INVOICE #0004176158-260                             | 86.63   |         | 86.63   |
| 11/22/17 | CK #122643<br>1-16 Paid By: Marquis Aurbach Coffing |         | 86.63   | 0.00    |
| 11/29/17 | INVOICE #0004208390-260                             | 37.08   |         | 37.08   |
| 12/27/17 | CK #122881<br>14-2 Paid By: Marquis Aurbach Coffing |         | 37.08   | 0.00    |
| 03/30/18 | INVOICE #0004345960-260                             | 12.38   |         | 12.38   |
| 04/25/18 | CK #123918<br>2-20 Paid By: Marquis Aurbach Coffing |         | 12.38   | 0.00    |

Outstanding Balance: 0.00

# EXHIBIT I



**Holo Discovery**  
3016 West Charleston Blvd #170  
Las Vegas, NV 89102  
(702) 333-4321  
holo-discovery.com



**BILL TO**  
Marquis Aurbach Coffing  
10001 Park Run Dr  
Las Vegas, NV 89145

**INVOICE 2529**

**DATE** 04/27/2017 **TERMS** Net 30

**DUE DATE** 05/27/2017

**ORDERED BY**  
Taylor Fong

**CLIENT MATTER**  
Las Vegas Paving

**REP**  
Jon

| ACTIVITY  | QTY              | AMOUNT          |
|---|------------------|-----------------|
| <b>Description</b><br>Print PDFs and organize into binders. | 1                | 0.00            |
| <b>B/W Printing</b>   | 3,410            | 341.00T         |
| <b>4 Inch Binder</b>  | 2                | 32.00T          |
| <b>1 Inch Binder</b>  | 1                | 8.00T           |
| Project Number: 17515                                       | SUBTOTAL         | 381.00          |
| Date Delivered: 04/27/2017                                  | TAX (8.15%)      | 31.06           |
|   | TOTAL            | 412.06          |
|   | <b>TOTAL DUE</b> | <b>\$412.06</b> |

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

**JA006737**



Holo Discovery  
3016 West Charleston Blvd #170  
Las Vegas, NV 89102  
(702) 333-4321  
holo-discovery.com



**BILL TO**  
Marquis Aurbach Coffing  
10001 Park Run Dr  
Las Vegas, NV 89145

**INVOICE 2612**

**DATE 05/09/2017 TERMS Net 30**

**DUE DATE 06/08/2017**

**ORDERED BY**  
Taylor Fong

**CLIENT MATTER**  
APCO v. Gemstone

**REP**  
Jon

| ACTIVITY   | QTY   | AMOUNT  |
|--|-------|---------|
| <b>Description</b><br>Print additional set of documents. | 1     | 0.00    |
| <b>B/W Printing</b>                                      | 3,410 | 341.00T |
| <b>1 Inch Binder</b>                                     | 1     | 8.00T   |
| <b>2 Inch Binder</b>                                     | 2     | 20.00T  |
| <b>3 Inch Binder</b>                                     | 1     | 13.00T  |

Project Number: 17571  
Date Delivered: 05/05/2017

SUBTOTAL 382.00  
TAX (8.25%) 31.51  
TOTAL 413.51

**TOTAL DUE \$413.51**

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

**JA006738**



Holo Discovery  
3016 West Charleston Blvd #170  
Las Vegas, NV 89102  
(702) 333-4321  
holo-discovery.com



**BILL TO**  
Marquis Aurbach Coffing  
10001 Park Run Dr  
Las Vegas, NV 89145

**INVOICE 2625**

**DATE 05/10/2017 TERMS Net 30**

**DUE DATE 06/09/2017**

**ORDERED BY**  
Taylor Fong

**CLIENT MATTER**  
APCO v. Gemstone

**REP**  
Jon

| ACTIVITY  | QTY              | AMOUNT          |
|---|------------------|-----------------|
| <b>Description</b><br>Print document and organize into binders. | 1                | 0.00            |
| <b>B/W Printing</b>   | 2,508            | 250.80T         |
| <b>1 Inch Binder</b>  | 6                | 48.00T          |
| <b>2 Inch Binder</b>  | 2                | 20.00T          |
| Project Number: 17582   | SUBTOTAL         | 318.80          |
| Date Delivered: 05/09/2017                                      | TAX (8.25%)      | 26.30           |
|   | TOTAL            | 345.10          |
|   | <b>TOTAL DUE</b> | <b>\$345.10</b> |

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

**JA006739**





**Holo Discovery**  
3016 West Charleston Blvd #170  
Las Vegas, NV 89102  
(702) 333-4321  
holo-discovery.com

**BILL TO**

Marquis Aurbach Coffing  
10001 Park Run Dr  
Las Vegas, NV 89145

**INVOICE 2699**

DATE 05/24/2017 TERMS Net 30

DUE DATE 06/23/2017

**ORDERED BY**

Taylor Fong

**CLIENT MATTER**

APCO v. Gemstone

**REP**

Jon

| ACTIVITY   | QTY    | AMOUNT    |
|--|--------|-----------|
| <b>Description</b><br>Print documents x 2 and organize into binders. | 1      | 0.00      |
| <b>B/W Printing</b>  | 11,828 | 1,182.80T |
| <b>Index Tabs</b>  | 30     | 10.50T    |
| <b>1 Inch Binder</b>   | 6      | 48.00T    |
| <b>1.5 Inch Binder</b>   | 4      | 36.00T    |
| <b>2 Inch Binder</b>   | 6      | 60.00T    |
| <b>3 Inch Binder</b>   | 4      | 52.00T    |

Project Number: 17664  
Date Delivered: 05/24/2017

SUBTOTAL 1,389.30  
TAX (8.25%) 114.62  
TOTAL 1,503.92

**TOTAL DUE \$1,503.92**

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

**JA006740**





Holo Discovery  
3016 West Charleston Blvd #170  
Las Vegas, NV 89102  
(702) 333-4321  
holo-discovery.com



**BILL TO**  
Marquis Aurbach Coffing  
10001 Park Run Dr  
Las Vegas, NV 89145

**INVOICE 3292**

**DATE 08/24/2017 TERMS Net 30**

**DUE DATE 09/23/2017**

**ORDERED BY**  
Taylor Fong

**CLIENT MATTER**  
5161-19

**REP**  
Jon

| ACTIVITY  | QTY | AMOUNT  |
|---|-----|---------|
| <b>Description</b><br>Print 2 exhibit boards.             | 1   | 0.00    |
| <b>Exhibit Boards:Large B/W Exhibit Board - 36"x48"</b>   | 1   | 60.00T  |
| <b>Exhibit Boards:Large Color Exhibit Board - 36"x48"</b> | 1   | 150.00T |

Project Number: 18209  
Date Delivered: 08/23/2017

SUBTOTAL 210.00  
TAX (8.25%) 17.33  
TOTAL 227.33

**TOTAL DUE \$227.33**

Thank you for your business. Please make checks payable to Holo Discovery.

Tax Id: 81-2158838

**JA006741**

# EXHIBIT J

# **TRANSCRIBER'S BILLING INFORMATION**

|  |  |  |                           |                          |
|--|--|--|---------------------------|--------------------------|
| <b>CASE #</b>                                  | A571228  |  |                           |                          |
| <b>CASE NAME:</b>                              | APCO Construction vs. Gemstone Development   |  |                           |                          |
| <b>HEARING DATE:</b>                           | 10/30/12   |  |                           |                          |
| <b>DEPARTMENT #</b>                            | 29   |  |                           |                          |
| <b>COURT<br/>RECORDER/<br/>EXTENSION</b>       | ANGIE CALVILLO<br>702-671-0889   |  |                           |                          |
| <b>ORDERED BY:</b>                             | Jack C. Juan, Esq.   |  |                           |                          |
| <b>FIRM:</b>                                   | Marquis A C  |  |                           |                          |
| <b>EMAIL:</b>                                  | tfong@maclaw.com   |  |                           |                          |
| <b>PAYABLE TO:</b>                             | <p><b>Make check payable to:</b><br/> <b>Clark County Treasurer</b><br/> <b>County Tax ID#: 88-6000028</b><br/> <b>Include case number on check</b></p> <p><b><u>Mailing Address:</u></b><br/> <b>Regional Justice Center</b><br/> <b>Fiscal Services</b><br/> <b>Attn: Kim Ockey</b><br/> <b>200 Lewis Ave.</b><br/> <b>Las Vegas, NV 89155</b></p> |  |                           |                          |
| <b>BILL AMOUNT:</b>                            |  | <b>CDs @ \$25 each =</b>                   |                           | <b>\$</b>                |
|  | <b>1</b>   | <b>hour @ \$30 an hour recording fee =</b> |                           | <b>\$30.00</b>           |
|  | <b>23</b>  | <b>pages @ \$3.80</b>                      | <b>per page of trans.</b> | <b>\$87.40</b>           |
|  | <b>Total</b>   |  |                           | <b>\$117.40</b>          |
| <b>PAYABLE TO<br/>OUTSIDE<br/>TRANSCRIBER:</b> | <b>Make check payable to: Karr Reporting</b>   |  |                           |                          |
| <b>BILL AMOUNT:</b>                            |  | <b>pages @</b>                             | <b>\$</b>                 | <b>per page of trans</b> |
|  |  |  |                           | <b>\$</b>                |
| <b>DATE PAID:</b>                              |  |  |                           |                          |
|  | <b>TRANSCRIPTS WILL NOT BE FILED OR RELEASED<br/>UNTIL PAYMENT IS RECEIVED</b>   |  |                           |                          |

Capture Court Reporting, LLC  
8565 South Eastern Avenue, Suite 150  
Las Vegas, NV 89123 US  
833.222.7887  
production@capturereporting.com



## INVOICE

### BILL TO

Cody S. Mounteer Esq.  
Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas, Nevada 89145

INVOICE # 1013

DATE 01/08/2018

DUE DATE 01/08/2018

TERMS Due on receipt

| SERVICE   | QTY | RATE  | AMOUNT |
|---|-----|-------|--------|
| Apco V. Gemstone, et al., A571228   |     |       |        |
| Service:Certified Transcript<br>Deposition of Nicholas Cox, 11/15/2017    | 13  | 3.75  | 48.75  |
| Service:Certified Transcript<br>Deposition of Robert Thompson, 11/15/2017 | 9   | 3.75  | 33.75  |
| Service:E-Transcript<br>Complimentary                                     | 1   | 0.00  | 0.00   |
| Service:Condensed Transcript - MINI<br>Condensed + Word Index             | 1   | 0.00  | 0.00   |
| Service:Delivery  | 1   | 20.00 | 20.00  |

Thank you for your business.

BALANCE DUE

**\$102.50**

JA006744



**LIT** Litigation  
SERVICES

Discovery | Depositions | Trial

3770 Howard Hughes Pkwy,  
Suite 300  
Las Vegas, NV 89169  
Phone: 800.330.1112  
LitigationServices.com

Jack Chen Min Juan, Esq.  
Marquis, Aurbach & Coffing  
10001 Park Run Drive  
Las Vegas, NV 89145

# INVOICE

| Invoice No.   | Invoice Date | Job No. |
|---|--------------|---------|
| 1162732   | 7/6/2017     | 395562  |
| Job Date  | Case No.     |         |
| 6/20/2017   | A571228      |         |
| Case Name   |              |         |
| APCO Construction vs. Gemstone Development West, Inc. |              |         |
| Payment Terms   |              |         |
| Net 30  |              |         |

1/2 the Cost of the Original & 1 Copy of the Transcript of:  
David E. Parry

656.00

**TOTAL DUE >>>** **\$656.00**  
AFTER 8/5/2017 PAY \$721.60

Please note, disputes or refunds will not be honored or issued after 30 days

Tax ID: 27-5114755

Phone: 702-382-0711 Fax: 702-382-5816

Please detach bottom portion and return with payment.

Jack Chen Min Juan, Esq.  
Marquis, Aurbach & Coffing  
10001 Park Run Drive  
Las Vegas, NV 89145

Invoice No. : 1162732  
Invoice Date : 7/6/2017  
Total Due : \$ 656.00  
AFTER 8/5/2017 PAY \$721.60

Remit To: **Litigation Services and Technologies of  
Nevada, LLC**  
P.O. Box 98813  
Las Vegas, NV 89193-8813

Job No. : 395562  
BU ID : LV-CR  
Case No. : A571228  
Case Name : APCO Construction vs. Gemstone  
Development West, Inc.

5161-19



JA006745





2700 Centennial Tower  
101 Marietta Street  
Atlanta GA 30303  
888-486-4044  
www.esquiresolutions.com  
Tax ID # 45-3463120

# Invoice INV1042425

Date 8/2/2017  
Terms Net 30  
Due Date 9/1/2017

Client Number C08074  
Esquire Office Las Vegas  
Proceeding Type Construction Defect - PMK  
Name of Insured  
Adjuster  
Firm Matter/File #  
Client Claim/Matter #  
Date of Loss

## Bill To

Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas NV 89145

## Services Provided For

Marquis Aurbach Coffing - Las Vegas  
Munteer, Cody S  
10001 Park Run Drive  
Las Vegas NV 89145

| Job Date                   | Job ID        | Job Location      | Case  |        |
|----------------------------|---------------|-------------------|---|--------|
| 7/18/2017                  | J0585157      | Las Vegas, NEVADA | APCO CONSTRUCTION VS. GEMSTONE DEVELOPMENT W... |        |
| Description                | Deponent      | Qty               | Unit Rate                                       | Amount |
| TRANSCRIPT - O&1-WI        | Mary Jo Allen | 120               | 4.80  | 552.00 |
| APP FEE: HALF DAY          | Mary Jo Allen | 1                 | 114.00  | 114.00 |
| EXHIBITS W/ TABS           | Mary Jo Allen | 111               | 0.50  | 55.50  |
| CONDENSED TRANSCRIPT       | Mary Jo Allen | 1                 | 25.00   | 25.00  |
| WITNESS READ & SIGN PACKET | Mary Jo Allen | 1                 | 0.00  | 0.00   |
| HANDLING FEE               | Mary Jo Allen | 1                 | 20.00   | 20.00  |
| ORIGINAL COMPLIANCE FEE    | Mary Jo Allen | 1                 | 15.00   | 15.00  |

8/11/17  
TO CSM  
OK to pay?

Representing Client: Marquis Aurbach Coffing - Las Vegas

Subtotal 781.50  
Shipping Cost (n/a) 0.00  
Total 781.50  
Amount Due \$781.50

Attorney is responsible for payment of all charges incurred. Payment is due by "Due Date" shown on invoice. Failure to pay by "Due Date" may result in the assessment of a late fee. Transcript package typically includes transcript word index, exhibits, appearance fee, condensed transcript, litigation support disk, shipping, video charges and may include other service charges based on job or region. Some services and rates may vary by job or region. Please contact your local office for specific details and questions. Full Terms and Conditions are viewable online at [www.esquiresolutions.com/invoice-terms](http://www.esquiresolutions.com/invoice-terms). These stated terms and conditions, to the extent they contradict the rules and regulations in Arizona, do not apply. All aspects of this invoice and other business terms comply with the ethical obligations set forth in the AZ Code of Judicial Administration Section 7-206(J)(1)(g)(3) through (8).

Please detach and return this bottom portion with your payment or pay online at

[www.esquireconnect.com](http://www.esquireconnect.com)

## Remit to:

Esquire Deposition Solutions, LLC  
P. O. Box 848099  
Dallas, TX 75284-6099

Client Name Marquis Aurbach Coffing - Las V...  
Client # C08074  
Invoice # INV1042425  
Invoice Date 8/2/2017  
Due Date 9/1/2017  
Amount Due \$ 781.50

JA006746



# ESQUIRE

DEPOSITION SOLUTIONS

2700 Centennial Tower  
101 Marietta Street  
Atlanta GA 30303  
888-486-4044  
www.esquiredepositionsolutions.com  
Tax ID # 45-3463120

## Invoice INV1042379

|          |          |                       |                           |
|----------|----------|-----------------------|---------------------------|
| Date     | 8/2/2017 | Client Number         | C06074                    |
| Terms    | Net 30   | Esquire Office        | Las Vegas                 |
| Due Date | 9/1/2017 | Proceeding Type       | Construction Defect - PMK |
|          |          | Name of Insured       |                           |
|          |          | Adjuster              |                           |
|          |          | Firm Matter/File #    |                           |
|          |          | Client Claim/Matter # |                           |
|          |          | Date of Loss          |                           |

### Bill To

Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas NV 89145

### Services Provided For

Marquis Aurbach Coffing - Las Vegas  
Munteer, Cody S  
10001 Park Run Drive  
Las Vegas NV 89145

| Job Date                   | Job ID        | Job Location      | Case  |        |
|----------------------------|---------------|-------------------|---|--------|
| 7/19/2017                  | J0585160      | Las Vegas, NEVADA | APCO CONSTRUCTION VS. GEMSTONE DEVELOPMENT W... |        |
| Description                | Deponent      | Qty               | Unit Rate                                       | Amount |
| TRANSCRIPT - COPY-TELE-WI  | Mary Jo Allen | 146               | 3.95  | 576.70 |
| EXHIBITS W/ TABS           | Mary Jo Allen | 231               | 0.60  | 115.60 |
| CONDENSED TRANSCRIPT       | Mary Jo Allen | 1                 | 25.00   | 26.00  |
| HANDLING FEE               | Mary Jo Allen | 1                 | 20.00   | 20.00  |
| WITNESS READ & SIGN PACKET | Mary Jo Allen | 1                 | 0.00  | 0.00   |
| EXHIBITS COLOR             | Mary Jo Allen | 13                | 1.95  | 25.35  |

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OK to pay?

|                     |          |
|---------------------|----------|
| Subtotal            | 762.55   |
| Shipping Cost (n/a) | 0.00     |
| Total               | 762.55   |
| Amount Due          | \$762.55 |

Attorney is responsible for payment of all charges incurred. Payment is due by "Due Date" shown on invoice. Failure to pay by "Due Date" may result in the assessment of a late fee. Transcript package typically includes transcript/word index, exhibits, appearance fee, condensed transcript, litigation support disk, shipping, video charges and may include other service charges based on job or region. Some services and rates may vary by job or region. Please contact your local office for specific detail and questions. Full Terms and Conditions are viewable online at [www.esquiredepositionsolutions.com/invoice-terms](http://www.esquiredepositionsolutions.com/invoice-terms). These stated terms and conditions, to the extent they contradict the rules and regulations in Arizona, do not apply. All aspects of this invoice and other business terms comply with the ethical obligations set forth in the AZ Code of Judicial Administration Section 7-208(J)(1)(g)(3) through (6).

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### Remit to:

Esquire Deposition Solutions, LLC  
P. O. Box 846099  
Dallas, TX 75284-6099

|              |                                  |
|--------------|----------------------------------|
| Client Name  | Marquis Aurbach Coffing - Las V. |
| Client #     | C06074                           |
| Invoice #    | INV1042379                       |
| Invoice Date | 8/2/2017                         |
| Due Date     | 9/1/2017                         |
| Amount Due   | \$ 762.55                        |

JA006747



# ESQUIRE

DEPOSITION SOLUTIONS

2700 Centennial Tower  
101 Marietta Street  
Atlanta GA 30303  
888-486-4044  
www.esquiresolutions.com  
Tax ID # 45-3463120

## Invoice INV1016126

Date 6/21/2017  
Terms Net 30  
Due Date 7/21/2017

Client Number C06074  
Esquire Office Las Vegas  
Proceeding Type Deposition  
Name of Insured

Adjuster  
Firm Matter/File #

Client VAL ID  
Date of Loss

### Bill To

Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas NV 89145

### Services Provided For

Marquis Aurbach Coffing - Las Vegas  
Juan, Chen "Jack" M  
10001 Park Run Drive  
Las Vegas NV 89145

| Job Date                   | Job ID       | Job Location      | Case  |        |  |
|----------------------------|--------------|-------------------|---|--------|--|
| 6/5/2017                   | J0576165     | Las Vegas, NEVADA | APCO CONSTRUCTION VS. GEMSTONE DEVELOPMENT W... |        |  |
| Description                | Deponent     | Qty               | Unit Rate                                       | Amount |  |
| TRANSCRIPT - O&1-WI        | Brian Benson | 125               | 4.60  | 575.00 |  |
| APP FEE: HALF DAY          | Brian Benson | 1                 | 114.00  | 114.00 |  |
| EXHIBITS W/TABS            | Brian Benson | 296               | 0.50  | 148.00 |  |
| DIGITAL TRANSCRIPT-PDF-PTX | Brian Benson | 1                 | 50.00   | 50.00  |  |
| CONDENSED TRANSCRIPT       | Brian Benson | 1                 | 25.00   | 25.00  |  |
| HANDLING FEE               | Brian Benson | 1                 | 20.00   | 20.00  |  |
| WITNESS READ & SIGN LETTER | Brian Benson | 1                 | 0.00  | 0.00   |  |
| EXHIBITS COLOR             | Brian Benson | 6                 | 1.95  | 11.70  |  |

Representing Client: Marquis Aurbach Coffing - Las Vegas

Subtotal 943.70  
Shipping Cost (FedEx) 22.95  
Total \$966.65  
Amount Paid 966.65

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### Remit to:

Esquire Deposition Solutions, LLC  
P. O. Box 846099  
Dallas, TX 75284-6099

Client Name Marquis Aurbach Coffing - Las V...  
Client # C06074  
Invoice # INV1016126  
Invoice Date 6/21/2017  
Due Date 7/21/2017  
Amount Due \$ 0.00

JA006748





2700 Centennial Tower  
101 Marietta Street  
Atlanta GA 30303  
888-486-4044  
www.esquiredepositionsolutions.com  
Tax ID # 45-3463120

# Invoice INV1043094

|          |          |                       |                           |
|----------|----------|-----------------------|---------------------------|
| Date     | 8/2/2017 | Client Number         | C08074                    |
| Terms    | Net 30   | Esquire Office        | Las Vegas                 |
| Due Date | 9/1/2017 | Proceeding Type       | Construction Defect - PMK |
|          |          | Name of Insured       |                           |
|          |          | Adjuster              |                           |
|          |          | Firm Matter/File #    |                           |
|          |          | Client Claim/Matter # |                           |
|          |          | Date of Loss          |                           |

## Bill To

Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas NV 89145

## Services Provided For

Marquis Aurbach Coffing - Las Vegas  
Munteer, Cody S  
10001 Park Run Drive  
Las Vegas NV 89145

| Job Date                   | Job ID                   | Job Location      | Case  |        |  |
|----------------------------|--------------------------|-------------------|---|--------|--|
| 7/20/2017                  | J0581357                 | Las Vegas, NEVADA | APCO CONSTRUCTION VS. GEMSTONE DEVELOPMENT W,.. |        |  |
| Description                | Deponent                 | Qty               | Unit Rate                                       | Amount |  |
| TRANSCRIPT - O&1-WI        | Helix Electric of Nevada | 114               | 4.60  | 524.40 |  |
| APP FEE: HALF DAY          | Helix Electric of Nevada | 1                 | 114.00  | 114.00 |  |
| EXHIBITS W/TABS            | Helix Electric of Nevada | 148               | 0.50  | 74.00  |  |
| CONDENSED TRANSCRIPT       | Helix Electric of Nevada | 1                 | 25.00   | 25.00  |  |
| DIGITAL TRANSCRIPT-PDF-PTX | Helix Electric of Nevada | 1                 | 50.00   | 50.00  |  |
| WITNESS READ & SIGN PACKET | Helix Electric of Nevada | 1                 | 0.00  | 0.00   |  |
| HANDLING FEE               | Helix Electric of Nevada | 1                 | 20.00   | 20.00  |  |
| ORIGINAL COMPLIANCE FEE    | Helix Electric of Nevada | 1                 | 15.00   | 15.00  |  |

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Representing Client: Marquis Aurbach Coffing - Las Vegas

|                       |          |
|-----------------------|----------|
| Subtotal              | 822.40   |
| Shipping Cost (FedEx) | 22.95    |
| Total                 | 845.35   |
| Amount Due            | \$845.35 |

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[www.esquireconnect.com](http://www.esquireconnect.com)

## Remit to:

Esquire Deposition Solutions, LLC  
P. O. Box 848099  
Dallas, TX 75284-8099

|              |                                    |
|--------------|------------------------------------|
| Client Name  | Marquis Aurbach Coffing - Las V... |
| Client #     | C08074                             |
| Invoice #    | INV1043094                         |
| Invoice Date | 8/2/2017                           |
| Due Date     | 9/1/2017                           |
| Amount Due   | \$ 845.35                          |

JA006749

# **EXHIBIT K**