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Mar 31 2020 10:25 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

\$2515
DAVID S. LEE, ESQ.
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Nevada Bar No. 7414
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Attorneys for Defendant
Q & D CONSTRUCTION, INC.

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION, a
Domestic Non-Profit Corporation,

Plaintiff,

v.

SOMERSETT DEVELOPMENT COMPANY,
LTD., a Nevada Limited Liability Company;
SOMERSETT, LLC a dissolved Nevada Limited
Liability Company; SOMERSETT
DEVELOPMENT CORPORATION, a dissolved
Nevada Corporation; PARSONS BROS
ROCKERIES, CA INC., a Nevada Corporation;
PARSONS BROS ROCKERIES CALIFORNIA
INC. dba PARSONS WALLS, a California
Corporation; Q & D Construction, Inc. a Nevada
Corporation, and DOES 5 through 50, inclusive,

Defendants.

SOMERSETT DEVELOPMENT CO., LTD.,

Third-Party Plaintiff

v.

STANTEC CONSULTING, INC., an Arizona
corporation;

Third-Party Defendants.

CASE NO.: **CV17-02427**
DEPT. NO.: **15**

NOTICE OF APPEAL

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LEE, LANDRUM & CARLSON, APC
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(702) 880-9750

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NOTICE OF APPEAL

Pursuant to NRAP 3A, Defendant Q & D Construction, Inc., by and through its counsel, Lee, Landrum & Carlson, APC, hereby appeals to the Supreme Court of Nevada the Order Denying Defendant, Q & D Construction, Inc.'s Motion for Attorney's Fees entered on February 10, 2020.

AFFIRMATION

The undersigned attorney does hereby affirm, pursuant to NRS 239B.030, that this document and any attachments do not contain personal information as defined in NRS 603.040 about any persons.

DATED this 20th day of March, 2020.

LEE, LANDRUM & CARLSON, APC

By: _____


DAVID S. LEE, ESQ.
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7575 Vegas Drive, Suite 150
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Attorneys for Defendant
Q & D CONSTRUCTION, INC.

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CERTIFICATE OF MAILING

Somerset Owners Association v. Somerset Development Co., Ltd., et al.
(Q&D Construction, Inc.)

I HEREBY CERTIFY that on the 20th of March, 2020, I served a copy of the above and foregoing **NOTICE OF APPEAL**, via E-Flex Electronic Filing System to the following counsel/person(s):

SEE ATTACHED SERVICE LIST

/s/ Dominique Hoskins

An employee of LEE, LANDRUM & CARLSON, APC

Somerset Owners Association v. Somerset Development Co., Ltd., et al.
(Q&D Construction, Inc.)

Attorney	Phone/Fax/Email	Party
Don Springmeyer, Esq. John Samberg, Esq. Roi Moas, Esq. WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP 5594 B Longley Lane Reno, NV 89511	T: (775) 853-6787 F: (775) 853-6774 dspringmeyer@wrslawyers.com jsamberg@wrslawyers.com rmoas@wrslawyers.com	<i>Plaintiff</i>
Charles L. Burcham, Esq. THORNDAL, ARMSTRONG, DELK, BALKENBUSH & EISINGER 6590 S. McCarran, Suite B Reno, Nevada 89509	T: (775) 786-2882 F: (775) 322-6338 clb@thorndal.com	<i>Somerset Development Company, Ltd., Somerset, LLC, and Somerset Development Corporation</i>
Theodore E. Chrissinger, Esq. Michael S. Kimmel, Esq. HOY CHRISSINGER KIMMEL VALAS 50 W. Liberty Street, Suite 840 Reno, NV 89501	T: (775) 786-8000-operator F:M (775) 785-3472 – direct tchrissinger@nevadalaw.com mkimmel@nevadalaw.com	<i>Stantec Consulting Services, Inc.</i>
Stephen G. Castronova, Esq. CASTRONOVA LAW OFFICES, P.C. 605 Forest Street Reno, NV 89509	T: (775) 323-2646 F: (775) 323-3181 sgc@castronovalaw.com	<i>Parsons Bros. Rockeries, Inc.</i>

1310
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Attorneys for Defendant
Q & D CONSTRUCTION, INC.

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION, a
Domestic Non-Profit Corporation,

Plaintiff,

v.

SOMERSETT DEVELOPMENT COMPANY,
LTD., a Nevada Limited Liability Company;
SOMERSETT, LLC a dissolved Nevada Limited
Liability Company; SOMERSETT
DEVELOPMENT CORPORATION, a dissolved
Nevada Corporation; PARSONS BROS
ROCKERIES, CA INC., a Nevada Corporation;
PARSONS BROS ROCKERIES CALIFORNIA
INC. dba PARSONS WALLS, a California
Corporation; Q & D Construction, Inc. a Nevada
Corporation, and DOES 5 through 50, inclusive,

Defendants.

SOMERSETT DEVELOPMENT CO., LTD.,

Third-Party Plaintiff

v.

STANTEC CONSULTING, INC., an Arizona
corporation;

Third-Party Defendants.

CASE NO.: CV17-02427
DEPT. NO.: 15

CASE APPEAL STATEMENT

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CASE APPEAL STATEMENT

Defendant Q & D Construction, Inc., by and through its counsel, Lee, Landrum & Carlson, APC, hereby submits this Case Appeal Statement pursuant to NRAP 3(f)(1).

1. Appellant filing this appeal statement: Q & D Construction, Inc.
2. Judge issuing decision, judgment, or order appealed from: Hon. Elliott A. Sattler
3. Identify appellant and the name and address of counsel for each appellant:

Appellant: Q & D Construction, Inc.

Counsel: David S. Lee, Esq.
Natasha A. Landrum, Esq.
LEE, LANDRUM & CARLSON, APC
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax; (702) 314-1210
dlee@lee-lawfirm.com
nlandrum@lee-lawfirm.com

4. Identify respondent and the name and address of counsel for each respondent:

Respondent: Plaintiff Somerset Owners Association

Counsel: Bradley Schrager, Esq.
John Samberg, Esq.
Royi Moas, Esq.
Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP
5594-B Longley Lane
Reno, Nevada 89511
bschrager@wrslawyers.com
jsamberg@wrslawyers.com
rmoas@wrslawyers.com

5. All counsel identified above are licensed to practice in Nevada.
6. Appellant was represented by retained counsel in the district court.
7. Appellant is represented by retained counsel on appeal.
8. No request has been made to proceed in forma pauperis.
9. The Complaint in this matter was originally filed on December 29, 2017.
10. Brief description of the nature of the action and result in the district court, including

the type of judgment or order being appealed and the relief granted by district court:

1 This is an appeal of the district court's order denying the Appellant's Motion for Attorney's
2 Fees. The underlying matter is a civil claim for construction defect liability pertaining to the
3 common area rockery walls at a the Somerset master-planned development in Reno, Nevada.
4 Appellant is defendant Q&D Construction, Inc. ("Q&D") who acted as the mass grading contractor
5 for portions of the development. Respondent is the Plaintiff - the Somerset Owners' Association.
6 Other Defendants/Third-Party Defendants in this action are Somerset Development Company
7 Ltd., Somerset, LLC, and Somerset Development Corporation, Parsons Brothers Rockeries, Inc.
8 and Stantect Consulting Services, Inc. The district court decided the Defendants' Joint Motion for
9 Summary Judgment in the Defendants' favor, determining that the statute of repose applied to bar
10 Respondents' suit since the rockery walls at issue were built and completed no later than December
11 of 2006. Following the District Court's granting of summary judgment in favor of all of the
12 Defendants, each Defendant filed a Motion for Attorneys' Fees.
13

14
15 Appellant's Motion for Fees asserted that since the district court granted summary
16 judgment disposing of the SOA's claims against all Defendants, Q&D is entitled to attorneys' fees
17 pursuant to NRS 116.4117(6) and NRS 18.010(2). Q&D maintained that the Court should properly
18 award attorney's fees to it under the prevailing party fee provision in NRS 116.4117(6), since the
19 Respondent brought direct claims based on NRS 116.4113, 116.4114, and 116.1113 against Q&D
20 and all of Respondent's claims were summarily adjudicated by the district court. Further,
21 Respondent was well aware of the effect of the statute of repose when it initiated this action, but it
22 knowingly failed to provide admissible evidence of a timely claim and despite said knowledge,
23 Respondent proceeded. As such, the claim was frivolous and brought or maintained without
24 reasonable grounds and fees should have been awarded pursuant to NRS 18.010(2).
25

26 The district court denied Appellant's request stating that it did not rule on any issues
27 pertaining to NRS Chapter 116 and that the suit was not brought or maintained without reasonable
28 grounds.

1 11. The case is the current subject of two appeals with the Supreme Court. The Case
2 numbers are:

3 (1) Supreme Court No. 79920 (denying Respondent's Motion to Strike)

4 (2) Supreme Court No. 79921 (granting Defendants' joint Motion for Summary
5 Judgment)

6 12. This appeal does not involve child custody or visitation.

7
8 13. There is no likelihood of settlement of this issue. The Parties already engaged a
9 good faith effort towards settlement by participating in the mandatory Supreme Court Settlement
10 Conference on March 13, 2020, with Settlement Judge Paul Hamilton, Esq. that necessarily
11 involved the issues set forth in Case Appeal Statement. The Parties were unable to reach a
12 settlement agreement.

13 **AFFIRMATION**

14 The undersigned attorney does hereby affirm, pursuant to NRS 239B.030, that this
15 document and any attachments do not contain personal information as defined in NRS 603.040
16 about any persons.

17 **DATED** this 20th day of March, 2020.

18 **LEE, LANDRUM & CARLSON, APC**

19
20 By: 

21 DAVID S. LEE, ESQ.

22 Nevada Bar No. 6033

23 NATASHA A. LANDRUM, ESQ.

24 Nevada Bar No. 7414

25 7575 Vegas Drive, Suite 150

26 Las Vegas, NV 89128

27 Attorneys for Defendant

28 Q & D CONSTRUCTION, INC.

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Somerset Owners Association v. Somerset Development Co., Ltd., et al.
(Q&D Construction, Inc.)

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SEE ATTACHED SERVICE LIST

/s/ Dominique Hoskins
An employee of LEE, LANDRUM & CARLSON, APC

Somersett Owners Association v. Somersett Development Co., Ltd., et al.
(Q&D Construction, Inc.)

Attorney	Phone/Fax/Email	Party
Don Springmeyer, Esq. John Samberg, Esq. Roi Moas, Esq. WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP 5594 B Longley Lane Reno, NV 89511	T: (775) 853-6787 F: (775) 853-6774 dspringmeyer@wrslawyers.com jsamberg@wrslawyers.com rmoas@wrslawyers.com	<i>Plaintiff</i>
Charles L. Burcham, Esq. THORNDAL, ARMSTRONG, DELK, BALKENBUSH & EISINGER 6590 S. McCarran, Suite B Reno, Nevada 89509	T: (775) 786-2882 F: (775) 322-6338 clb@thorndal.com	<i>Somersett Development Company, Ltd., Somersett, LLC, and Somersett Development Corporation</i>
Theodore E. Chrissinger, Esq. Michael S. Kimmel, Esq. HOY CHRISSINGER KIMMEL VALAS 50 W. Liberty Street, Suite 840 Reno, NV 89501	T: (775) 786-8000-operator F:M (775) 785-3472 – direct tchrissinger@nevadalaw.com mkimmel@nevadalaw.com	<i>Stantec Consulting Services, Inc.</i>
Stephen G. Castronova, Esq. CASTRONOVA LAW OFFICES, P.C. 605 Forest Street Reno, NV 89509	T: (775) 323-2646 F: (775) 323-3181 sgc@castronovalaw.com	<i>Parsons Bros. Rockerries, Inc.</i>

**SECOND JUDICIAL DISTRICT COURT
STATE OF NEVADA
COUNTY OF WASHOE**

Case History - CV17-02427

Case Description: SOMERSETT OWNERS ASSOC VS SOMERSETT DEV. ETAL (D10)

Case Number: CV17-02427 Case Type: CHAPTER 40 CONSTRUCTION DEFECT - Initially Filed On: 12/29/2017

Parties

<u>Party Type & Name</u>	<u>Party Status</u>
JUDG - DAVID A. HARDY - D15	Party ended on: 7/12/2018 10:16:49AM
JUDG - ELLIOTT A. SATTLER - D10	Active
PLTF - SOMERSETT OWNERS ASSOCIATION - @1186671	Active
DEFT - SOMERSETT DEVELOPMENT CORPORATION - @1152258	Active
DEFT - PARSONS BROS. ROCKERIES CALIFORNIA INC DBA PARSONS WALLS - @1318200	Active
DEFT - Q & D CONSTRUCTION, INC. - @1304132	Active
DEFT - SOMERSETT, LLC. - @1174674	Active
DEFT - SOMERSETT DEVELOPMENT COMPANY LTD. - @1129114	Active
DEFT - PARSONS ROCKSI, LLC. - @1323450	Party ended on: 5/10/2018 12:00:00AM
DEFT - PARSONS BROS. ROCKERIES, CA, INC. - @1318199	Active
DEFT - STANTEC CONSULTING SERVICES INC. - @1328698	Active
ATTY - Theodore E. Chrissinger, Esq. - 9528	Active
ATTY - Natasha A. Landrum, Esq. - 7414	Active
ATTY - David S. Lee, Esq. - 6033	Active
ATTY - Don Springmeyer, Esq. - 1021	Active
ATTY - Michael S. Kimmel, Esq. - 9081	Active
ATTY - Dirk W. Gaspar, Esq. - 10046	Party ended on: 2/13/2020 12:00:00AM
ATTY - Royi Moas, Esq. - 10686	Active
ATTY - Stephen G. Castronova, Esq. - 7305	Active
ATTY - Wade Carner, Esq. - 11530	Party ended on: 2/14/2020 12:00:00AM
ATTY - Charles L. Burcham, Esq. - 2673	Active
ATTY - John M. Samberg, Esq. - 10828	Active

Disposed Hearings

- 1 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/6/2019 at 15:23:00
Extra Event Text: MOTION FOR SUMMARY JUDGMENT AS AGAINST PLAINTIFF, SOMERSET OWNERS ASSOCIATION FILED 4-24-19
Event Disposition: S200 - 6/7/2019
- 2 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/11/2019 at 16:00:00
Extra Event Text: REQUEST FOR SUBMISSION OF SDC'S MOTION FOR SUMMARY JUDGMENT FILED 3/27/19
Event Disposition: S200 - 7/2/2019
- 3 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/11/2019 at 15:59:00
Extra Event Text: REQUEST FOR SUBMISSION OF SDC'S MOTION FOR SUMMARY JUDGMENT FILED 3/26/19
Event Disposition: S200 - 7/2/2019
- 4 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/11/2019 at 13:06:00
Extra Event Text: MOTION FOR SUMMARY JUDGMENT AS AGAINST PLAINTIFF, SOMERSETT OWNERS ASSOCIATION AND CROSS-CLAIMANT, SOMERSET
Event Disposition: S200 - 7/2/2019

Report Does Not Contain Sealed Cases or Confidential Information

- 5 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/12/2019 at 13:59:00
Extra Event Text: PLAINTIFFS' MOTION TO STRIKE CERTAIN AFFIRMATIVE DEFENSES RELATING TO STATUTES OF LIMITATIONS AND REPOSE FILED 1-17
Event Disposition: S200 - 7/2/2019
- 6 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 6/12/2019 at 14:34:00
Extra Event Text: MOTION FOR SUMMARY JUDGMENT FILED 3/26/19
Event Disposition: S200 - 7/2/2019
- 7 Department: D10 -- Event: HEARING... -- Scheduled Date & Time: 7/15/2019 at 13:30:00
Extra Event Text: HEARING ON SOMERSETT MOTION FOR S.J.; MOTION TO STRIKE; SOMERSETT DEV.'S MOTION FOR S.J. (1:30-5:00)(COURT REPT. REQ
Event Disposition: D435 - 7/15/2019
- 8 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 7/30/2019 at 09:00:00
Extra Event Text: PLAINTIFF'S MOTION TO STRIKE; DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND SOMERSETT'S MOTION FOR SUMMARY JUD
Event Disposition: S200 - 10/2/2019
- 9 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/4/2019 at 15:20:00
Extra Event Text: PLAINTIFF SOMERSETT OWNERS ASSOCIATION'S NRCP 54(b) MOTION FOR CERTIFICATION OF FINAL JUDGMENT FOR PURPOSES OF
Event Disposition: S200 - 12/9/2019
- 10 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/6/2019 at 16:11:00
Extra Event Text: MOTION FOR ATTORNEY'S FEES (NO ORDER PROVIDED)
Event Disposition: S200 - 1/31/2020
- 11 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/19/2019 at 16:58:00
Extra Event Text: MOTION FOR ATTORNEY'S FEES (NO ORDER PROVIDED)
Event Disposition: S200 - 2/12/2020
- 12 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/19/2019 at 15:56:00
Extra Event Text: MOTION FOR ATTORNEY FEES (NO ORDER PROVIDED)
Event Disposition: S200 - 2/27/2020
- 13 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 12/20/2019 at 16:04:00
Extra Event Text: MOTION FOR ATTORNEY'S FEES (NO ORDER PROVIDED)
Event Disposition: S200 - 2/10/2020
- 14 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 1/9/2020 at 15:06:00
Extra Event Text: STANTEC CONSULTING SERVICES APPLICATION FOR ENTRY OF JUDGMENT FOR COSTS
Event Disposition: S200 - 2/5/2020
- 15 Department: D10 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 1/10/2020 at 09:00:00
Extra Event Text: PRETRIAL CONFERENCE (JURY TRIAL SET FOR FEBRUARY 3, 2020)(1/2 HOUR)
Event Disposition: D870 - 5/8/2019
- 16 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 1/10/2020 at 11:39:00
Extra Event Text: DEFTS SOMERSETT DEVELOPMENT COMPANY LTD SOMERSETT LLC AND SOMERSETT DEVELOPMENT CORP. APPLICATION FOR ENT
Event Disposition: S200 - 2/5/2020
- 17 Department: D10 -- Event: TRIAL - JURY -- Scheduled Date & Time: 2/3/2020 at 08:30:00
Extra Event Text: NO. 1 SETTING-JURY TRIAL-CONSTRUCTION DEFECT MATTER (3 WEEKS)
Event Disposition: D870 - 5/8/2019
- 18 Department: D10 -- Event: Request for Submission -- Scheduled Date & Time: 2/5/2020 at 14:14:00
Extra Event Text: DEFENDANT, Q&D CONSTRUCTION, INC.'S APPLICATION FOR ENTRY OF JUDGMENT FOR COSTS (NO ORDER PROVIDED)
Event Disposition: S200 - 2/10/2020

Actions

	<u>Filing Date</u>	<u>-</u>	<u>Docket Code & Description</u>
1	12/29/2017	-	\$1427 - \$Complaint - Construct Defect Additional Text: Transaction 6458851 - Approved By: YVILORIA : 12-29-2017:13:12:31
2	12/29/2017	-	PAYRC - **Payment Received Additional Text: A Payment of \$510.00 was made on receipt DCDC596089.
3	1/5/2018	-	2610 - Notice ... Additional Text: NOTICE OF DEPOSIT OF CD
4	1/8/2018	-	COC - Evidence Chain of Custody Form <i>No additional text exists for this entry.</i>
5	1/8/2018	-	4090 - ** Summons Issued Additional Text: X3
6	1/8/2018	-	4090 - ** Summons Issued Additional Text: x6
7	4/11/2018	-	1120 - Amended ... Additional Text: DOE AMENDMENT TO PLAINTIFF'S COMPLAINT TO SUBSTITUTE TRUE NAMES FOR FICTITIOUS NAMES - Transaction 6624769 - Approved By: JAPARICI : 04-12-2018:10:16:24
8	4/12/2018	-	NEF - Proof of Electronic Service Additional Text: Transaction 6625508 - Approved By: NOREVIEW : 04-12-2018:10:17:36
9	4/13/2018	-	4090 - ** Summons Issued Additional Text: x2
10	4/13/2018	-	4090 - ** Summons Issued Additional Text: X2
11	4/17/2018	-	4085 - Summons Filed Additional Text: SAMUEL GARCIA OBO PARSONS BROS, ROCKERIES CA INC CO/ KEVIN PARSON REGISTERED AGENT - APRIL 12, 2018; 11:22 AM - Transaction 6634017 - Approved By: YVILORIA : 04-17-2018:15:25:43
12	4/17/2018	-	4085 - Summons Filed Additional Text: BILL MAGRATH, MGR - OFFICE OF SIERRA CORP. SERVICES ENO REGISTERED AGENT FOR Q&D CONSTRUCTION INC - APR 16, 2018; 11:46 AM - Transaction 6634017 - Approved By: YVILORIA : 04-17-2018:15:25:43
13	4/17/2018	-	4085 - Summons Filed Additional Text: BILL MAGRATH, MGR - OFFICE OF SIERRA CORP. SERVICES RENO REGISTERED AGENT SOMERSETT DEVELOPMENT CO LTD - APR 16, 2018; 11:46 AM - Transaction 6634017 - Approved By: YVILORIA : 04-17-2018:15:25:43
14	4/17/2018	-	NEF - Proof of Electronic Service Additional Text: Transaction 6634262 - Approved By: NOREVIEW : 04-17-2018:15:26:51
15	4/18/2018	-	4085 - Summons Filed Additional Text: PARSONS BROS. ROCKERIES, INC. 04/16/18 @9:26AM - Transaction 6636855 - Approved By: CVERA : 04-18-2018:16:53:47
16	4/18/2018	-	NEF - Proof of Electronic Service Additional Text: Transaction 6637039 - Approved By: NOREVIEW : 04-18-2018:16:55:00
17	4/19/2018	-	4085 - Summons Filed Additional Text: DECLARATION OF SERVICE - R/A FOR PARSONS ROCKS! LLC 4/17/18 - Transaction 6639004 - Approved By: CSULEZIC : 04-19-2018:15:45:59

- 18 4/19/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6639135 - Approved By: NOREVIEW : 04-19-2018:15:47:21
- 19 4/20/2018 - 4085 - Summons Filed
Additional Text: PARSONS BROS ROCKERIES CALIFORNIA INC dba PARSONS WALLS - Transaction 6639602 - Approved By: KTOMBOW : 04-20-2018:09:11:14
- 20 4/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6639657 - Approved By: NOREVIEW : 04-20-2018:09:12:15
- 21 4/20/2018 - 4085 - Summons Filed
Additional Text: SOMERSETT DEVELOPMENT CORPORATION, 4/17/18 - Transaction 6640598 - Approved By: CSULEZIC : 04-20-2018:14:16:45
- 22 4/20/2018 - 4085 - Summons Filed
Additional Text: SOMERSETT LLC , 4/17/18 - Transaction 6640598 - Approved By: CSULEZIC : 04-20-2018:14:16:45
- 23 4/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6640852 - Approved By: NOREVIEW : 04-20-2018:14:18:04
- 24 4/27/2018 - 3995 - Stip & Ord Dismiss W/O Prej
Additional Text: OF CASE - Transaction 6651259 - Approved By: NOREVIEW : 04-27-2018:09:12:34
- 25 4/27/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6651264 - Approved By: NOREVIEW : 04-27-2018:09:13:40
- 26 4/27/2018 - FIE - **Document Filed in Error
No additional text exists for this entry.
- 27 5/2/2018 - 1090 - Amended Complaint
Additional Text: FIRST AMENDED COMPLAINT FOR DAMAGES - Transaction 6660069 - Approved By: YVILORIA : 05-02-2018:15:57:21
- 28 5/2/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6660280 - Approved By: NOREVIEW : 05-02-2018:15:58:21
- 29 5/3/2018 - 1090 - Amended Complaint
Additional Text: FIRST AMENDED COMPLAINT FOR DAMAGES (CORRECTED) - Transaction 6662726 - Approved By: YVILORIA : 05-03-2018:16:56:24
- 30 5/3/2018 - 1650 - Errata...
Additional Text: NOTICE OF ERRATA TO FIRST AMENDED COMPLAINT - Transaction 6662726 - Approved By: YVILORIA : 05-03-2018:16:56:24
- 31 5/3/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6662932 - Approved By: NOREVIEW : 05-03-2018:16:59:21
- 32 5/10/2018 - 3995 - Stip & Ord Dismiss W/O Prej
Additional Text: PARSONS ROCKS! LLC - Transaction 6672575 - Approved By: NOREVIEW : 05-10-2018:09:35:08
- 33 5/10/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6672590 - Approved By: NOREVIEW : 05-10-2018:09:37:09
- 34 6/21/2018 - JF - **First Day Jury Fees Deposit
Additional Text: SOMERSETT OWNERS ASSOCIATION - Transaction 6739304 - Approved By: PMSEWELL : 06-21-2018:09:39:25
- 35 6/21/2018 - 1580 - Demand for Jury
Additional Text: SOMERSETT OWNERS ASSOCIATION - Transaction 6739304 - Approved By: PMSEWELL : 06-21-2018:09:39:25

- 36 6/21/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$320.00 was made on receipt DCDC612488.
- 37 6/21/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6739344 - Approved By: NOREVIEW : 06-21-2018:09:42:29
- 38 6/26/2018 - 4085 - Summons Filed
Additional Text: LEO BERGIN PERSON IN CHARGE OFFICE OF SIERRA CORP. SERVICES RENO REGISTERED AGENT FOR Q & D CONSTRUCTION INC - JUNE 19, 2018 - Transaction 6746356 - Approved By: YVILORIA : 06-26-2018:08:57:26
- 39 6/26/2018 - 4085 - Summons Filed
Additional Text: JENNI CHAPMAN, ADMIN ASST OFFICE OF GBS ADVISORS INC REGISTERED AGENT FOR SOMERSETT DEVELOPMENT CORP. - JUNE 19, 2018 - Transaction 6746356 - Approved By: YVILORIA : 06-26-2018:08:57:26
- 40 6/26/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6746555 - Approved By: NOREVIEW : 06-26-2018:08:58:26
- 41 6/26/2018 - 4085 - Summons Filed
Additional Text: SERVED JOHN DOE OBO PARSONS BROS ROCKERIES, INC. ON 6/18/18 - Transaction 6747112 - Approved By: PMSEWELL : 06-26-2018:11:49:55
- 42 6/26/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6747302 - Approved By: NOREVIEW : 06-26-2018:11:50:53
- 43 7/12/2018 - 3161 - Ord of Recusal
Additional Text: DIRECTING RANDOM REASSIGNMENT - Transaction 6772294 - Approved By: NOREVIEW : 07-12-2018:08:53:26
- 44 7/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6772298 - Approved By: NOREVIEW : 07-12-2018:08:56:09
- 45 7/12/2018 - 1312 - Case Assignment Notification
Additional Text: RANDOMLY REASSIGNED TO D10 FROM D15 DUE TO ORDER OF RECUSAL FILED 7/12/18 - Transaction 6772644 - Approved By: NOREVIEW : 07-12-2018:10:21:57
- 46 7/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6772649 - Approved By: NOREVIEW : 07-12-2018:10:22:56
- 47 7/17/2018 - 4085 - Summons Filed
Additional Text: LEO BERGIN 6/19/18 @11:23AM SOMERSETT DEVELOPMENT COMPANY - Transaction 6779717 - Approved By: CVERA : 07-17-2018:11:14:16
- 48 7/17/2018 - 4085 - Summons Filed
Additional Text: JENNI CHAPMAN FOR SOMERSETT 06/19/18 @10:12AM - Transaction 6779717 - Approved By: CVERA : 07-17-2018:11:14:16
- 49 7/17/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6780057 - Approved By: NOREVIEW : 07-17-2018:11:15:22
- 50 8/13/2018 - 1817 - Initial Appear. Fee Disclosure
Additional Text: Transaction 6826806 - Approved By: CSULEZIC : 08-14-2018:08:33:34
- 51 8/13/2018 - \$1132 - \$Answer - Construct Defect
Additional Text: Q&D CONSTRUCTION, INC.'S ANSWER TO PLAINTIFF'S FIRST AMENDED COMPLAINT FOR DAMAGES - Transaction 6826806 - Approved By: CSULEZIC : 08-14-2018:08:33:34
- 52 8/14/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$463.00 was made on receipt DCDC617237.
- 53 8/14/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6827496 - Approved By: NOREVIEW : 08-14-2018:08:34:46

- 54 8/17/2018 - \$1567 - \$Def 1st App -Construct Defect
Additional Text: SOMERSETT DEVELOPMENT COMPANY, LTD - Transaction 6836297 - Approved By: YVILORIA : 08-20-2018:08:14:53
- 55 8/17/2018 - 1140 - Answer to Amended Complaint
Additional Text: ANSWER TO FIRST AMENDED COMPLAINT AND CROSS-CLAIM - Transaction 6836297 - Approved By: YVILORIA : 08-20-2018:08:14:53
- 56 8/17/2018 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: SOMERSETT DEVELOPMENT CORPORATION - Transaction 6836297 - Approved By: YVILORIA : 08-20-2018:08:14:53
- 57 8/17/2018 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: SOMERSETT, LLC - Transaction 6836297 - Approved By: YVILORIA : 08-20-2018:08:14:53
- 58 8/17/2018 - JF - **First Day Jury Fees Deposit
Additional Text: Transaction 6836303 - Approved By: YVILORIA : 08-20-2018:08:25:13
- 59 8/17/2018 - 1580 - Demand for Jury
Additional Text: DEFTS SOMERSETT DEVELOPMENT CO., LTD, SOMERSETT LLC AND SOMERSETT DEVELOPMENT CORP. - Transaction 6836303 - Approved By: YVILORIA : 08-20-2018:08:25:13
- 60 8/20/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$523.00 was made on receipt DCDC617690.
- 61 8/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6836550 - Approved By: NOREVIEW : 08-20-2018:08:15:53
- 62 8/20/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$320.00 was made on receipt DCDC617691.
- 63 8/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6836592 - Approved By: NOREVIEW : 08-20-2018:08:26:11
- 64 8/21/2018 - \$1567 - \$Def 1st App -Construct Defect
Additional Text: PARSONS BROS ROCKERIES, INC. - Transaction 6839753 - Approved By: YVILORIA : 08-21-2018:12:57:44
- 65 8/21/2018 - 1140 - Answer to Amended Complaint
Additional Text: PARSONS BROS ROCKERIES, INC.'S ANSWER TO FIRST AMENED COMPLAINT FOR DAMAGES (CORRECTED) - Transaction 6839753 - Approved By: YVILORIA : 08-21-2018:12:57:44
- 66 8/21/2018 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$463.00 was made on receipt DCDC617848.
- 67 8/21/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6840106 - Approved By: NOREVIEW : 08-21-2018:12:58:43
- 68 8/23/2018 - 1155 - Answer to Cross Claim
Additional Text: Parsons Bros Rockeries, Inc.'s Answer to Somersett Development Company, Ltd's Cross-Claim - Transaction 6846355 - Approved By: PMSEWELL : 08-24-2018:08:58:34
- 69 8/24/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6846666 - Approved By: NOREVIEW : 08-24-2018:08:59:38
- 70 8/29/2018 - 4090 - ** Summons Issued
No additional text exists for this entry.
- 71 8/29/2018 - \$4180 - \$Third Party Complaint
Additional Text: Transaction 6854910 - Approved By: JAPARICI : 08-29-2018:15:51:13

- 72 8/29/2018 - PAYRC - **Payment Received
Additional Text: A Payment of \$135.00 was made on receipt DCDC618744.
- 73 8/29/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6855630 - Approved By: NOREVIEW : 08-29-2018:15:53:21
- 74 8/29/2018 - 1005 - Acceptance of Service
Additional Text: Transaction 6855960 - Approved By: CVERA : 08-30-2018:08:40:01
- 75 8/30/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6856171 - Approved By: NOREVIEW : 08-30-2018:08:41:11
- 76 8/30/2018 - 1165 - Answer Third Party Complaint
Additional Text: Transaction 6858368 - Approved By: CVERA : 08-31-2018:08:44:00
- 77 8/30/2018 - \$1560 - \$Def 1st Appearance - CV
Additional Text: STANTEC CONSULTING, INC. - Transaction 6858368 - Approved By: CVERA : 08-31-2018:08:44:00
- 78 8/31/2018 - PAYRC - **Payment Received
Additional Text: A Payment of \$213.00 was made on receipt DCDC618878.
- 79 8/31/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6858778 - Approved By: NOREVIEW : 08-31-2018:08:45:14
- 80 8/31/2018 - 3840 - Request Exemption Arbitration
Additional Text: Transaction 6860205 - Approved By: NMASON : 08-31-2018:14:14:56
- 81 8/31/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6860223 - Approved By: NOREVIEW : 08-31-2018:14:15:58
- 82 9/4/2018 - 2501 - Non-Opposition ...
Additional Text: NON-OPPOSITION TO PLAINTIFFS REQUEST FOR EXEMPTION FROM ARBITRATION - Transaction 6862147 - Approved By: CSULEZIC : 09-04-2018:14:55:18
- 83 9/4/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6862174 - Approved By: NOREVIEW : 09-04-2018:14:56:15
- 84 9/11/2018 - A190 - Exempt from Arb (over \$50,000)
Additional Text: Transaction 6874336 - Approved By: NOREVIEW : 09-11-2018:16:42:53
- 85 9/11/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6874358 - Approved By: NOREVIEW : 09-11-2018:16:45:36
- 86 9/18/2018 - 2610 - Notice ...
Additional Text: NOTICE OF CASE SETTING CONFERENCE PER WDCR4(3) 10/02/18 @10:00 - Transaction 6885645 - Approved By: CSULEZIC : 09-18-2018:16:51:37
- 87 9/18/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6886348 - Approved By: NOREVIEW : 09-18-2018:16:52:51
- 88 9/25/2018 - 3696 - Pre-Trial Order
Additional Text: Transaction 6896816 - Approved By: NOREVIEW : 09-25-2018:11:59:36
- 89 9/25/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6896824 - Approved By: NOREVIEW : 09-25-2018:12:00:44

- 90 9/25/2018 - 2540 - Notice of Entry of Ord
Additional Text: NOTICE OF ENTRY OF ORDER EXEMPTING CASE FROM COURT ANNEXED ARBITRATION PROGRAM - Transaction 6897534 - Approved By: NOREVIEW : 09-25-2018:15:34:50
- 91 9/25/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6897538 - Approved By: NOREVIEW : 09-25-2018:15:35:58
- 92 9/28/2018 - 1155 - Answer to Cross Claim
Additional Text: Q&D Construction, Inc.'s Answer to Somerset's Cross-Claim - Transaction 6903290 - Approved By: CVERA : 09-28-2018:13:56:46
- 93 9/28/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6903512 - Approved By: NOREVIEW : 09-28-2018:13:57:45
- 94 10/3/2018 - 1250E - Application for Setting eFile
Additional Text: FOR PRETRIAL CONFERENCE ON JANUARY 10, 2020 AT 9:00 A.M. AND JURY TRIAL ON FEBRUARY 3, 2020, AT 8:30 A.M. - Transaction 6909053 - Approved By: NOREVIEW : 10-03-2018:10:57:32
- 95 10/3/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6909056 - Approved By: NOREVIEW : 10-03-2018:10:58:28
- 96 10/11/2018 - 1475 - Consent ...
Additional Text: CONSENT TO SERVICE BY ELECTRONIC MEANS - Transaction 6922724 - Approved By: PMSEWELL : 10-11-2018:10:43:26
- 97 10/11/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6922849 - Approved By: NOREVIEW : 10-11-2018:10:44:24
- 98 10/17/2018 - 1835 - Joint Case Conference Report
Additional Text: JOINT CASE CONFERENCE REPORT - Transaction 6933719 - Approved By: PMSEWELL : 10-17-2018:16:10:11
- 99 10/17/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6933812 - Approved By: NOREVIEW : 10-17-2018:16:13:45
- 100 1/17/2019 - 2490 - Motion ...
Additional Text: MOTION OF PLAINTIFF TO STRIKE CERTAIN AFFIRMATIVE DEFENSES RELATING TO STATUTES OF LIMITATIONS AND REPOSE; REQUEST FOR JUDICIAL NOTICE AND DECLARATIONS OF JOHN SAMBERG, ESQ., AND TRACY CARTER IN SUPPORT THEREOF - Transaction 7072901 - Approved By: CSULEZIC : 01-17-2019:12:43:30
- 101 1/17/2019 - 3870 - Request
Additional Text: PLAINTIFF SOMERSETT OWNERS ASSOCIATION'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PLAINTIFF'S MOTION TO STRIKE CERTAIN AFFIRMATIVE DEFENSES RELATING TO STATUTES OF LIMITATIONS AND REPOSE - Transaction 7072901 - Approved By: CSULEZIC : 01-17-2019:12:43:30
- 102 1/17/2019 - 1520 - Declaration
Additional Text: DECLARATION OF TRACY CARTER IN SUPPORT OF PLAINTIFF'S MOTION TO STRIKE CERTAIN AFFIRMATIVE DEFENSES RELATING TO STATUTES OF LIMITATIONS AND REPOSE - Transaction 7072901 - Approved By: CSULEZIC : 01-17-2019:12:43:30
- 103 1/17/2019 - 1520 - Declaration
Additional Text: DECLARATION OF JOHN SAMBERG IN SUPPORT OF PLAINTIFF'S MOTION TO STRIKE CERTAIN AFFIRMATIVE DEFENSES RELATING TO STATUTES OF LIMITATIONS AND REPOSE - Transaction 7072901 - Approved By: CSULEZIC : 01-17-2019:12:43:30
- 104 1/17/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7073347 - Approved By: NOREVIEW : 01-17-2019:12:44:41
- 105 3/4/2019 - 4050 - Stipulation ...
Additional Text: STIPULATION AND ORDER FOR PARTIAL DISMISSAL OF SECOND CLAIM FOR RELIEF, WITHOUT PREJUDICE - Transaction 7145731 - Approved By: CSULEZIC : 03-04-2019:14:33:44
- 106 3/4/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7146342 - Approved By: NOREVIEW : 03-04-2019:14:35:40

- 107 3/7/2019 - 2915 - Ord Dismissal w/o Prejudice
Additional Text: ORDER FOR PARTIAL DISMISSAL OF CERTAIN CLAIMS WITHOUT PREJUDICE FROM THE SECOND CLAIM FOR RELIEF AGAINST DEFENDANT PARSONS BROS ROCKERIES, INC. - Transaction 7154204 - Approved By: NOREVIEW : 03-07-2019:13:37:17
- 108 3/7/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7154209 - Approved By: NOREVIEW : 03-07-2019:13:38:21
- 109 3/14/2019 - 2540 - Notice of Entry of Ord
Additional Text: NOTICE OF ENTRY OF ORDER FOR PARTIAL DISMISSAL OF CERTAIN CLAIMS WITHOUT PREJUDICE, FROM THE SECOND CLAIM FOR RELIEF AGAINST DEFENDANT PARSONS BROS ROCKERIES, INC. WITHOUT PREJUDICE - Transaction 7166333 - Approved By: NOREVIEW : 03-14-2019:12:03:32
- 110 3/14/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7166342 - Approved By: NOREVIEW : 03-14-2019:12:04:43
- 111 3/26/2019 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE - Transaction 7185578 - Approved By: YVILORIA : 03-26-2019:14:19:08
- 112 3/26/2019 - 1520 - Declaration
Additional Text: DECLARATION OF THEODORE CHRISSINGER IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT - Transaction 7185622 - Approved By: YVILORIA : 03-26-2019:14:23:10
- 113 3/26/2019 - \$2200 - \$Mtn for Summary Judgment
Additional Text: DEFENDANTS' MOTION FOR SUMMARY JUDGMENT - Transaction 7185622 - Approved By: YVILORIA : 03-26-2019:14:23:10
- 114 3/26/2019 - 2630 - Objection to ...
Additional Text: STANTEC'S OBJECTION TO EVIDENCE OFFERED IN SOA'S MOTION TO STRIKE - Transaction 7185772 - Approved By: CVERA : 03-26-2019:14:24:16
- 115 3/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7185808 - Approved By: NOREVIEW : 03-26-2019:14:20:24
- 116 3/26/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC634100.
- 117 3/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7185833 - Approved By: NOREVIEW : 03-26-2019:14:24:29
- 118 3/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7185838 - Approved By: NOREVIEW : 03-26-2019:14:25:33
- 119 3/26/2019 - \$2200 - \$Mtn for Summary Judgment
Additional Text: DFX: NO EXHIBIT COVER PAGE - SOMERSETT DEVELOPMENT COMPANY'S SEPARATE MOTION FOR SUMMARY JUDGMENT - Transaction 7186554 - Approved By: YVILORIA : 03-27-2019:08:07:13
- 120 3/27/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC634134.
- 121 3/27/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7186750 - Approved By: NOREVIEW : 03-27-2019:08:08:10
- 122 3/27/2019 - 1520 - Declaration
Additional Text: DECLARATION OF CHARLES BURCHAM - Transaction 7187466 - Approved By: CSULEZIC : 03-27-2019:11:32:21
- 123 3/27/2019 - \$2200 - \$Mtn for Summary Judgment
Additional Text: Transaction 7187466 - Approved By: CSULEZIC : 03-27-2019:11:32:21

- 124 3/27/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC634167.
- 125 3/27/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7187670 - Approved By: NOREVIEW : 03-27-2019:11:35:31
- 126 4/24/2019 - \$2200 - \$Mtn for Summary Judgment
Additional Text: PARSONS BROS ROCKERIES, INC. 'S MOTION FOR SUMMARY JUDGMENT AS AGAINST PLAINTIFF, SOMERSETT OWNERS ASSOCIATION, AND CROSSCLAIMANT, SOMERSETT DEVELOPMENT COMPANY, LTD - Transaction 7236220 - Approved By: YVILORIA : 04-24-2019:14:39:58
- 127 4/24/2019 - 3870 - Request
Additional Text: PARSONS BROS ROCKERIES INC'S REQUEST FOR JUDICIAL NOTICE - Transaction 7236232 - Approved By: YVILORIA : 04-24-2019:14:52:43
- 128 4/24/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC636382.
- 129 4/24/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7236388 - Approved By: NOREVIEW : 04-24-2019:14:41:28
- 130 4/24/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7236437 - Approved By: NOREVIEW : 04-24-2019:14:54:00
- 131 4/26/2019 - 2630 - Objection to ...
Additional Text: OBJECTION BY PLAINTIFF TO THE DECLARATION OF BLAKE SMITH FILED ISO MSJ RELATING TO NRS 40.668 - Transaction 7240498 - Approved By: YVILORIA : 04-26-2019:14:03:32
- 132 4/26/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION OF PLAINTIFF TO DEFENDANT SOMERSETT DEVEL. CO. MSJ RELATING TO NRS 11.202 STATUTE OF RESPOSE - Transaction 7240498 - Approved By: YVILORIA : 04-26-2019:14:03:32
- 133 4/26/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION OF PLAINTIFF TO DEFENDANT SOMERSETT DEVELOPMENT CO. MSJ RELATING TO NRS 40.668 - Transaction 7240498 - Approved By: YVILORIA : 04-26-2019:14:03:32
- 134 4/26/2019 - 3790 - Reply to/in Opposition
Additional Text: REPLY OF PLAINTIFF ISO MOTION TO STRIKE CERTAIN AFFIRMATIVE DEFENSES RELATING TO STATUTE OF LIMITATIONS AND REPOSE - Transaction 7240507 - Approved By: YVILORIA : 04-26-2019:14:14:56
- 135 4/26/2019 - 3880 - Response...
Additional Text: RESPONSE OF PLAINTIFF TO DEF. STANTEC OBJECTION TO EVIDENCE OFFERED IN MOTION TO STRIKE - Transaction 7240507 - Approved By: YVILORIA : 04-26-2019:14:14:56
- 136 4/26/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION OF PLAINTIFF TO DEFENDANTS' JOINT MSJ (OMNIBUS MOTION) - Transaction 7240514 - Approved By: YVILORIA : 04-26-2019:14:16:29
- 137 4/26/2019 - 3870 - Request
Additional Text: REQUEST BY PLAINTIFF FOR JUDICIAL NOTICE - Transaction 7240514 - Approved By: YVILORIA : 04-26-2019:14:16:29
- 138 4/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7240651 - Approved By: NOREVIEW : 04-26-2019:14:04:50
- 139 4/26/2019 - 1520 - Declaration
Additional Text: APPENDIX OF PLAINTIFF'S SUPPORTING EVIDENCE - Transaction 7240696 - Approved By: YVILORIA : 04-26-2019:15:06:27
- 140 4/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7240701 - Approved By: NOREVIEW : 04-26-2019:14:15:59
- 141 4/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7240707 - Approved By: NOREVIEW : 04-26-2019:14:17:28

- 142 4/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7240940 - Approved By: NOREVIEW : 04-26-2019:15:08:06
- 143 5/1/2019 - 2650 - Opposition to ...
Additional Text: DFX: EXHIBIT PRESENTED INCORRECTLY - DEFENDANT, Q&D CONSTRUCTION, INC'S OPPOSITION TO DEFENDANT, SOMERSETT DEVELOPMENT COMPANY, LTD'S MOTION FOR SUMMARY JUDGMENT BASED UPON NRS 40.668 - Transaction 7248873 - Approved By: YVILORIA : 05-02-2019:08:22:53
- 144 5/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7248976 - Approved By: NOREVIEW : 05-02-2019:08:24:11
- 145 5/8/2019 - 4030 - Stip & Ord Continue Trial
Additional Text: STIPULATION AND ORDER TO VACATE TRIAL DATE, PRETRIAL CONFERENCE AND CASE DEADLINES - Transaction 7259478 - Approved By: NOREVIEW : 05-08-2019:11:22:26
- 146 5/8/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7259503 - Approved By: NOREVIEW : 05-08-2019:11:24:44
- 147 5/13/2019 - 1650 - Errata...
Additional Text: ERRATA TO APPENDIX, AND SUPPLEMENT TO OPPOSITION OF PLAINTIFF TO DEFENDANTS' JOINT MOTION FOR SUMMARY JUDGMENT (OMNIBUS MOTION) - Transaction 7267124 - Approved By: YVILORIA : 05-13-2019:15:58:23
- 148 5/13/2019 - 4105 - Supplemental ...
Additional Text: SUPPLEMENTAL APPENDIX OF PLAINTIFF'S SUPPORTING EVIDENCE - Transaction 7267124 - Approved By: YVILORIA : 05-13-2019:15:58:23
- 149 5/13/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7267302 - Approved By: NOREVIEW : 05-13-2019:16:01:53
- 150 5/22/2019 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION BY PLAINTIFFS TO DEFENDANT PARSONS BROS MSJ RELATING TO NRS 78.585 - Transaction 7282165 - Approved By: CSULEZIC : 05-22-2019:10:40:33
- 151 5/22/2019 - 1520 - Declaration
Additional Text: DECLARATION OF JOHN SAMBERG IN SUPPORT OF PLAINTIFFS OPP TO DEF PARSONS BROS MSJ - Transaction 7282165 - Approved By: CSULEZIC : 05-22-2019:10:40:33
- 152 5/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7282493 - Approved By: NOREVIEW : 05-22-2019:10:43:17
- 153 6/3/2019 - 1650 - Errata...
Additional Text: FURTHER SUPPLEMENTAL ERRATA OF PLAINTIFF TO OPPOSITION TO DEFENDANTS' JOINT MOTION FOR SUMMARY JUDGMENT (OMNIBUS MOTION) - Transaction 7299720 - Approved By: BBLOUGH : 06-03-2019:11:03:11
- 154 6/3/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7299933 - Approved By: NOREVIEW : 06-03-2019:11:05:43
- 155 6/6/2019 - 3790 - Reply to/in Opposition
Additional Text: PARSONS BROS ROCKERIES, INC.'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AS AGAINST PLAINTIFF, SOMERSETT OWNERS ASSOCIATION - Transaction 7307906 - Approved By: YVILORIA : 06-06-2019:14:18:13
- 156 6/6/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION OF MOTION FOR SUMMARY JUDGMENT AS AGAINST PLAINTIFF, SOMERSETT OWNERS ASSOCIATION - Transaction 7307908 - Approved By: YVILORIA : 06-06-2019:14:42:57
DOCUMENT TITLE: MOTION FOR SUMMARY JUDGMENT AS AGAINST PLAINTIFF, SOMERSET OWNERS ASSOCIATION FILED 4-24-19
PARTY SUBMITTING: STEPHEN CASTRONOVA ESQ
DATE SUBMITTED: 6-6-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 157 6/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7308042 - Approved By: NOREVIEW : 06-06-2019:14:39:39

- 158 6/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7308120 - Approved By: NOREVIEW : 06-06-2019:14:43:49
- 159 6/6/2019 - 2645 - Opposition to Mtn ...
Additional Text: SOMERSETT DEVELOPMENT COMPANY, LTD'S OPPOSITION TO PARSONS BROTHERS ROCKERIES' MOTION FOR SUMMARY JUDGMENT - Transaction 7308203 - Approved By: YVILORIA : 06-06-2019:16:34:26
- 160 6/6/2019 - 2610 - Notice ...
Additional Text: NOTICE OF WITHDRAWAL OF REQUEST FOR SUBMISSION RE MOTION FOR SUMMARY JUDGMENT AS AGAINST PLAINTIFF, SOMERSETT OWNERS ASSOCIATION - Transaction 7308246 - Approved By: YVILORIA : 06-06-2019:16:35:38
- 161 6/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7308702 - Approved By: NOREVIEW : 06-06-2019:16:35:34
- 162 6/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7308713 - Approved By: NOREVIEW : 06-06-2019:16:36:41
- 163 6/7/2019 - S200 - Request for Submission Complet
Additional Text: REQUEST FOR SUBMISSION PREMATURELY FILED; PARTIES WILL RESUBMIT ONCE MOTION IS FULLY BRIEFED
- 164 6/7/2019 - 3795 - Reply...
Additional Text: Defendants' Reply in Support of Their Motion for Summary Judgment - Transaction 7309280 - Approved By: SACORDAG : 06-07-2019:09:58:17
- 165 6/7/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7309316 - Approved By: NOREVIEW : 06-07-2019:09:59:18
- 166 6/7/2019 - 3795 - Reply...
Additional Text: REPLY TO SOMERSETT OWNERS ASSOCIATION'S OPPOSITION TO SOMERSETT DEVELOPMENT COMPANY'S SEPARATE MOTION FOR SUMMARY JUDGMENT - Transaction 7309818 - Approved By: YVILORIA : 06-07-2019:13:04:01
- 167 6/7/2019 - 1520 - Declaration
Additional Text: DECLARATION OF CHARLES L BURCHAM IN SUPPORT OF REPLY TO SOMERSETT OWNERS ASSOCIATION'S OPPOSITION TO SOMERSETT DEVELOPMENT COMPANY'S SEPARATE MOTION FOR SUMMARY JUDGMENT - Transaction 7309818 - Approved By: YVILORIA : 06-07-2019:13:04:01
- 168 6/7/2019 - 3795 - Reply...
Additional Text: SOMERSET DEVELOPMENT COMPANY'S COMBINED REPLY IN FAVOR OF ITS MOTION FOR SUMMARY JUDGMENT BASED UPON THE PROVISIONS OF NRS 40.668 - Transaction 7309823 - Approved By: YVILORIA : 06-07-2019:13:11:08
- 169 6/7/2019 - 1520 - Declaration
Additional Text: DECLARATION OF CHARLES L. BURCHAM IN SUPPORT OF SOMERSETT DEVELOPMENT COMPANY'S COMBIEND REPLY IN FAVOR OF ITS MOTION FOR SUMMARY JUDGMENT BASED UPON THE PROVISIONS OF NRS 40.668 - Transaction 7309823 - Approved By: YVILORIA : 06-07-2019:13:11:08
- 170 6/7/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7310048 - Approved By: NOREVIEW : 06-07-2019:13:04:52
- 171 6/7/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7310073 - Approved By: NOREVIEW : 06-07-2019:13:11:54
- 172 6/7/2019 - 2630 - Objection to ...
Additional Text: STANTEC'S OBJECTION TO PLAINTIFF'S EVIDENCE OFFERED IN ITS OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT - Transaction 7310610 - Approved By: YVILORIA : 06-07-2019:16:44:32
- 173 6/7/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7311137 - Approved By: NOREVIEW : 06-07-2019:16:45:21
- 174 6/11/2019 - 3790 - Reply to/in Opposition
Additional Text: PARSONS BROS ROCKERIES, INC.'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AS AGAINST SOMERSETT DEVELOPMENT COMPANY, LTD - Transaction 7314324 - Approved By: YVILORIA : 06-11-2019:13:01:24

- 175 6/11/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION OF MOTION FOR SUMMARY JUDGMENT AS AGAINST PLAINTIFF, SOMERSETT OWNERS ASSOCIATION AND SOMERSETT DEVELOPMENT COMPANT LTD - Transaction 7314334 - Approved By: YVILORIA : 06-11-2019:13:04:36
DOCUMENT TITLE: MOTION FOR SUMMARY JUDGMENT AS AGAINST PLAINTIFF, SOMERSETT OWNERS ASSOCIATION AND CROSS-CLAIMANT, SOMERSETT DEVELOPMENT COMPANY, LTD FILED 4-24-19
PARTY SUBMITTING: STEPHEN CASTRONOVA ESQ
DATE SUBMITTED: 6-11-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 176 6/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7314755 - Approved By: NOREVIEW : 06-11-2019:13:02:24
- 177 6/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7314774 - Approved By: NOREVIEW : 06-11-2019:13:05:49
- 178 6/11/2019 - 3860 - Request for Submission
Additional Text: - Transaction 7314933 - Approved By: CSULEZIC : 06-11-2019:15:33:19
DOCUMENT TITLE: REQUEST FOR SUBMISSION OF SDC'S MOTION FOR SUMMARY JUDGMENT FILED 3/27/19
PARTY SUBMITTING: CHARLES BURCHAM ESQ
DATE SUBMITTED: 6/11/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 179 6/11/2019 - 3860 - Request for Submission
Additional Text: Transaction 7314933 - Approved By: CSULEZIC : 06-11-2019:15:33:19
DOCUMENT TITLE: REQUEST FOR SUBMISSION OF SDC'S MOTION FOR SUMMARY JUDGMENT FILED 3/26/19
PARTY SUBMITTING: CHARLES BURCHAM ESQ
DATE SUBMITTED: 6/11/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 180 6/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7315472 - Approved By: NOREVIEW : 06-11-2019:15:35:18
- 181 6/12/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION (REQUEST FOR HEARING) - Transaction 7317315 - Approved By: YVILORIA : 06-12-2019:13:58:31
DOCUMENT TITLE: PLAINTIFFS' MOTION TO STRIKE CERTAIN AFFIRMATIVE DEFENSES RELATING TO STATUTES OF LIMITATIONS AND REPOSE FILED 1-17-19
PARTY SUBMITTING: JOHN SAMBERG ESQ
DATE SUBMITTED: 6-12-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 182 6/12/2019 - 3860 - Request for Submission
Additional Text: - Transaction 7317392 - Approved By: CSULEZIC : 06-12-2019:14:10:41
DOCUMENT TITLE: MOTION FOR SUMMARY JUDGMENT FILED 3/26/19
PARTY SUBMITTING: THEODORE CHRISSINGER ESQ
DATE SUBMITTED: 6/12/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 183 6/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7317421 - Approved By: NOREVIEW : 06-12-2019:13:59:50
- 184 6/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7317498 - Approved By: NOREVIEW : 06-12-2019:14:11:56
- 185 7/2/2019 - 3347 - Ord to Set
Additional Text: ORDER TO SET HEARING ON MOTIONS - Transaction 7351429 - Approved By: NOREVIEW : 07-02-2019:10:19:36

- 186 7/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7351434 - Approved By: NOREVIEW : 07-02-2019:10:20:32
- 187 7/2/2019 - 3370 - Order ...
Additional Text: ORDER REGARDING MOTION FOR SUMMARY JUDGMENT - Transaction 7351440 - Approved By: NOREVIEW : 07-02-2019:10:21:48
- 188 7/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7351446 - Approved By: NOREVIEW : 07-02-2019:10:22:57
- 189 7/2/2019 - 3370 - Order ...
Additional Text: ORDER REGARDING PARSONS BROS MOTION FOR SUMMARY JUDGMENT - Transaction 7351464 - Approved By: NOREVIEW : 07-02-2019:10:25:54
- 190 7/2/2019 - S200 - Request for Submission Complet
Additional Text: ORDER FILED JULY 2, 2019
- 191 7/2/2019 - S200 - Request for Submission Complet
Additional Text: ORDER FILED JULY 2, 2019
- 192 7/2/2019 - S200 - Request for Submission Complet
Additional Text: ORDER FILED JULY 2, 2019
- 193 7/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7351469 - Approved By: NOREVIEW : 07-02-2019:10:26:52
- 194 7/2/2019 - S200 - Request for Submission Complet
Additional Text: ORDER FILED JULY 2, 2019
- 195 7/2/2019 - S200 - Request for Submission Complet
Additional Text: ORDER FILED JULY 2, 2019
- 196 7/2/2019 - 1250E - Application for Setting eFile
Additional Text: FOR HEARING ON SOMERSETT MOTION FOR S.J.; MOTION TO STRIKE; SOMERSETT DEV. MOTION FOR S.J. SET FOR JULY 15, 2019, AT 1:30 P.M. - Transaction 7352979 - Approved By: NOREVIEW : 07-02-2019:15:22:11
- 197 7/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7352981 - Approved By: NOREVIEW : 07-02-2019:15:23:14
- 198 7/15/2019 - MIN - ***Minutes
Additional Text: 7/15/19 - MOTIONS HEARING - Transaction 7374208 - Approved By: NOREVIEW : 07-15-2019:17:01:59
- 199 7/15/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7374214 - Approved By: NOREVIEW : 07-15-2019:17:03:05
- 200 7/30/2019 - 4185 - Transcript
Additional Text: Hearing on Motions - Transaction 7400767 - Approved By: NOREVIEW : 07-30-2019:09:20:06
- 201 7/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7400773 - Approved By: NOREVIEW : 07-30-2019:09:21:19
- 202 10/2/2019 - 3060 - Ord Granting Mtn ...
Additional Text: ORDER GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT - Transaction 7516904 - Approved By: NOREVIEW : 10-02-2019:15:27:15
- 203 10/2/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 204 10/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7516910 - Approved By: NOREVIEW : 10-02-2019:15:28:29
- 205 10/2/2019 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7517271 - Approved By: NOREVIEW : 10-02-2019:16:45:27
- 206 10/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7517280 - Approved By: NOREVIEW : 10-02-2019:16:46:40
- 207 10/3/2019 - 2842 - Ord Denying Motion
Additional Text: ORDER DENYING MOTION TO STRIKE AS MOOT - Transaction 7517620 - Approved By: NOREVIEW : 10-03-2019:08:47:42
- 208 10/3/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7517621 - Approved By: NOREVIEW : 10-03-2019:08:48:36
- 209 10/3/2019 - 2842 - Ord Denying Motion
Additional Text: ORDER DENYING SEPARATE MOTION FOR SUMMARY JUDGMENT AS MOOT - Transaction 7517628 - Approved By: NOREVIEW : 10-03-2019:08:50:29
- 210 10/3/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7517633 - Approved By: NOREVIEW : 10-03-2019:08:51:30
- 211 10/3/2019 - 1950 - Memorandum of Costs
Additional Text: PARSONS BROS ROCKERIES, INC'S MEMORANDUM OF COSTS - Transaction 7518538 - Approved By: NOREVIEW : 10-03-2019:11:31:09
- 212 10/3/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7518541 - Approved By: NOREVIEW : 10-03-2019:11:32:24
- 213 10/4/2019 - 1950 - Memorandum of Costs
Additional Text: Transaction 7520882 - Approved By: NOREVIEW : 10-04-2019:10:15:33
- 214 10/4/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7520889 - Approved By: NOREVIEW : 10-04-2019:10:18:48
- 215 10/4/2019 - 1950 - Memorandum of Costs
Additional Text: Transaction 7521436 - Approved By: NOREVIEW : 10-04-2019:12:49:18
- 216 10/4/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7521437 - Approved By: NOREVIEW : 10-04-2019:12:50:18
- 217 10/4/2019 - 1950 - Memorandum of Costs
Additional Text: DFX: EXHIBITS PRESENTED INCORRECTLY
Q & D Construction, Inc.'s Memorandum of Costs - Transaction 7522567 - Approved By: NOREVIEW : 10-04-2019:16:16:30
- 218 10/4/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7522572 - Approved By: NOREVIEW : 10-04-2019:16:17:31
- 219 10/8/2019 - 1650 - Errata...
Additional Text: Notice of Errata Re. Q & D Construction, Inc.'s Memorandum of Costs - Transaction 7527610 - Approved By: CSULEZIC : 10-08-2019:16:03:21
- 220 10/8/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7527626 - Approved By: NOREVIEW : 10-08-2019:16:04:26
- 221 10/11/2019 - 1520 - Declaration
Additional Text: Declaration of Michael Kimmel - Transaction 7534174 - Approved By: NOREVIEW : 10-11-2019:14:44:39

- 222 10/11/2019 - 1520 - Declaration
Additional Text: Declaration of Theodore Chrissinger - Transaction 7534174 - Approved By: NOREVIEW : 10-11-2019:14:44:39
- 223 10/11/2019 - 2010 - Mtn for Attorney's Fee
Additional Text: Transaction 7534174 - Approved By: NOREVIEW : 10-11-2019:14:44:39
- 224 10/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7534177 - Approved By: NOREVIEW : 10-11-2019:14:45:39
- 225 10/11/2019 - 1520 - Declaration
Additional Text: Transaction 7534228 - Approved By: NOREVIEW : 10-11-2019:15:11:12
- 226 10/11/2019 - 2010 - Mtn for Attorney's Fee
Additional Text: Transaction 7534228 - Approved By: NOREVIEW : 10-11-2019:15:11:12
- 227 10/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7534253 - Approved By: NOREVIEW : 10-11-2019:15:13:43
- 228 10/16/2019 - 2010 - Mtn for Attorney's Fee
Additional Text: Transaction 7540801 - Approved By: NOREVIEW : 10-16-2019:11:32:09
- 229 10/16/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7540837 - Approved By: NOREVIEW : 10-16-2019:11:37:20
- 230 10/22/2019 - 2010 - Mtn for Attorney's Fee
Additional Text: Defendant, Q & D Construction, Inc.'s Motion for Attorney's Fees - Transaction 7552422 - Approved By: NOREVIEW : 10-22-2019:16:52:11
- 231 10/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7552433 - Approved By: NOREVIEW : 10-22-2019:16:53:23
- 232 10/29/2019 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: NOTICE OF APPEAL - Transaction 7562225 - Approved By: YVILORIA : 10-29-2019:15:18:14
- 233 10/29/2019 - 1310E - Case Appeal Statement
Additional Text: CASE APPEAL STATEMENT - Transaction 7562225 - Approved By: YVILORIA : 10-29-2019:15:18:14
- 234 10/29/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC648589.
- 235 10/29/2019 - 1310 - Case Appeal Statement
Additional Text: CASE APPEAL STATEMENT - Transaction 7562270 - Approved By: YVILORIA : 10-29-2019:15:25:11
- 236 10/29/2019 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: NOTICE OF APPEAL - Transaction 7562270 - Approved By: YVILORIA : 10-29-2019:15:25:11
- 237 10/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7562272 - Approved By: NOREVIEW : 10-29-2019:15:20:31
- 238 10/29/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC648591.
- 239 10/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7562290 - Approved By: NOREVIEW : 10-29-2019:15:26:12

- 240 10/30/2019 - SAB - **Supreme Court Appeal Bond
Additional Text: Bond ID: SAB-19-00075; Total Bond Amount: \$500.00.
Bond Code, SAB, Receipted for: SITE DEFINED TRUST DEPOSIT, on 30-OCT-2019 in the amount of \$500.00 on case ID CV17-02427.
- 241 10/30/2019 - SAB - **Supreme Court Appeal Bond
Additional Text: Bond ID: SAB-19-00076; Total Bond Amount: \$500.00.
Bond Code, SAB, Receipted for: SITE DEFINED TRUST DEPOSIT, on 30-OCT-2019 in the amount of \$500.00 on case ID CV17-02427.
- 242 10/30/2019 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 7564652 - Approved By: NOREVIEW : 10-30-2019:15:21:35
- 243 10/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7564660 - Approved By: NOREVIEW : 10-30-2019:15:22:45
- 244 10/30/2019 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL #2 - Transaction 7564720 - Approved By: NOREVIEW : 10-30-2019:15:34:09
- 245 10/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7564724 - Approved By: NOREVIEW : 10-30-2019:15:35:14
- 246 11/4/2019 - 1187 - **Supreme Court Case No. ...
Additional Text: SUPREME COURT NO. 79921 - SOMERSETT OWNERS ASS'N 2ND APPEAL
- 247 11/4/2019 - 1187 - **Supreme Court Case No. ...
Additional Text: SUPREME COURT NO. 79920 - SOMERSETT OWNERS ASS'N - 79920
- 248 11/4/2019 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 79921 / RECEIPT FOR DOCUMENTS - Transaction 7570849 - Approved By: NOREVIEW : 11-04-2019:13:49:51
- 249 11/4/2019 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 79920 / RECEIPT FOR DOCUMENTS - Transaction 7570849 - Approved By: NOREVIEW : 11-04-2019:13:49:51
- 250 11/4/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7570855 - Approved By: NOREVIEW : 11-04-2019:13:52:46
- 251 11/13/2019 - 2540 - Notice of Entry of Ord
Additional Text: Notice of Entry of Order - Transaction 7585243 - Approved By: NOREVIEW : 11-13-2019:10:52:38
- 252 11/13/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7585256 - Approved By: NOREVIEW : 11-13-2019:10:53:51
- 253 11/22/2019 - 2490 - Motion ...
Additional Text: PLAINTIFF SOMERSETT OWNERS ASSOCIATION'S NRCP 54(b) MOTION FOR CERTIFICATION OF FINAL JUDGMENT FOR PURPOSES OF APPEAL - Transaction 7604101 - Approved By: BBLOUGH : 11-22-2019:13:18:33
- 254 11/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7604119 - Approved By: NOREVIEW : 11-22-2019:13:19:33
- 255 11/25/2019 - 3870 - Request
Additional Text: PLAINTIFF'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF ITS OPPOSITIONS TO THE MOTIONS FOR ATTORNEY'S FEES FILED BY DEFENDANT'S - Transaction 7605389 - Approved By: BBLOUGH : 11-25-2019:08:34:01
- 256 11/25/2019 - 1520 - Declaration
Additional Text: OF JILL GUINGCANGCO ISO PLAINTIFF'S OPPOSITIONS TO ATTY FEE MOTIONS - Transaction 7605404 - Approved By: NOREVIEW : 11-25-2019:08:27:11

- 257 11/25/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7605406 - Approved By: NOREVIEW : 11-25-2019:08:28:00
- 258 11/25/2019 - 2650 - Opposition to ...
Additional Text: DEFENDANT Q&D CONSTRUCTION'S MOTION FOR ATTORNEY'S FEES - Transaction 7605413 - Approved By: BBLOUGH : 11-25-2019:08:43:59
- 259 11/25/2019 - 2650 - Opposition to ...
Additional Text: DEFENDANT STANTEC CONSULTING INC.'S MOTION FOR ATTORNEY'S FEES - Transaction 7605413 - Approved By: BBLOUGH : 11-25-2019:08:43:59
- 260 11/25/2019 - 2650 - Opposition to ...
Additional Text: DEFENDANT PARSONS BROS MOTION FOR ATTORNEY'S FEES - Transaction 7605413 - Approved By: BBLOUGH : 11-25-2019:08:43:59
- 261 11/25/2019 - 2650 - Opposition to ...
Additional Text: DEFENDANT SOMERSETT DEVELOPMENT COMPANY AND OTHER ENTITIES MOTION FOR ATTORNEY'S FEES - Transaction 7605413 - Approved By: BBLOUGH : 11-25-2019:08:43:59
- 262 11/25/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7605425 - Approved By: NOREVIEW : 11-25-2019:08:35:03
- 263 11/25/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7605473 - Approved By: NOREVIEW : 11-25-2019:08:45:02
- 264 12/4/2019 - 3860 - Request for Submission
Additional Text: Request for Submission of Plaintiff's NRCP 54(B) Motion For Certification of Final Judgment for Purposes of Appeal - Transaction 7619985 - Approved By: NOREVIEW : 12-04-2019:15:15:55
DOCUMENT TITLE: PLAINTIFF SOMERSETT OWNERS ASSOCIATION'S NRCP 54(b) MOTION FOR CERTIFICATION OF FINAL JUDGMENT FOR PURPOSES OF APPEAL FILED AND SERVED 11-22-19
PARTY SUBMITTING: JOHN SAMBERG ESQ
DATE SUBMITTED: 12-4-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 265 12/4/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7620037 - Approved By: NOREVIEW : 12-04-2019:15:20:51
- 266 12/5/2019 - 3790 - Reply to/in Opposition
Additional Text: PARSONS BROS ROCKERIES, INC.'S REPLY IN SUPPORT OF MOTION FOR RECOVERY OF ATTORNEY'S FEES AS AGAINST PLAINTIFF, SOMMERSETT OWNER'S ASSOCIATION - Transaction 7621728 - Approved By: BBLOUGH : 12-05-2019:11:50:42
- 267 12/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7621796 - Approved By: NOREVIEW : 12-05-2019:11:51:53
- 268 12/6/2019 - 3860 - Request for Submission
Additional Text: Transaction 7624199 - Approved By: NOREVIEW : 12-06-2019:11:55:59
DOCUMENT TITLE: MOTION FOR ATTORNEY'S FEES (NO ORDER PROVIDED)
PARTY SUBMITTING: STEPHEN G. CASTRONOVA, ESQ
DATE SUBMITTED: DECEMBER 6, 2019
SUBMITTED BY: STEPHEN G CASTRONOVA, ESQ
DATE RECEIVED JUDGE OFFICE:
- 269 12/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7624207 - Approved By: NOREVIEW : 12-06-2019:11:57:15
- 270 12/9/2019 - 3370 - Order ...
Additional Text: ORDER GRANTING PLAINTIFF'S NRCP 54(B) MOTION FOR CERTIFICATION OF FINAL JUDGMENT FOR PURPOSES OF APPEAL - Transaction 7627035 - Approved By: NOREVIEW : 12-09-2019:12:38:58
- 271 12/9/2019 - S200 - Request for Submission Complet
Additional Text: ORDER GRANTING PLAINTIFF'S NRCP 54(B) MOTION FOR CERTIFICATION OF FINAL JUDGMENT FOR PURPOSES OF APPEAL FILED DECEMBER 9, 2019

- 272 12/9/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7627037 - Approved By: NOREVIEW : 12-09-2019:12:39:48
- 273 12/19/2019 - 2540 - Notice of Entry of Ord
Additional Text: Notice or Entry of Order - Transaction 7648199 - Approved By: NOREVIEW : 12-19-2019:14:55:44
- 274 12/19/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7648207 - Approved By: NOREVIEW : 12-19-2019:14:57:01
- 275 12/19/2019 - 3860 - Request for Submission
Additional Text: Transaction 7648346 - Approved By: NOREVIEW : 12-19-2019:15:18:21
DOCUMENT TITLE: MOTION FOR ATTORNEY FEES (NO ORDER PROVIDED)
PARTY SUBMITTING: THEODORE CHRISSINGER, ESQ
DATE SUBMITTED: 12/19/19
SUBMITTED BY: SWOLFE
DATE RECEIVED JUDGE OFFICE:
- 276 12/19/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7648367 - Approved By: NOREVIEW : 12-19-2019:15:20:57
- 277 12/19/2019 - 3795 - Reply...
Additional Text: STANTEC CONSULTING SERVICES INC.'S REPLY IN SUPPORT OF ITS MOTION FOR ATTORNEY'S FEES
Transaction 7648539 - Approved By: SWOLFE : 12-19-2019:15:51:59
:
- 278 12/19/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7648546 - Approved By: NOREVIEW : 12-19-2019:15:53:09
- 279 12/19/2019 - 3860 - Request for Submission
Additional Text: Transaction 7648889 - Approved By: NOREVIEW : 12-19-2019:16:59:04
DOCUMENT TITLE: MOTION FOR ATTORNEY'S FEES (NO ORDER PROVIDED)
PARTY SUBMITTING: CHARLES BURCHAM, ESQ
DATE SUBMITTED: DECEMBER 19, 2019
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:
- 280 12/19/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7648894 - Approved By: NOREVIEW : 12-19-2019:17:00:05
- 281 12/20/2019 - 3795 - Reply...
Additional Text: DEFENDANT'S REPLY IN SUPPORT IF [SIC] ITS MOTION FOR ATTORNEY'S FEES - Transaction 7649162 -
Approved By: BBLOUGH : 12-20-2019:09:07:37
- 282 12/20/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7649250 - Approved By: NOREVIEW : 12-20-2019:09:08:34
- 283 12/20/2019 - 3790 - Reply to/in Opposition
Additional Text: DEFENDANT, Q&D CONSTRUCTION, INC'S REPLY TO OPPOSITION TO MOTION FOR ATTORNEY'S FEES -
Transaction 7651133 - Approved By: BBLOUGH : 12-20-2019:16:00:55
- 284 12/20/2019 - 3860 - Request for Submission
Additional Text: Transaction 7651138 - Approved By: NOREVIEW : 12-20-2019:16:00:54
DOCUMENT TITLE: MOTION FOR ATTORNEY'S FEES (NO ORDER PROVIDED)
PARTY SUBMITTING: DIRK GASPAR, ESQ
DATE SUBMITTED: DECEMBER 19, 2019
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:
- 285 12/20/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7651142 - Approved By: NOREVIEW : 12-20-2019:16:01:57
- 286 12/20/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7651143 - Approved By: NOREVIEW : 12-20-2019:16:02:06

- 287 1/9/2020 - 1270 - Application ...
Additional Text: STANTEC CONSULTING SERVICES INC.'S APPLICATION FOR ENTRY OF JUDGMENT FOR COSTS - Transaction 7676674 - Approved By: NOREVIEW : 01-09-2020:10:38:45
- 288 1/9/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7676678 - Approved By: NOREVIEW : 01-09-2020:10:40:04
- 289 1/9/2020 - 1270 - Application ...
Additional Text: APPLICATION FOR ENTRY OF JUDGMENT FOR COSTS - Transaction 7677103 - Approved By: NOREVIEW : 01-09-2020:11:59:13
- 290 1/9/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7677109 - Approved By: NOREVIEW : 01-09-2020:12:00:23
- 291 1/9/2020 - 3860 - Request for Submission
Additional Text: Transaction 7678036 - Approved By: NOREVIEW : 01-09-2020:15:06:47
DOCUMENT TITLE: STANTEC CONSULTING SERVICES APPLICATION FOR ENTRY OF JUDGMENT FOR COSTS
PARTY SUBMITTING: THEODORE CHRISSINGER ESQ
DATE SUBMITTED: 1-9-2020
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 292 1/9/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7678039 - Approved By: NOREVIEW : 01-09-2020:15:08:12
- 293 1/10/2020 - 3860 - Request for Submission
Additional Text: Transaction 7679542 - Approved By: NOREVIEW : 01-10-2020:11:39:59
DOCUMENT TITLE: DEFTS SOMERSETT DEVELOPMENT COMPANY LTD SOMERSETT LLC AND SOMERSETT DEVELOPMENT CORP. APPLICATION FOR ENTRY OF JUDGMENT FOR COSTS
PARTY SUBMITTING: CHARLES BURCHAM ESQ
DATE SUBMITTED: 1-10-2020
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 294 1/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7679546 - Approved By: NOREVIEW : 01-10-2020:11:41:02
- 295 1/31/2020 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING ATTORNEY'S FEES - Transaction 7714995 - Approved By: NOREVIEW : 01-31-2020:10:57:51
- 296 1/31/2020 - S200 - Request for Submission Complet
Additional Text: ORDER DENYING ATTORNEY'S FEES FILED JANUARY 31, 2020
- 297 1/31/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7715005 - Approved By: NOREVIEW : 01-31-2020:10:59:17
- 298 2/5/2020 - 1270 - Application ...
Additional Text: NOTICE ATTACHED - NOTICE OF STRICKEN DOCUMENT FILED 02-05-2020 STRIKING THE DEFENDANT, Q&D CONSTRUCTION, INC.'S APPLICATION FOR ENTRY OF JUDGMENT FOR COSTS FOR THE FOLLOWING REASON:

DOCUMENT DOES NOT HAVE AN AFFIRMATION – WDCR10(c)(1)

Defendant, Q & D Construction, Inc.'s Application for Entry of Judgment for Costs - Transaction 7723180 - Approved By: NOREVIEW : 02-05-2020:13:57:55
- 299 2/5/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7723192 - Approved By: NOREVIEW : 02-05-2020:13:59:57
- 300 2/5/2020 - 3860 - Request for Submission

Additional Text: Transaction 7723210 - Approved By: NOREVIEW : 02-05-2020:14:03:45
DOCUMENT TITLE: DEFENDANT, Q&D CONSTRUCTION, INC.'S APPLICATION FOR ENTRY OF JUDGMENT FOR COSTS (NO ORDER PROVIDED)
PARTY SUBMITTING: NATASHA LANDRUM, ESQ
DATE SUBMITTED: FEBRUARY 5, 2020
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:

301 2/5/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7723232 - Approved By: NOREVIEW : 02-05-2020:14:05:51

302 2/5/2020 - 3370 - Order ...

Additional Text: ORDER AWARDED COSTS-STANTEC - Transaction 7723523 - Approved By: NOREVIEW : 02-05-2020:14:59:37

303 2/5/2020 - S200 - Request for Submission Complet

Additional Text: ORDER AWARDED COSTS FILED FEBRUARY 5, 2020

304 2/5/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7723539 - Approved By: NOREVIEW : 02-05-2020:15:02:55

305 2/5/2020 - 3370 - Order ...

Additional Text: ORDER AWARDED COSTS SOMERSETT DEVELOPMENT - Transaction 7723545 - Approved By: NOREVIEW : 02-05-2020:15:03:15

306 2/5/2020 - S200 - Request for Submission Complet

Additional Text: ORDER AWARDED COSTS FILED FEBRUARY 5, 2020

307 2/5/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7723560 - Approved By: NOREVIEW : 02-05-2020:15:05:14

308 2/6/2020 - 1270 - Application ...

Additional Text: Notice of Errata Re. Q & D Construction, Inc.'s Application for Entry of Judgment for Costs (Missing Affirmation) - Transaction 7724410 - Approved By: NOREVIEW : 02-06-2020:08:12:03

309 2/6/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7724414 - Approved By: NOREVIEW : 02-06-2020:08:13:15

310 2/10/2020 - 3105 - Ord Granting ...

Additional Text: ORDER AWARDED COSTS (Q & D CONSTRUCTION) - Transaction 7731433 - Approved By: NOREVIEW : 02-10-2020:13:29:17

311 2/10/2020 - S200 - Request for Submission Complet

Additional Text: ORDER AWARDED COSTS FILED FEBRUARY 10, 2020

312 2/10/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7731438 - Approved By: NOREVIEW : 02-10-2020:13:30:20

313 2/10/2020 - 2840 - Ord Denying ...

Additional Text: ORDER DENYING MOTION FOR ATTORNEY FEES (Q & D CONSTRUCTION) - Transaction 7731491 - Approved By: NOREVIEW : 02-10-2020:13:39:22

314 2/10/2020 - S200 - Request for Submission Complet

Additional Text: ORDER DENYING ATTORNEY'S FEES FILED FEBRUARY 10, 2020

315 2/10/2020 - NEF - Proof of Electronic Service

Additional Text: Transaction 7731500 - Approved By: NOREVIEW : 02-10-2020:13:42:34

316 2/12/2020 - 2840 - Ord Denying ...

Additional Text: ORDER DENYING ATTORNEY'S FEES (STANTEC) - Transaction 7737672 - Approved By: NOREVIEW : 02-12-2020:14:49:33

- 317 2/12/2020 - S200 - Request for Submission Complet
Additional Text: ORDER DENYING ATTORNEY'S FEES (STANTEC) FILED FEBRUARY 12, 2020
- 318 2/12/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7737697 - Approved By: NOREVIEW : 02-12-2020:14:53:26
- 319 2/12/2020 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7737809 - Approved By: NOREVIEW : 02-12-2020:15:12:08
- 320 2/12/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7737817 - Approved By: NOREVIEW : 02-12-2020:15:13:17
- 321 2/13/2020 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7739576 - Approved By: NOREVIEW : 02-13-2020:11:44:03
- 322 2/13/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7739588 - Approved By: NOREVIEW : 02-13-2020:11:45:50
- 323 2/13/2020 - 2526 - Notice of Change of Attorney
Additional Text: NOTICE OF CHANGE OF HANDLING ATTORNEY - Transaction 7739962 - Approved By: YVILORIA : 02-13-2020:14:04:02
- 324 2/13/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7739972 - Approved By: NOREVIEW : 02-13-2020:14:04:54
- 325 2/14/2020 - 2610 - Notice ...
Additional Text: NOTICE OF DISASSOCIATION OF COUNSEL, WADE CARNER, ESQ / DEFENDANTS - Transaction 7741261 - Approved By: SACORDAG : 02-14-2020:10:00:06
- 326 2/14/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7741412 - Approved By: NOREVIEW : 02-14-2020:10:01:16
- 327 2/27/2020 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING MOTION FOR ATTORNEY'S FEES - Transaction 7764790 - Approved By: NOREVIEW : 02-27-2020:15:48:35
- 328 2/27/2020 - S200 - Request for Submission Complet
Additional Text: ORDER DENYING MOTION FOR ATTORNEY'S FEES FILED FEBRUARY 27, 2020
- 329 2/27/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7764831 - Approved By: NOREVIEW : 02-27-2020:15:53:08
- 330 2/27/2020 - 2540 - Notice of Entry of Ord
Additional Text: Notice of Entry of Order Denying Attorney's Fees - Transaction 7765244 - Approved By: NOREVIEW : 02-27-2020:16:48:05
- 331 2/27/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7765250 - Approved By: NOREVIEW : 02-27-2020:16:49:06
- 332 2/27/2020 - 2540 - Notice of Entry of Ord
Additional Text: Notice of Entry of Order Awarding Costs - Transaction 7765253 - Approved By: NOREVIEW : 02-27-2020:16:49:38
- 333 2/27/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7765258 - Approved By: NOREVIEW : 02-27-2020:16:50:43
- 334 3/17/2020 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7796819 - Approved By: NOREVIEW : 03-17-2020:15:32:35

335 3/17/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7796823 - Approved By: NOREVIEW : 03-17-2020:15:33:38

336 3/17/2020 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7796905 - Approved By: NOREVIEW : 03-17-2020:15:51:04

337 3/17/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7796915 - Approved By: NOREVIEW : 03-17-2020:15:52:31

338 3/19/2020 - 1310 - Case Appeal Statement
Additional Text: CASE APPEAL STATEMENT - Transaction 7800180 - Approved By: YVILORIA : 03-19-2020:13:33:22

339 3/19/2020 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: NOTICE OF APPEAL - Transaction 7800180 - Approved By: YVILORIA : 03-19-2020:13:33:22

340 3/19/2020 - SAB - **Supreme Court Appeal Bond
Additional Text: STANTEC CONSULTING SERVICES INC. ERROENOUSLY SUED AS STANTEC CONSULTING INC - Transaction 7800185 - Approved By: YVILORIA : 03-19-2020:13:36:39

341 3/19/2020 - 2610 - Notice ...
Additional Text: NOTICE OF POSTING BOND FOR COSTS ON APPEAL - Transaction 7800200 - Approved By: YVILORIA : 03-19-2020:13:41:42

342 3/19/2020 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$24.00 was made on receipt DCDC657458.

343 3/19/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7800231 - Approved By: NOREVIEW : 03-19-2020:13:34:58

344 3/19/2020 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$500.00 was made on receipt DCDC657459.

345 3/19/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7800250 - Approved By: NOREVIEW : 03-19-2020:13:38:04

346 3/19/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7800265 - Approved By: NOREVIEW : 03-19-2020:13:42:42

347 3/19/2020 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK & TRANSMITTAL - NOTICE OF APPEAL - Transaction 7800437 - Approved By: NOREVIEW : 03-19-2020:14:27:16

348 3/19/2020 - 4113 - District Ct Deficiency Notice
Additional Text: DISTRICT COURT DEFICIENCY NOTICE - FILING FEE - DUE TO COURT CLOSURE TO PUBLIC FILING FEE WILL BE MAILED DIRECTLY TO SUPREME COURT - Transaction 7800437 - Approved By: NOREVIEW : 03-19-2020:14:27:16

349 3/19/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7800440 - Approved By: NOREVIEW : 03-19-2020:14:28:12

350 3/19/2020 - 2610 - Notice ...
Additional Text: NOTICE OF CHANGE OF FIRM NAME - Transaction 7800839 - Approved By: BBLOUGH : 03-19-2020:16:34:21

351 3/19/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7800858 - Approved By: NOREVIEW : 03-19-2020:16:35:30

352 3/20/2020 - 1310 - Case Appeal Statement
Additional Text: Case Appeal Statement - Transaction 7802635 - Approved By: YVILORIA : 03-20-2020:16:16:20

- 353 3/20/2020 - 2610 - Notice ...
Additional Text: NOTICE OF POSTING BOND FOR COSTS ON APPEAL - Transaction 7802642 - Approved By: YVILORIA : 03-20-2020:16:10:08
- 354 3/20/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7802655 - Approved By: NOREVIEW : 03-20-2020:16:11:19
- 355 3/20/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7802672 - Approved By: NOREVIEW : 03-20-2020:16:19:43
- 356 3/20/2020 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: NOTICE OF APPEAL - Transaction 7802834 - Approved By: YVILORIA : 03-23-2020:08:16:12
- 357 3/23/2020 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$24.00 was made on receipt DCDC657493.
- 358 3/23/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7803461 - Approved By: NOREVIEW : 03-23-2020:08:17:27
- 359 3/23/2020 - SAB - **Supreme Court Appeal Bond
Additional Text: Q&D CONSTRUCTION - Transaction 7804720 - Approved By: YVILORIA : 03-23-2020:13:32:50
- 360 3/23/2020 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$500.00 was made on receipt DCDC657505.
- 361 3/23/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7804737 - Approved By: NOREVIEW : 03-23-2020:13:34:11
- 362 3/23/2020 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK & TRANSMITTAL - NOTICE OF APPEAL - Transaction 7804872 - Approved By: NOREVIEW : 03-23-2020:14:04:58
- 363 3/23/2020 - 4113 - District Ct Deficiency Notice
Additional Text: DISTRICT COURT DEFICIENCY NOTICE - FILING FEE - DUE TO COURT CLOSURE TO PUBLIC FILING FEE WILL BE MAILED DIRECTLY TO SUPREME COURT - Transaction 7804872 - Approved By: NOREVIEW : 03-23-2020:14:04:58

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION,
a domestic non-profit corporation,

Plaintiff,

vs.

Case No. CV17-02427

Dept. No. 10

SOMERSETT DEVELOPMENT CO., LTD.,
a Nevada limited liability company;
SOMERSETT, LLC, a dissolved Nevada
limited liability company; SOMERSETT
DEVELOPMENT CORPORATION, a
dissolved Nevada corporation; Q&D
CONSTRUCTION, INC.; PARSONS
BROTHERS ROCKERIES, INC., a
Washington corporation; PARSONS ROCKS!,
LLC, a Nevada limited liability company, and
DOES 5-50 inclusive,

Defendants,

AND RELATED CROSS-ACTIONS.

ORDER DENYING ATTORNEY'S FEES

Presently before the Court is DEFENDANT, Q&D CONSTRUCTION, INC.'S MOTION
FOR ATTORNEY'S FEES ("the Motion") filed by Defendant Q&D CONSTRUCTION, INC.
("Q&D") on October 22, 2019. Plaintiff SOMERSETT OWNERS ASSOCIATION ("the
Plaintiff") filed the OPPOSITION OF PLAINTIFF SOMERSETT OWNERS ASSOCIATION TO
DEFENDANT Q&D CONSTRUCTION, INC.'S MOTION FOR ATTORNEY'S FEES ("the

1 Opposition”) on November 25, 2019. The Plaintiff contemporaneously filed PLAINTIFF’S
2 REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF ITS OPPOSITIONS TO THE MOTIONS
3 FOR ATTORNEY’S FEES FILED BY DEFENDANTS (1) SOMERSETT DEVELOPMENT
4 COMPANY, LTD, SOMERSETT DEVELOPMENT CORPORATION, SOMSERSETT LLC, (2)
5 PARSONS BROS ROCKERIES, INC., (3) Q&D CONSTURCTION, INC., AND (4) STANTEC
6 CONSULTING SERVICES, INC. (“the RJN”) on November 25, 2019.¹ Q&D filed
7 DEFENDANT, Q&D CONSTRUCTION, INC.’S REPLY TO OPPOSITION TO MOTION FOR
8 ATTORNEY’S FEES (“the Reply”) on December 20, 2019, and contemporaneously submitted the
9 matter for the Court’s consideration.
10
11

12 The parties are well versed in the facts of this case, so the Court will only recite them briefly.
13 The Plaintiff is a homeowners’ association of a common-interest community who sought to recover
14 damages for collapsed rockery walls constructed within the Plaintiff’s community. The FIRST
15 AMENDED COMPLAINT FOR DAMAGES (CORRECTED) (“the FAC”) was filed on May 3,
16 2018. The FAC contains the following causes of action against Q&D, PARSONS BROTHERS
17 ROCKERIES, INC.; SOMERSETT DEVELOPMENT CO., LTD.; SOMERSETT, LLC; and
18 SOMERSETT DEVELOPMENT CORPORATION (collectively, “the Defendants”): 1) Negligence
19 and Negligence Per Se; 2) Breach of Express and Implied Warranties Pursuant to NRS 116.4113 and
20 NRS 11.4114² and Common Law; 3) Negligent Misrepresentation and/or Failure to Disclose; 4)
21 Declaratory Relief; and 5) Breach of NRS 116.1113 and the Implied Covenant of Good Faith. The
22 Complaint 8-17.
23
24

25
26 ¹ NRS 47.130 and 47.1150 govern judicial notice. The effect of judicial notice is to establish the fact which is noticed to
27 the court. *Lemel v. Smith*, 64 Nev. 545, 566, 187 P.2d 169, 179 (1947). While the Plaintiff has asked the Court to take
28 judicial notice of fourteen different items, the Court does not believe judicial notice of these items is necessary or
appropriate for the Motion. The Court will consider the items in the RJN as if they had been submitted as exhibits to the
Opposition and will give them appropriate weight, if any.

² The Court presumes the Plaintiff intended to write “116.4144.”

1 The Defendants filed DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ("the
2 Omnibus MSJ") on March 26, 2019.³ After the Omnibus MSJ was fully briefed and oral argument
3 was held, the Court entered the ORDER GRANTING DEFENDANTS' MOTION FOR
4 SUMMARY JUDGMENT on October 2, 2019 ("the October Order"). The Court entered summary
5 judgment in favor of Stantec and the Defendants on the basis the Plaintiff's claims were barred by
6 the six-year statute of repose for construction defect claims. The October Order 6:10-27; 7:1-28.

8 Q&D seeks to recover \$74,748.00 in attorney's fees pursuant to NRS 116.4117(6) and NRS
9 18.010(2). The Motion 3:10-26; 4:1-28; 5:1-25; 6:1-21; 9:18-25. Q&D contends it is entitled to
10 recover these fees under NRS 116.4117(6) because the Plaintiff had no basis to assert NRS Chapter
11 116 claims against Q&D. The Motion 3:15-27; 4:1-2. Q&D alternatively contends the Plaintiff's
12 claims were brought and maintained without reasonable ground, thus entitling Q&D to attorney's
13 fees pursuant to NRS 18.010(2). The Motion 4:3-28; 5:1-24; 6:1-21. The Plaintiff contends an
14 award of attorney's fees is unwarranted because discovery was bifurcated so as to prioritize the
15 resolution of the statutes of limitations and repose issues, and the applicability of NRS Chapter 116
16 was never decided by the Court. The Opposition 4:17-23; 5:1-11. The Plaintiff also contends it
17 made meritorious arguments regarding the accrual and tolling of the statute of repose, making NRS
18 Chapter 18 attorney fees unmerited. The Opposition 4:24-28; 5:12-25; 9:1-23. The Plaintiff
19 alternatively argues that, if the Court awards attorney's fees, the award should be significantly
20 reduced and limited to fees attributable to NRS Chapter 116 work. The Opposition 11:20-26; 12:1-
21 25; 23:1-27; 14:1-22. Q&D insists it is entitled to recover its attorney's fees under NRS Chapter
22 116 as a prevailing party under the October Order, and the Plaintiff never had any credible evidence
23 to support its claims. The Reply 2:22-27; 3:1-18.

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28 ³ Third-Party Defendant STANTEC CONSULTING SERVICES, INC. ("Stantec") was also a party to the Omnibus MSJ.

1 Attorney's fees are recoverable where authorized by agreement, statute or rule. *Wheeler*
2 *Springs Plaza, LLC v. Beemon*, 119 Nev. 260, 268, 71 P.3d 1258, 1263 (2003) (quoting *Young v.*
3 *Nev. Title Co.*, 103 Nev. 436, 442, 744 P.2d 902, 905 (1987)). NRS 116.4117 provides in relevant
4 part:
5

6 2. Subject to the requirements set forth in NRS 38.310 and except as otherwise provided in
7 NRS 116.3111, a civil action for damages or other appropriate relief for a failure or
8 refusal to comply with any provision of this chapter or the governing documents of an
association may be brought:

9 (a) By the association against:

10 (1) A declarant;

11 (2) A community manager; or

12 (3) A unit's owner.

13 (b) By a unit's owner against:

14 (1) The association;

15 (2) A declarant; or

16 (3) Another unit's owner of the association . . .

17 6. The court may award reasonable attorney's fees to the prevailing party.

18 NRS 18.010(2)(b) permits an award of attorney's fees where:

19
20 Without regard to the recovery sought, when the court finds that the claim,
21 counterclaim, cross-claim or third-party complaint or defense of the opposing party
22 was brought or maintained without reasonable ground or to harass the prevailing
23 party. The court shall liberally construe the provisions of this paragraph in favor of
24 awarding attorney's fees in all appropriate situations. It is the intent of the Legislature
25 that the court award attorney's fees pursuant to this paragraph and impose sanctions
26 pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all appropriate
27 situations to punish for and deter frivolous or vexatious claims and defenses because
28 such claims and defenses overburden limited judicial resources, hinder the timely
resolution of meritorious claims and increase the costs of engaging in business and
providing professional services to the public.

1 NRCP 11(b) provides:

2 Representations to the Court. By presenting to the court a pleading, written motion, or other
3 paper--whether by signing, filing, submitting, or later advocating it--an attorney or
4 unrepresented party certifies that to the best of the person's knowledge, information, and
5 belief, formed after an inquiry reasonable under the circumstances:

- 6 (1) it is not being presented for any improper purpose, such as to harass, cause
7 unnecessary delay, or needlessly increase the cost of litigation;
- 8 (2) the claims, defenses, and other legal contentions are warranted by existing law or by
9 a nonfrivolous argument for extending, modifying, or reversing existing law or for
10 establishing new law;
- 11 (3) the factual contentions have evidentiary support or, if specifically so identified, will
12 likely have evidentiary support after a reasonable opportunity for further
13 investigation or discovery; and
- 14 (4) the denials of factual contentions are warranted on the evidence or, if specifically so
15 identified, are reasonably based on belief or a lack of information.

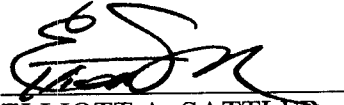
16 The Court will deny Q&D's request for attorney's fees because Q&D is not entitled to
17 attorney's fees pursuant to NRS 116.4117 or NRS 18.010. Even though Q&D was a prevailing
18 party under the October Order, the Court never ruled on any issues pertaining to NRS Chapter 116.
19 Discovery was limited to the potentially dispositive statute of repose and statute of limitations issues.
20 See JOINT CASE CONFERENCE REPORT, p. 15 (Oct. 17, 2018). This matter was resolved by
21 the threshold issue of the statute of repose, and the October Order made no mention of NRS Chapter
22 116.

23 Second, Q&D is not entitled to attorney's fees pursuant to NRS 18.010 because this lawsuit
24 was neither brought nor maintained without reasonable grounds. Throughout the litigation, the
25 Plaintiff made nonfrivolous arguments regarding the applicability of the statute of repose. The
26 Plaintiff contended the statute of repose had not yet run because a product unfit for its intended use
27 is not substantially complete. See OPPOSITION OF PLAINTIFF TO DEFENDANTS' JOINT
28 MOTION FOR SUMMARY JUDGMENT (OMNIBUS MOTION) 2:15-20; 9:20-23; 10:16-20;

1 11:14-17; 17:4-8. The Plaintiff also argued the statute of repose was subject to statutory and
2 equitable tolling and that the statute of repose was limited to NRS Chapter 40 claims. *See id.* at
3 13:26-28; 20:17-18; 22:7-11; 23:3-10; 24:4-13. While the Court was not persuaded by these
4 arguments, this fact does not automatically render the Plaintiff's argument frivolous. The Court
5 finds the Plaintiff's arguments were good faith attempts to modify current law on the statute of
6 repose. The Court would also note the Plaintiff agreed to bifurcate discovery and resolve the statute
7 of repose issue before at the threshold. Finally, this matter did not proceed to trial but was
8 adjudicated via summary judgment, thus preventing unnecessary litigation and the accumulation of
9 additional expenses.
10

11
12 **IT IS ORDERED** DEFENDANT, Q&D CONSTRUCTION, INC.'S MOTION FOR
13 ATTORNEY'S FEES is hereby **DENIED**.


14 **DATED** this 10 day of February, 2020.
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18 ELLIOTT A. SATTLER
19 District Judge
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CERTIFICATE OF ELECTRONIC SERVICE

CHARLES BURCHAM, ESQ.
NATASHA LANDRUM, ESQ.
DIRK GASPAR, ESQ.
DAVID LEE, ESQ.
STEPHEN CASTRONOVA, ESQ.
THEODORE E. CHRISSINGER, ESQ.
MICHAEL S. KIMMEL, ESQ.
STEPHEN G. CASTRONOVA, ESQ.
JOHN SAMBERG, ESQ.
DON SPRINGMEYER, ESQ.


Sheila Mansfield
Judicial Assistant

1 **2540**
2 DAVID S. LEE, ESQ.
3 Nevada Bar No.: 6033
4 NATASHA A. LANDRUM, ESQ.
5 Nevada Bar No. 7414
6 LEE, HERNANDEZ, LANDRUM
7 & CARLSON, APC
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
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14 Attorneys for Defendant
15 Q & D CONSTRUCTION, INC.

16 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

17 **IN AND FOR THE COUNTY OF WASHOE**

18 SOMERSETT OWNERS ASSOCIATION, a
19 Domestic Non-Profit Corporation,

20 Plaintiff,

21 v.

22 SOMERSETT DEVELOPMENT COMPANY,
23 LTD., a Nevada Limited Liability Company;
24 SOMERSETT, LLC a dissolved Nevada Limited
25 Liability Company; SOMERSETT
26 DEVELOPMENT CORPORATION, a dissolved
27 Nevada Corporation; PARSONS BROS
28 ROCKERIES, CA INC., a Nevada Corporation;
PARSONS BROS ROCKERIES CALIFORNIA
INC. dba PARSONS WALLS, a California
Corporation; Q & D Construction, Inc. a Nevada
Corporation, and DOES 5 through 50, inclusive,

Defendants.

SOMERSETT DEVELOPMENT CO., LTD.,

Third-Party Plaintiff

v.

STANTEC CONSULTING, INC., an Arizona
corporation;

Third-Party Defendants.

CASE NO.: CV17-02427
DEPT. NO.: 15

**NOTICE OF ENTRY OF ORDER
DENYING ATTORNEY'S FEES**

LEE, HERNANDEZ, LANDRUM & CARLSON, APC
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

LEE, HERNANDEZ, LANDRUM & CARLSON, APC
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

NOTICE OF ENTRY OF ORDER DENYING ATTORNEY'S FEES

On February 10, 2020, the Court entered an order denying Q&D Construction, Inc. Motion for Attorney's Fees. A copy of the order is attached hereto as Exhibit 1.

AFFIRMATION

Pursuant to NRS 239B.030 and 603A.040

The undersigned hereby affirms that this document does not contain the personal information of any person.

DATED this 21st day of February, 2020.

**LEE, HERNANDEZ, LANDRUM
& CARLSON, APC**

By: 

NATASHA A. LANDRUM, ESQ.

Nevada Bar No. 7414

7575 Vegas Drive, Suite 150

Las Vegas, NV 89128

Attorneys for Third-Party Defendant/Fourth-Party Plaintiff Q & D CONSTRUCTION, INC.

LEE, HERNANDEZ, LANDRUM & CARLSON, APC
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

CERTIFICATE OF MAILING

Somerset Owners Association v. Somerset Development Co., Ltd., et al.
(Q&D Construction, Inc.)

I HEREBY CERTIFY that on the 27th of February, 2020, I served a copy of the above and foregoing **NOTICE OF ENTRY OF ORDER DENYING ATTORNEY'S FEES**, via E-Flex Electronic Filing System to the following counsel/person(s):

SEE ATTACHED SERVICE LIST

/s/ Dominique Hoskins

An employee of LEE, HERNANDEZ, LANDRUM
& CARLSON, APC

Somerset Owners Association v. Somerset Development Co., Ltd., et al.
(Q&D Construction, Inc.)

Attorney	Phone/Fax/Email	Party
Don Springmeyer, Esq. John Samberg, Esq. Roi Moas, Esq. WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP 5594 B Longley Lane Reno, NV 89511	T: (775) 853-6787 F: (775) 853-6774 dspringmeyer@wrslawyers.com jsamberg@wrslawyers.com rmoas@wrslawyers.com	<i>Plaintiff</i>
Charles L. Burcham, Esq. Wade Carner, Esq. THORNDAL, ARMSTRONG, DELK, BALKENBUSH & EISINGER 6590 S. McCarran, Suite B Reno, Nevada 89509	T: (775) 786-2882 F: (775) 322-6338 clb@thorndal.com wnc@thorndal.com	<i>Somerset Development Company, Ltd., Somerset, LLC, and Somerset Development Corporation</i>
Theodore E. Chrissinger, Esq. Michael S. Kimmel, Esq. HOY CHRISSINGER KIMMEL VALAS 50 W. Liberty Street, Suite 840 Reno, NV 89501	T: (775) 786-8000-operator F:M (775) 785-3472 – direct tchrissinger@nevadalaw.com mkimmel@nevadalaw.com	<i>Stantec Consulting Services, Inc.</i>
Stephen G. Castronova, Esq. CASTRONOVA LAW OFFICES, P.C. 605 Forest Street Reno, NV 89509	T: (775) 323-2646 F: (775) 323-3181 sgc@castronovalaw.com	<i>Parsons Bros. Rockeries, Inc.</i>

EXHIBIT "1"

Exhibit "1"

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION,
a domestic non-profit corporation,

Plaintiff,

vs.

Case No. CV17-02427

Dept. No. 10

SOMERSETT DEVELOPMENT CO., LTD.,
a Nevada limited liability company;
SOMERSETT, LLC, a dissolved Nevada
limited liability company; SOMERSETT
DEVELOPMENT CORPORATION, a
dissolved Nevada corporation; Q&D
CONSTRUCTION, INC.; PARSONS
BROTHERS ROCKERIES, INC., a
Washington corporation; PARSONS ROCKS!,
LLC, a Nevada limited liability company, and
DOES 5-50 inclusive,

Defendants,

AND RELATED CROSS-ACTIONS.

ORDER DENYING ATTORNEY'S FEES

Presently before the Court is DEFENDANT, Q&D CONSTRUCTION, INC.'S MOTION
FOR ATTORNEY'S FEES ("the Motion") filed by Defendant Q&D CONSTRUCTION, INC.
("Q&D") on October 22, 2019. Plaintiff SOMERSETT OWNERS ASSOCIATION ("the
Plaintiff") filed the OPPOSITION OF PLAINTIFF SOMERSETT OWNERS ASSOCIATION TO
DEFENDANT Q&D CONSTRUCTION, INC.'S MOTION FOR ATTORNEY'S FEES ("the

1 Opposition”) on November 25, 2019. The Plaintiff contemporaneously filed PLAINTIFF’S
2 REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF ITS OPPOSITIONS TO THE MOTIONS
3 FOR ATTORNEY’S FEES FILED BY DEFENDANTS (1) SOMERSETT DEVELOPMENT
4 COMPANY, LTD, SOMERSETT DEVELOPMENT CORPORATION, SOMERSETT LLC, (2)
5 PARSONS BROS ROCKERIES, INC., (3) Q&D CONSTRUCTION, INC., AND (4) STANTEC
6 CONSULTING SERVICES, INC. (“the RJN”) on November 25, 2019.¹ Q&D filed
7 DEFENDANT, Q&D CONSTRUCTION, INC.’S REPLY TO OPPOSITION TO MOTION FOR
8 ATTORNEY’S FEES (“the Reply”) on December 20, 2019, and contemporaneously submitted the
9 matter for the Court’s consideration.
10

11
12 The parties are well versed in the facts of this case, so the Court will only recite them briefly.
13 The Plaintiff is a homeowners’ association of a common-interest community who sought to recover
14 damages for collapsed rockery walls constructed within the Plaintiff’s community. The FIRST
15 AMENDED COMPLAINT FOR DAMAGES (CORRECTED) (“the FAC”) was filed on May 3,
16 2018. The FAC contains the following causes of action against Q&D, PARSONS BROTHERS
17 ROCKERIES, INC.; SOMERSETT DEVELOPMENT CO., LTD.; SOMERSETT, LLC; and
18 SOMERSETT DEVELOPMENT CORPORATION (collectively, “the Defendants”): 1) Negligence
19 and Negligence Per Se; 2) Breach of Express and Implied Warranties Pursuant to NRS 116.4113 and
20 NRS 11.4114² and Common Law; 3) Negligent Misrepresentation and/or Failure to Disclose; 4)
21 Declaratory Relief; and 5) Breach of NRS 116.1113 and the Implied Covenant of Good Faith. The
22 Complaint 8-17.
23
24

25
26 ¹ NRS 47.130 and 47.1150 govern judicial notice. The effect of judicial notice is to establish the fact which is noticed to
27 the court. *Lemel v. Smith*, 64 Nev. 545, 566, 187 P.2d 169, 179 (1947). While the Plaintiff has asked the Court to take
28 judicial notice of fourteen different items, the Court does not believe judicial notice of these items is necessary or
appropriate for the Motion. The Court will consider the items in the RJN as if they had been submitted as exhibits to the
Opposition and will give them appropriate weight, if any.

² The Court presumes the Plaintiff intended to write “116.4144.”

1 The Defendants filed DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ("the
2 Omnibus MSJ") on March 26, 2019.³ After the Omnibus MSJ was fully briefed and oral argument
3 was held, the Court entered the ORDER GRANTING DEFENDANTS' MOTION FOR
4 SUMMARY JUDGMENT on October 2, 2019 ("the October Order"). The Court entered summary
5 judgment in favor of Stantec and the Defendants on the basis the Plaintiff's claims were barred by
6 the six-year statute of repose for construction defect claims. The October Order 6:10-27; 7:1-28.

8 Q&D seeks to recover \$74,748.00 in attorney's fees pursuant to NRS 116.4117(6) and NRS
9 18.010(2). The Motion 3:10-26; 4:1-28; 5:1-25; 6:1-21; 9:18-25. Q&D contends it is entitled to
10 recover these fees under NRS 116.4117(6) because the Plaintiff had no basis to assert NRS Chapter
11 116 claims against Q&D. The Motion 3:15-27; 4:1-2. Q&D alternatively contends the Plaintiff's
12 claims were brought and maintained without reasonable ground, thus entitling Q&D to attorney's
13 fees pursuant to NRS 18.010(2). The Motion 4:3-28; 5:1-24; 6:1-21. The Plaintiff contends an
14 award of attorney's fees is unwarranted because discovery was bifurcated so as to prioritize the
15 resolution of the statutes of limitations and repose issues, and the applicability of NRS Chapter 116
16 was never decided by the Court. The Opposition 4:17-23; 5:1-11. The Plaintiff also contends it
17 made meritorious arguments regarding the accrual and tolling of the statute of repose, making NRS
18 Chapter 18 attorney fees unmerited. The Opposition 4:24-28; 5:12-25; 9:1-23. The Plaintiff
19 alternatively argues that, if the Court awards attorney's fees, the award should be significantly
20 reduced and limited to fees attributable to NRS Chapter 116 work. The Opposition 11:20-26; 12:1-
21 25; 23:1-27; 14:1-22. Q&D insists it is entitled to recover its attorney's fees under NRS Chapter
22 116 as a prevailing party under the October Order, and the Plaintiff never had any credible evidence
23 to support its claims. The Reply 2:22-27; 3:1-18.

24 ³ Third-Party Defendant STANTEC CONSULTING SERVICES, INC. ("Stantec") was also a party to the Omnibus
25 MSJ.
26
27
28

1 Attorney's fees are recoverable where authorized by agreement, statute or rule. *Wheeler*
2 *Springs Plaza, LLC v. Beemon*, 119 Nev. 260, 268, 71 P.3d 1258, 1263 (2003) (quoting *Young v.*
3 *Nev. Title Co.*, 103 Nev. 436, 442, 744 P.2d 902, 905 (1987)). NRS 116.4117 provides in relevant
4 part:
5

6 2. Subject to the requirements set forth in NRS 38.310 and except as otherwise provided in
7 NRS 116.3111, a civil action for damages or other appropriate relief for a failure or
8 refusal to comply with any provision of this chapter or the governing documents of an
association may be brought:

9 (a) By the association against:

10 (1) A declarant;

11 (2) A community manager; or

12 (3) A unit's owner.

13 (b) By a unit's owner against:

14 (1) The association;

15 (2) A declarant; or

16 (3) Another unit's owner of the association . . .

17 6. The court may award reasonable attorney's fees to the prevailing party.

18 NRS 18.010(2)(b) permits an award of attorney's fees where:

19
20
21 Without regard to the recovery sought, when the court finds that the claim,
22 counterclaim, cross-claim or third-party complaint or defense of the opposing party
23 was brought or maintained without reasonable ground or to harass the prevailing
24 party. The court shall liberally construe the provisions of this paragraph in favor of
25 awarding attorney's fees in all appropriate situations. It is the intent of the Legislature
26 that the court award attorney's fees pursuant to this paragraph and impose sanctions
27 pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all appropriate
28 situations to punish for and deter frivolous or vexatious claims and defenses because
such claims and defenses overburden limited judicial resources, hinder the timely
resolution of meritorious claims and increase the costs of engaging in business and
providing professional services to the public.

1 NRCP 11(b) provides:

2 Representations to the Court. By presenting to the court a pleading, written motion, or other
3 paper--whether by signing, filing, submitting, or later advocating it--an attorney or
4 unrepresented party certifies that to the best of the person's knowledge, information, and
5 belief, formed after an inquiry reasonable under the circumstances:

- 6 (1) it is not being presented for any improper purpose, such as to harass, cause
7 unnecessary delay, or needlessly increase the cost of litigation;
- 8 (2) the claims, defenses, and other legal contentions are warranted by existing law or by
9 a nonfrivolous argument for extending, modifying, or reversing existing law or for
10 establishing new law;
- 11 (3) the factual contentions have evidentiary support or, if specifically so identified, will
12 likely have evidentiary support after a reasonable opportunity for further
13 investigation or discovery; and
- 14 (4) the denials of factual contentions are warranted on the evidence or, if specifically so
15 identified, are reasonably based on belief or a lack of information.

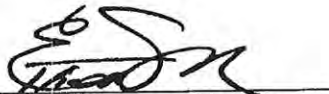
16 The Court will deny Q&D's request for attorney's fees because Q&D is not entitled to
17 attorney's fees pursuant to NRS 116.4117 or NRS 18.010. Even though Q&D was a prevailing
18 party under the October Order, the Court never ruled on any issues pertaining to NRS Chapter 116.
19 Discovery was limited to the potentially dispositive statute of repose and statute of limitations issues.
20 See JOINT CASE CONFERENCE REPORT, p. 15 (Oct. 17, 2018). This matter was resolved by
21 the threshold issue of the statute of repose, and the October Order made no mention of NRS Chapter
22 116.

23 Second, Q&D is not entitled to attorney's fees pursuant to NRS 18.010 because this lawsuit
24 was neither brought nor maintained without reasonable grounds. Throughout the litigation, the
25 Plaintiff made nonfrivolous arguments regarding the applicability of the statute of repose. The
26 Plaintiff contended the statute of repose had not yet run because a product unfit for its intended use
27 is not substantially complete. See OPPOSITION OF PLAINTIFF TO DEFENDANTS' JOINT
28 MOTION FOR SUMMARY JUDGMENT (OMNIBUS MOTION) 2:15-20; 9:20-23; 10:16-20;

1 11:14-17; 17:4-8. The Plaintiff also argued the statute of repose was subject to statutory and
2 equitable tolling and that the statute of repose was limited to NRS Chapter 40 claims. *See id.* at
3 13:26-28; 20:17-18; 22:7-11; 23:3-10; 24:4-13. While the Court was not persuaded by these
4 arguments, this fact does not automatically render the Plaintiff's argument frivolous. The Court
5 finds the Plaintiff's arguments were good faith attempts to modify current law on the statute of
6 repose. The Court would also note the Plaintiff agreed to bifurcate discovery and resolve the statute
7 of repose issue before at the threshold. Finally, this matter did not proceed to trial but was
8 adjudicated via summary judgment, thus preventing unnecessary litigation and the accumulation of
9 additional expenses.
10

11
12 **IT IS ORDERED** DEFENDANT, Q&D CONSTRUCTION, INC.'S MOTION FOR
13 ATTORNEY'S FEES is hereby **DENIED**.

14 **DATED** this 10 day of February, 2020.
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18 ELLIOTT A. SATTLER
19 District Judge
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1 **CERTIFICATE OF MAILING**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court
3 of the State of Nevada, County of Washoe; that on this _____ day of February, 2020, I deposited
4 in the County mailing system for postage and mailing with the United States Postal Service in Reno,
5 Nevada, a true copy of the attached document addressed to:
6

7
8 **CERTIFICATE OF ELECTRONIC SERVICE**

9 I hereby certify that I am an employee of the Second Judicial District Court of the State of
10 Nevada, in and for the County of Washoe; that on the 10 day of February, 2020, I electronically
11 filed the foregoing with the Clerk of the Court by using the ECF system which will send a notice of
12 electronic filing to the following:
13

14 CHARLES BURCHAM, ESQ.

15 NATASHA LANDRUM, ESQ.

16 DIRK GASPAR, ESQ.

17 DAVID LEE, ESQ.

18 STEPHEN CASTRONOVA, ESQ.

19 THEODORE E. CHRISSINGER, ESQ.

20 MICHAEL S. KIMMEL, ESQ.

21 STEPHEN G. CASTRONOVA, ESQ.

22 JOHN SAMBERG, ESQ.

23 DON SPRINGMEYER, ESQ.
24
25
26
27
28


Sheila Mansfield
Judicial Assistant

CASE NO. CV17-02427

SOMERSETT OWNERS ASSOCIATION VS.
SOMERSETT DEVELOPMENT COMPANY, LTD., ETAL

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

7/15/19
HONORABLE
ELLIOTT A.
SATTLER
DEPT. NO. 10
M. Merkouris
(Clerk)
P. Hoogs
(Reporter)

MOTIONS HEARING

1:30 p.m. – Court convened.

John Samberg, Esq., and Royi Moas, Esq., were present on behalf of Plaintiff Somerset Owners Association.

Theodore Chrissinger, Esq., was present on behalf of Defendant Stantec Consulting Services Inc.

Charles Burcham, Esq., was present on behalf of Defendants Somerset Development Company, Ltd.; Somerset Development Corporation; and Somerset, LLC.

Natasha Landrum, Esq., was present on behalf of Defendant Q&D Construction, Inc.

Stephen Castronova, Esq., was present on behalf of Defendant Parson Bros.

COURT reviewed the procedural history of the case, noting that this hearing was set to address three pending motions:

-Motion of Plaintiff to Strike Certain Affirmative Defenses Relating to Statutes of Limitations and Repose; Request for Judicial Notice and Declarations of John Samberg, Esq., and Tracy Carter in Support Thereof, filed January 17, 2019 (Motion to Strike).

-Defendants' Motion for Summary Judgment, filed March 26, 2019 (Omnibus MSJ).

-Somerset Development Company's Separate Motion for Summary Judgment, filed March 26, 2019 (Somerset's MSJ).

COURT further reviewed two additional fully briefed Motions, noting that these Motions will not be addressed until the Court has resolved the three Motions being argued today.

Counsel Samberg addressed the Court regarding legislative history; counsel Chrissinger and counsel Burcham responded.

COURT noted that counsel Samberg's Motion to Strike is in essence a Motion for Summary Judgment, and the Court will consider it as such.

Counsel Samberg presented argument in support of his Motion to Strike.

Counsel Chrissinger responded; and he further argued in opposition of the Motion to Strike, and in support of the Omnibus MSJ.

Counsel Burcham, counsel Castronova and counsel Landrum also responded.

Counsel Samberg replied; and he further presented argument in support of the Motion to Strike, and in opposition of the Omnibus MSJ.

Counsel Chrissinger briefly replied in support of his Omnibus MSJ.

3:54 p.m. – Court stood in recess.

4:01 p.m. – Court reconvened.

Counsel Burcham presented argument in support of Somerset's MSJ.

Counsel Samberg replied.

COURT ORDERED: This matter shall be taken under advisement on the date that the transcript of this hearing has been filed.

4:09 p.m. – Court adjourned.

Code 4132

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION, a
Domestic Non-Profit Corporation,

Case No. CV17-02427

Dept. No. 10

Plaintiff,

vs.

SOMERSETT DEVELOPMENT COMPANY, LTD, a Nevada
Limited Liability Company; SOMERSETT, LLC a dissolved
Nevada Limited Liability Company; SOMERSETT
DEVELOPMENT CORPORATION, a dissolved Nevada
Corporation; PARSONS BROS ROCKERIES, CA INC., a
Nevada Corporation; PARSONS BROS ROCKERIES
CALIFORNIA INC. dba PARSONS WALLS, a California
Corporation; Q & D Construction, Inc., a Nevada Corporation,
and DOES 5 through 50, inclusive,

Defendants.

AND RELATED CROSS-ACTIONS.

NOTICE OF APPEAL DEFICIENCY

TO: Clerk of the Court, Nevada Supreme Court,
and All Parties or their Respective Counsel Of Record:

On March 20th, 2020, Attorney Natasha A. Landrum, Esq. for Defendant Q&D Construction, filed a Notice of Appeal with the Court. Attorney Natasha A. Landrum, Esq was unable to include the Two Hundred Fifty Dollar (\$250.00) Supreme Court filing fee due to the Second Judicial District Court Administrative Order 2020-02 and 2020-05.

Pursuant to NRAP 3(a)(3), on March 23rd, 2020, the Notice of Appeal was filed with the Nevada Supreme Court. By copy of this notice Attorney Natasha A. Landrum, Esq. will be notified by electronic filing of the deficiency.

Dated this 23rd day of March, 2020.

Jacqueline Bryant
Clerk of the Court
By: /s/YViloria
YViloria
Deputy Clerk

CERTIFICATE OF SERVICE

CASE NO. CV17-02427

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County Of Washoe; that on the 23rd day of March, 2020, I electronically filed the Notice of Appeal Deficiency with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

DON SPRINGMEYER, ESQ. for SOMERSETT OWNERS ASSOCIATION

CHARLES BURCHAM, ESQ. for SOMERSETT, LLC., SOMERSETT DEVELOPMENT COMPANY LTD., SOMERSETT DEVELOPMENT CORPORATION

THEODORE CHRISSINGER, ESQ. for STANTEC CONSULTING SERVICES INC.

STEPHEN CASTRONOVA, ESQ. for PARSONS BROS. ROCKERIES, CA, INC.

DAVID LEE, ESQ. for Q & D CONSTRUCTION, INC.

MICHAEL KIMMEL, ESQ. for STANTEC CONSULTING SERVICES INC.

JOHN SAMBERG, ESQ. for SOMERSETT OWNERS ASSOCIATION

NATASHA LANDRUM, ESQ. for Q & D CONSTRUCTION, INC.

Deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada:

/s/YViloria
YViloria
Deputy Clerk

Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION, a
Domestic Non-Profit Corporation,

Case No. CV17-02427

Plaintiff,

Dept. No. 10

vs.

SOMERSETT DEVELOPMENT COMPANY, LTD, a Nevada
Limited Liability Company; SOMERSETT, LLC a dissolved
Nevada Limited Liability Company; SOMERSETT
DEVELOPMENT CORPORATION, a dissolved Nevada
Corporation; PARSONS BROS ROCKERIES, CA INC., a
Nevada Corporation; PARSONS BROS ROCKERIES
CALIFORNIA INC. dba PARSONS WALLS, a California
Corporation; Q & D Construction, Inc., a Nevada Corporation,
and DOES 5 through 50, inclusive,

Defendants.

AND RELATED CROSS-ACTIONS.

CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada,
County of Washoe; that on the 23rd day of March, 2020, I electronically filed the Notice of Appeal
in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original pleadings
on file with the Second Judicial District Court.

Dated this 23rd day of March, 2020.

Jacqueline Bryant
Clerk of the Court
By /s//YViloria
YViloria
Deputy Clerk