

IN THE SUPREME COURT OF THE STATE OF NEVADA

DIRECT GRADING & PAVING, L.L.C.,
A NEVADA LIMITED LIABILITY
COMPANY,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE ROB
BARE, DISTRICT JUDGE,

Respondents,

and

CENTURY COMMUNITIES OF
NEVADA, L.L.C., A NEVADA LIMITED
LIABILITY COMPANY,
Real Party in Interest.

No. 81933

FILED

JAN 29 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING MOTION TO FILE SURREPLY

Real party in interest Century Communities of Nevada, L.L.C., along with Argonaut Insurance Company,¹ has filed a motion seeking leave to file a surreply in this writ proceeding, arguing that petitioner introduced two new and misleading facts in its reply that it would like to address.

¹Argonaut Insurance Company, while a defendant below, is not a named party to this writ petition. Nevertheless, it filed, jointly with Century Communities, an answer to the petition. As it appears that Argonaut has provided surety bonds to release the liens on Century Communities' properties, such that its interests are implicated in this matter, and that it shares the same counsel as Century Communities, the clerk of this court is directed to add Argonaut as a real party in interest to the caption of this docket. If any party is of the opinion that the caption, as modified, does not accurately reflect the status of the parties to this matter, they shall so notify this court within 7 days of the date of this order.

Petitioner opposes the motion, asserting that it correctly stated the facts in the context of the particular arguments it was making and that the resolution of this writ petition turns on legal issues, not the facts presented. Having reviewed the parties' filings, we grant real party in interest's request to file a sur-reply. The clerk of this court shall detach from the January 11, 2021, motion and file the proposed surreply.

It is so ORDERED.

1. Sanderby, C.J.

cc: Hon. Rob Bare, District Judge
Johnson & Gubler, P.C.
Santoro Whitmire
Eighth District Court Clerk