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IN THE

**SUPREME COURT
OF THE
STATE OF IDAHO**

ISC #44583, 44584, 44585
Bonner #CV2009-1810

Valiant Idaho, LLC
Cross-Claimant/Respondent

vs.

**North Idaho Resorts
JV, LLC
VP Incorporated**
Cross-Defendants/Appellants

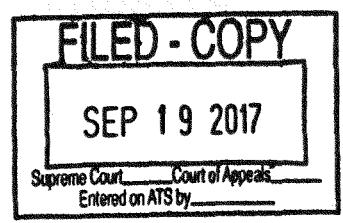
CLERK'S RECORD ON APPEAL

*Appealed from the District Court of the First Judicial District
of the State of Idaho, in and for the County of Bonner*

Richard L. Stacey
Jeff R. Sykes
Chad M. Nicholson
827 East Park Boulevard, Suite 201
Boise, Idaho 83712
Attorneys for Respondents

Gary A. Finney
120 East Lake Street, Suite 317
Sandpoint, Idaho 83864
Attorney for Appellant JV

Daniel M. Keyes
Susan P. Weeks
1626 Lincoln Way
Coeur d'Alene, Idaho 83814
Attorneys for Appellants VP and North Idaho Resorts



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44583

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Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawvers.com
sykes@mwsslawvers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
INDEPENDENT MORTGAGE LTD. CO.**

Honorable Barbara A. Buchanan

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHIENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

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VALIANT IDAHO, LLC'S MOTION FOR ENTRY
OF DEFAULT AGAINST THIRD PARTY DEFENDANT
INDEPENDENT MORTGAGE LTD. CO. - Page 2

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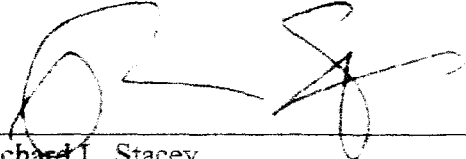
COMES NOW, Counter-Claimant Valiant Idaho, LLC (“Valiant”), by and through its attorneys of record, McConnell Wagner Sykes & Stacey PLLC, and moves this Court, pursuant to Rule 55(a)(1) of the Idaho Rules of Civil Procedure, to enter default against Third Party Defendant Independent Mortgage Ltd. Co. (“Independent”), in that Independent, after having been personally served through its registered agent with Valiant’s Counterclaim, Cross-Claim and Third Party Complaint (“3rd Party Complaint”), has failed to appear or plead in response to the 3rd Party Complaint within the statutory period as set forth in Rule 12(a) of the Idaho Rules of Civil Procedure.

This motion is based upon the pleadings on file herein, and the Declaration of Richard L. Stacey in Support of Motion For Entry of Default Against Third Party Defendant Independent Mortgage Ltd. Co. filed concurrently herewith.

DATED this 5th day of December 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

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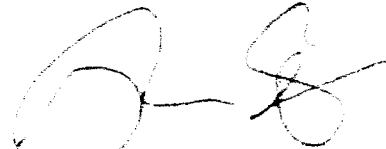

Richard L. Stacey
Attorneys For Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bcf@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>garyfinney@finneylaw.net</u></p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>johnfinney@finneylaw.net</u></p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Parhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>tobv@sandpointlaw.com</u></p>

Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net
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Richard L. Stacey

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
svkes@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**DECLARATION OF
RICHARD L. STACEY IN SUPPORT
OF VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
INDEPENDENT MORTGAGE LTD. CO.**

Honorable Barbara A. Buchanan

DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
INDEPENDENT MORTGAGE LTD. CO. - Page 1

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VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
INDEPENDENT MORTGAGE LTD. CO. - Page 2

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Pursuant to Rule 7(d) of the Idaho Rules of Civil Procedure and Idaho Code § 9-1406,

Richard L. Stacey declares as follows:

1. I am an attorney at law duly licensed to practice before this Court, and all Courts in the State of Idaho. I am member of the law firm of McConnell Wagner Sykes & Stacey PLLC, attorneys for Defendant/Counter-Claimant/Cross-Claimant/Third Party Plaintiff Valiant Idaho, LLC ("Valiant"). I make this Declaration in support of the Motion For Entry of Default Against Third Party Defendant Independent Mortgage Ltd. Co. ("Independent") filed concurrently and upon my personal knowledge.

2. Independent was and is a limited liability company organized and existing under the laws of the State of Idaho, with its principal place of business in the City of Sandpoint, County of Bonner, State of Idaho.

3. The address most likely to provide notice of said default and default judgment to Independent is:

Independent Mortgage Ltd. Co.
c/o Casey S. Krivor, Registered Agent
313 North 2nd Avenue
Sandpoint, Idaho 83864

4. Independent was personally, duly and regularly served with Valiant's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint") on September 24, 2014 through its registered agent, as set forth on the Affidavit of Service on file herein, a copy of which is attached as Exhibit 1.

**DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
INDEPENDENT MORTGAGE LTD. CO. - Page 3**

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5. The time for Independent to appear and plead in response to the 3rd Party Complaint has expired and Independent has not pled further in any manner.

6. The 3rd Party Complaint is, by Idaho Rule of Civil Procedure 8(d), taken as admitted by Independent for failure to appear and plead further.

I HEREBY CERTIFY AND DECLARE, under penalty of perjury pursuant to the laws of the State of Idaho, that the foregoing is true and correct.

DATED this 5th day of December 2014.



RICHARD L. STACEY

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bcf@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>garyfinnev@finneylaw.net</u></p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>johnfinney@finneylaw.net</u></p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>tobv@sandpointlaw.com</u></p>

DECLARATION OF RICHARD L. STACEY IN
 SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
 ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
 INDEPENDENT MORTGAGE LTD. CO. - Page 5

IN: 547 2014PLDCV-2009-1310Default-Independent Dec of RLS 141201.doc

Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net
---	---



Richard L. Stacey

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DISTRICT

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

JUN 25 2 08 PM '14
CLERK DISTRICT COURT

Genesis Golf Builders, Inc., fka National
Golf Builders, Inc.

Plaintiff(s):

DEPUTY
AFFIDAVIT OF SERVICE

vs.

Pend Oreille Bonner Development, LLC

Defendant(s):

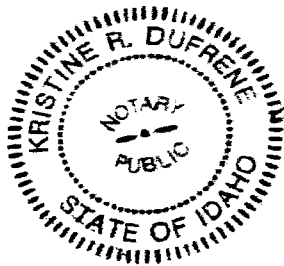
Case Number: CV-09-1810

COMES NOW, Robert Fontanilles being first duly sworn upon oath, and hereby deposes and says: That I am over the age of eighteen (18) years, and not a party to the action or related to any of the parties in the above entitled action. I received a true copy of the **Summons on Third Party Complaint, Counterclaim, Cross-Claim and Third Party Complaint for Judicial Foreclosure** and delivered the same upon **Independent Mortgage Ltd. Co.** by delivering to and leaving with Casey S. Krivor, Registered Agent, a person authorized to accept service on behalf of Independent Mortgage Ltd. Co.

At (Address) 313 N. 2ND AVE
(City, State) SANDPOINT, ID (ZIP) 83864
on the 24 day of 9, 2014, at 1 o'clock P.m.

County of Bonner)
) :ss
State of Idaho)

Subscribed and sworn to before me on this 25 day of 9, 2014 before me a Notary Public, the affiant personally appeared, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that they executed the same.



[Signature]

Affiant

[Signature]
NOTARY PUBLIC
Residing at Boundary Co ID
Commission Expires: 10/14/2017

Our Reference Number: 140477
Client Reference: > Richard L. Stacey

COPY



Richard L. Stacey, ISB #6800
Chad M. Nicholson, ISB #7506
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@lawidaho.com
nicholson@lawidaho.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**SUMMONS ON
THIRD PARTY COMPLAINT
BROUGHT BY
THIRD PARTY PLAINTIFF
VALIANT IDAHO, LCC
[Independent Mortgage Ltd. Co.]**

Honorable Michael J. Griffin

SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC
[Independent Mortgage Ltd. Co.] - Page 1
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VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

**NOTICE: YOU HAVE BEEN SUED BY THE ABOVE-NAMED THIRD PARTY
PLAINTIFF. THIS COURT MAY ENTER JUDGMENT AGAINST YOU
WITHOUT FURTHER NOTICE UNLESS YOU RESPOND WITHIN
TWENTY (20) DAYS. READ THE INFORMATION BELOW.**

**SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC
[Independent Mortgage Ltd. Co.] - Page 2
[A]10432.002PLD\Summons-Independent 140813.doc**

**TO: INDEPENDENT MORTGAGE LTD. CO.
c/o Mr. Casey S. Krivor, Registered Agent
313 North 2nd Avenue
Sandpoint, Idaho 83864**

You are hereby notified that in order to defend this lawsuit, an appropriate written response must be filed with the above-designated Court at **215 South First Avenue, Sandpoint, Idaho 83864, 208.265.1445**, within twenty (20) days after service of this Third Party Summons ("Summons") upon you. If you fail to so respond, this Court may enter judgment against you as demanded by the Third Party Plaintiff in its Third Party Complaint ("Complaint").

A copy of the Complaint is served with this Summons. If you wish to seek the advice or representation by an attorney in this matter, you should do so promptly so that your written response, if any, may be filed in time and other legal rights protected.

An appropriate written response requires compliance with Rule 10(a)(1) and other Idaho Rules of Civil Procedure, and shall also include:

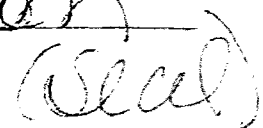
1. The title and number of this case
2. If your response is an answer to the Complaint, it must contain admissions or denials of the separate allegations of the Complaint and other defenses you may claim.
3. Your signature, mailing address and telephone number, or the signature, mailing address and telephone number of your attorney.
4. Proof of mailing or delivery of a copy of your response to Third Party Plaintiff's attorney, as designated above.

To determine whether you must pay a filing fee with your response, contact the Clerk of the above-named Court.

DATED this ^{3rd}~~29~~ day of ^{Sept}~~August~~ 2014.

**R. ANN DUSTON-SATER
CLERK OF THE DISTRICT COURT**

By: 
Deputy Clerk



FILED
FEB 12 2009
CLERK OF DISTRICT COURT
BOISE, IDAHO

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawvers.com
sykes@mwsslawvers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
C. E. KRAMER CRANE &
CONTRACTING, INC.**

Honorable Barbara A. Buchanan

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

ORIGINAL

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

////

////


COMES NOW, Counter-Claimant Valiant Idaho, LLC (“Valiant”), by and through its attorneys of record, McConnell Wagner Sykes & Stacey PLLC, and moves this Court, pursuant to Rule 55(a)(1) of the Idaho Rules of Civil Procedure, to enter default against Third Party Defendant C. E. Kramer Crane & Contracting, Inc. (“Kramer”), in that Kramer, after having been personally served through its registered agent with Valiant’s Counterclaim, Cross-Claim and Third Party Complaint (“3rd Party Complaint”), has failed to appear or plead in response to the 3rd Party Complaint within the statutory period as set forth in Rule 12(a) of the Idaho Rules of Civil Procedure.

This motion is based upon the pleadings on file herein, and the Declaration of Richard L. Stacey in Support of Motion For Entry of Default Against Third Party Defendant C. E. Kramer Crane & Contracting, Inc. filed concurrently herewith.

DATED this 5th day of December 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

BY:

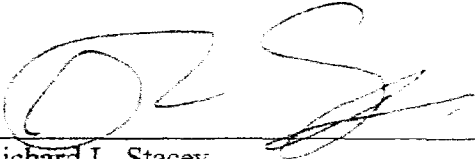

Richard L. Stacey
Attorneys For Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bct@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>garyfinnev@finnevlaw.net</u></p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>johnfirnev@finnevlaw.net</u></p>
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Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>sweeks@jvwlaw.net</u>
---	---



Richard L. Stacey

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**DECLARATION OF
RICHARD L. STACEY IN SUPPORT
OF VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
C. E. KRAMER CRANE &
CONTRACTING, INC.**

Honorable Barbara A. Buchanan

DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
C. E. KRAMER CRANE & CONTRACTING, INC. - Page 1

[D:\1547.20\PLD\CV-2009-1810\Default-Kramer Dec of RLS [4120].doc

ORIGINAL

1434

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHEÑO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

Pursuant to Rule 7(d) of the Idaho Rules of Civil Procedure and Idaho Code § 9-1406,

Richard L. Stacey declares as follows:

1. I am an attorney at law duly licensed to practice before this Court, and all Courts in the State of Idaho. I am member of the law firm of McConnell Wagner Sykes & Stacey PLLC, attorneys for Defendant/Counter-Claimant/Cross-Claimant/Third Party Plaintiff Valiant Idaho, LLC ("Valiant"). I make this Declaration in support of the Motion For Entry of Default Against Third Party Defendant C. E. Kramer Crane & Contracting, Inc. ("Kramer") filed concurrently and upon my personal knowledge.

2. Kramer was and is an Idaho corporation in goodstanding, with its principal place of business in the City of Bonners Ferry, County of Boundary, State of Idaho.

3. The address most likely to provide notice of said default and default judgment to Kramer is:

C. E. Kramer Crane & Contracting, Inc.
c/o Darrell Kerby, Registered Agent
7192 Main Street
Bonners Ferry, Idaho 83805

C. E. Kramer Crane & Contracting, Inc.
c/o Darrell Kerby, Registered Agent
306 South Main Street
Bonners Ferry, Idaho 83805

4. Kramer was personally, duly and regularly served with Valiant's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint") on September 18, 2014 through its registered agent, as set forth on the Affidavit of Service on file herein, a copy of which is attached as Exhibit 1.

**DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALLANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
C. E. KRAMER CRANE & CONTRACTING, INC. - Page 3**
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5. The time for Kramer to appear and plead in response to the 3rd Party Complaint has expired and Kramer has not pled further in any manner.

6. The 3rd Party Complaint is, by Idaho Rule of Civil Procedure 8(d), taken as admitted by Kramer for failure to appear and plead further.

I HEREBY CERTIFY AND DECLARE, under penalty of perjury pursuant to the laws of the State of Idaho, that the foregoing is true and correct.

DATED this 5th day of December 2014.



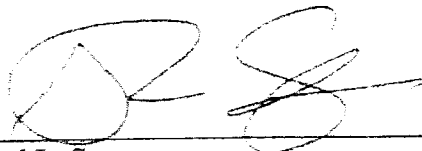
RICHARD L. STACEY

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u>
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bcf@featherstonlaw.com</u>
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D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>tobv@sandpointlaw.com</u>

<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>
--	--



Richard L. Stacey

STATE OF IDAHO
 COUNTY OF BONNER
 FIRST JUDICIAL DIST.

2014 OCT 3 AM 11 25

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

Genesis Golf Builders, Inc., fka National
 Golf Builders, Inc.

Plaintiff(s):

DEPUTY

AFFIDAVIT OF SERVICE

vs.

Defendant(s):

Case Number: CV-09-1810

Pend Oreille Bonner Development, LLC

COMES NOW, Robert Fontenailles being first duly sworn upon oath, and hereby
 deposes and says: That I am over the age of eighteen (18) years, and not a party to the action or related
 to any of the parties in the above entitled action. I received a true copy of the **Summons on Third Party
 Complaint, Counterclaim, Cross-Claim and Third Party Complaint for Judicial Foreclosure** and
 delivered the same upon **C. E. Kramer Crane & Contracting, Inc.** by delivering to and leaving with
 Darrell Kerby, Registered Agent, a person authorized to accept service on behalf of C.E. Kramer Crane
 & Contracting, Inc.

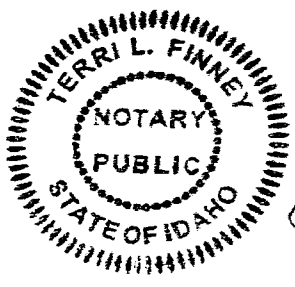
At (Address) 7192 MAIN ST

(City, State) BONNER'S FERRY, ID (ZIP) 83805

on the 18 day of 9, 2014, at 1047 o'clock A.m.

County of Bonner)
) :ss
 State of Idaho)

Subscribed and sworn to before me on this 23 day of 9, 2014 before me a Notary
 Public, the affiant personally appeared, known or identified to me to be the person whose name is
 subscribed to the within instrument, and being by me first duly sworn, declared that the statements
 therein are true, and acknowledged to me that they executed the same.



[Signature]
 Affiant
[Signature]
 NOTARY PUBLIC
 Residing at Bonner's Ferry, ID
 Commission Expires: 2-1-2020

Our Reference Number: 140469
 Client Reference: > Richard L. Stacey

COPY



Richard L. Stacey, ISB #6800
Chad M. Nicholson, ISB #7506
McCONNELL WAGNER SYKES & STACEY^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@lawidaho.com
nicholson@lawidaho.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**SUMMONS ON
THIRD PARTY COMPLAINT
BROUGHT BY
THIRD PARTY PLAINTIFF
VALIANT IDAHO, LCC
[C. E. Kramer Crane &
Contracting, Inc.]**

Honorable Michael J. Griffin

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC
[C. E. Kramer Crane & Contracting, Inc.] - Page 1
IN0482.002PLDASummons-Kramer 140818.doc

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

**NOTICE: YOU HAVE BEEN SUED BY THE ABOVE-NAMED THIRD PARTY
PLAINTIFF. THIS COURT MAY ENTER JUDGMENT AGAINST YOU
WITHOUT FURTHER NOTICE UNLESS YOU RESPOND WITHIN
TWENTY (20) DAYS. READ THE INFORMATION BELOW.**

SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC
[C. E. Kramer Crane & Contracting, Inc.] - Page 2
E:\10482.002PLD\Summons-Kramer 140813.doc

TO: C. E. KRAMER CRANE & CONTRACTING, INC.
c/o Darrell Kerby, Registered Agent
306 South Main
Bonnars Ferry, Idaho 83805

You are hereby notified that in order to defend this lawsuit, an appropriate written response must be filed with the above-designated Court at **215 South First Avenue, Sandpoint, Idaho 83864, 208.265.1445**, within twenty (20) days after service of this Third Party Summons ("Summons") upon you. If you fail to so respond, this Court may enter judgment against you as demanded by the Third Party Plaintiff in its Third Party Complaint ("Complaint").

A copy of the Complaint is served with this Summons. If you wish to seek the advice or representation by an attorney in this matter, you should do so promptly so that your written response, if any, may be filed in time and other legal rights protected.

An appropriate written response requires compliance with Rule 10(a)(1) and other Idaho Rules of Civil Procedure, and shall also include:

1. The title and number of this case.
2. If your response is an answer to the Complaint, it must contain admissions or denials of the separate allegations of the Complaint and other defenses you may claim.
3. Your signature, mailing address and telephone number, or the signature, mailing address and telephone number of your attorney.
4. Proof of mailing or delivery of a copy of your response to Third Party Plaintiff's attorney, as designated above.

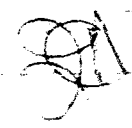
To determine whether you must pay a filing fee with your response, contact the Clerk of the above-named Court.

DATED this ^{3rd} ~~22nd~~ day of ^{Sept} ~~August~~ 2014.

R. ANN DUSTON-SATER
CLERK OF THE DISTRICT COURT

By: 
Deputy Clerk

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com

FILED
CLERK OF DISTRICT COURT
BOISE, IDAHO
JAN 13 2010


Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
NETTA SOURCE LLC**

Honorable Barbara A. Buchanan

ORIGINAL

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

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VALIANT IDAHO, LLC'S MOTION FOR ENTRY
OF DEFAULT AGAINST THIRD PARTY DEFENDANT
NETTA SOURCE LLC - Page 2

IN 1547 2019PLDCV-2009-1310Default-Netta 14.204.doc

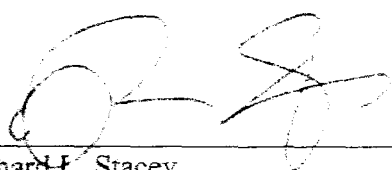
COMES NOW, Counter-Claimant Valiant Idaho, LLC ("Valiant"), by and through its attorneys of record, McConnell Wagner Sykes & Stacey PLLC, and moves this Court, pursuant to Rule 55(a)(1) of the Idaho Rules of Civil Procedure, to enter default against Third Party Defendant Netta Source LLC ("Netta"), in that Netta, after having been personally served through its registered agent with Valiant's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"), has failed to appear or plead in response to the 3rd Party Complaint within the statutory period as set forth in Rule 12(a) of the Idaho Rules of Civil Procedure.

This motion is based upon the pleadings on file herein, and the Declaration of Richard L. Stacey in Support of Motion For Entry of Default Against Third Party Defendant Netta Source LLC filed concurrently herewith.

DATED this 5th day of December 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

BY:



Richard L. Stacey
Attorneys For Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u>
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bct@featherstonlaw.com</u>
Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>garvfinnev@finnevlaw.net</u>
John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>johnfinnev@finnevlaw.net</u>
D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>toby@sandpointlaw.com</u>

<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>
--	--



Richard L. Stacey

STATE OF IDAHO
COUNTY OF BONNER
CLERK OF DISTRICT COURT

FILED 3 20 11 11
[Handwritten signature]

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**DECLARATION OF
RICHARD L. STACEY IN SUPPORT
OF VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
NETTA SOURCE LLC**

Honorable Barbara A. Buchanan

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
NETTA SOURCE LLC - Page 1

11547.2011PLD\CV-2009-1810\Default-Netta Dec of RLS 141204 doc

ORIGINAL

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
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RUSS CAPITAL GROUP, LLC,
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MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHEHO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
NETTA SOURCE LLC - Page 2

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Pursuant to Rule 7(d) of the Idaho Rules of Civil Procedure and Idaho Code § 9-1406,

Richard L. Stacey declares as follows:

1. I am an attorney at law duly licensed to practice before this Court, and all Courts in the State of Idaho. I am member of the law firm of McConnell Wagner Sykes & Stacey PLLC, attorneys for Defendant/Counter-Claimant/Cross-Claimant/Third Party Plaintiff Valiant Idaho, LLC ("Valiant"). I make this Declaration in support of the Motion For Entry of Default Against Third Party Defendant Netta Source LLC ("Netta") filed concurrently and upon my personal knowledge.

2. Netta was and is a limited liability company organized and existing under the laws of the State of Missouri, with its principal place of business in the City of Mansfield, County of Wright, State of Missouri.

3. The address most likely to provide notice of said default and default judgment to Netta is:

Netta Source LLC
c/o Paul Buie, Registered Agent
4070 East State Highway CC
Fair Grove, Missouri 65648

4. Netta was personally, duly and regularly served with Valiant's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint") on September 17, 2014 through its registered agent, as set forth on the Affidavit of Service on file herein, a copy of which is attached as Exhibit 1.

**DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALLANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
NETTA SOURCE LLC - Page 3**

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5. The time for Netta to appear and plead in response to the 3rd Party Complaint has expired and Netta has not pled further in any manner.

6. The 3rd Party Complaint is, by Idaho Rule of Civil Procedure 8(d), taken as admitted by Netta for failure to appear and plead further.

I HEREBY CERTIFY AND DECLARE, under penalty of perjury pursuant to the laws of the State of Idaho, that the foregoing is true and correct.

DATED this 5th day of December 2014.



RICHARD L. STACEY

CERTIFICATE OF SERVICE

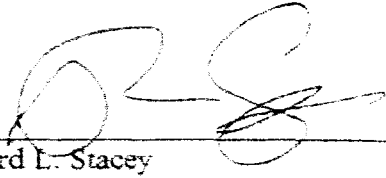
I HEREBY CERTIFY that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bef@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>garyfinney@finneylaw.net</u></p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>johnfinney@finneylaw.net</u></p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>tobv@sandpointlaw.com</u></p>

DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
NETTA SOURCE LLC - Page 5

[11547 201PLDACY-2009-1310]Default-Netta Dec of RLS (41294 doc

Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net
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Richard L. Stacey

DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
NETTA SOURCE LLC - Page 6

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STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2014 OCT 3 AM 11 24

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

DEPUTY

Genesis Golf Builders, Inc., fka National
Golf Builders, Inc. Plaintiff(s):

AFFIDAVIT OF SERVICE

vs.

Defendant(s):

Case Number: CV-09-1810

Pend Oreille Bonner Development, LLC

COMES NOW, Stephen Siegel, being first duly sworn upon oath, and hereby deposes and says: That I am over the age of eighteen (18) years, and not a party to the action or related to any of the parties in the above entitled action. I received a true copy of the **Summons on Third Party Complaint, Counterclaim, Cross-Claim and Third Party Complaint for Judicial Foreclosure** and delivered the same upon **Netta Source LLC** by delivering to and leaving with Paul Buie, Registered Agent, a person authorized to accept service on behalf of Netta Source LLC

At (Address) 4070 E State Hwy CC

(City, State) Ray Grove Mo (ZIP) 65648

on the 17th day of September, 2014, at 5:50 o'clock p.m.

County of Greene)
:ss
State of Missouri)

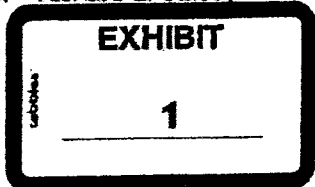
Subscribed and sworn to before me on this 18 day of September 2014 before me a Notary Public, the affiant personally appeared, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that they executed the same.

Stephen Siegel Affiant

Erin Siegel
NOTARY PUBLIC
Residing at Ray Grove, MO, Greene County
Commission Expires: April 12, 2017

Our Reference Number: 140474
Client Reference: > Richard L. Stacey

ORIGINAL



COPY



ERIN SIEGEL
My Commission Expires
April 12, 2017
Greene County
Commission #13779273

Richard L. Stacey, ISB #6800
Chad M. Nicholson, ISB #7506
McCONNELL WAGNER SYKES & STACEY^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@lawidaho.com
nicholson@lawidaho.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**SUMMONS ON
THIRD PARTY COMPLAINT
BROUGHT BY
THIRD PARTY PLAINTIFF
VALIANT IDAHO, LCC
[Netta Source LLC]**

Honorable Michael J. Griffin

**SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC
[Netta Source LLC] - Page 1**
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VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
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AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
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PANHANDLE MANAGEMENT
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GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
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MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

NOTICE: YOU HAVE BEEN SUED BY THE ABOVE-NAMED THIRD PARTY PLAINTIFF. THIS COURT MAY ENTER JUDGMENT AGAINST YOU WITHOUT FURTHER NOTICE UNLESS YOU RESPOND WITHIN TWENTY (20) DAYS. READ THE INFORMATION BELOW.

SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC
[Netta Source LLC] - Page 2
IN10482.002PLD\S\Summons-Netta 140818.doc



**TO: NETTA SOURCE LLC
c/o Paul Buie, Registered Agent
4852 Prairie Branch Road
Mansfield, Missouri 65704**

You are hereby notified that in order to defend this lawsuit, an appropriate written response must be filed with the above-designated Court at **215 South First Avenue, Sandpoint, Idaho 83864, 208.265.1445**, within twenty (20) days after service of this Third Party Summons ("Summons") upon you. If you fail to so respond, this Court may enter judgment against you as demanded by the Third Party Plaintiff in its Third Party Complaint ("Complaint").

A copy of the Complaint is served with this Summons. If you wish to seek the advice or representation by an attorney in this matter, you should do so promptly so that your written response, if any, may be filed in time and other legal rights protected.

An appropriate written response requires compliance with Rule 10(a)(1) and other Idaho Rules of Civil Procedure, and shall also include:

1. The title and number of this case.
2. If your response is an answer to the Complaint, it must contain admissions or denials of the separate allegations of the Complaint and other defenses you may claim.
3. Your signature, mailing address and telephone number, or the signature, mailing address and telephone number of your attorney.
4. Proof of mailing or delivery of a copy of your response to Third Party Plaintiff's attorney, as designated above.

To determine whether you must pay a filing fee with your response, contact the Clerk of the above-named Court.

DATED this ^{31st} ~~28th~~ day of ^{Sept} ~~Aug~~, 2014.

**R. ANN DUSTON-SATER
CLERK OF THE DISTRICT COURT**

By: 
Deputy Clerk



**SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC**

[Netta Source LLC] - Page 3
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Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
MONTAHENO INVESTMENTS, LLC**

Honorable Barbara A. Buchanan

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
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AMY KORENGUT, a married woman;
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an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
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RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants

////

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VALIANT IDAHO, LLC'S MOTION FOR ENTRY
OF DEFAULT AGAINST THIRD PARTY DEFENDANT
MONTAHENO INVESTMENTS, LLC - Page 2

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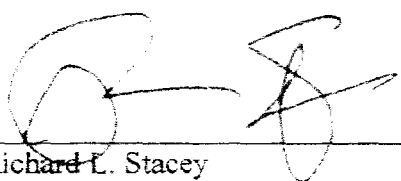
COMES NOW, Counter-Claimant Valiant Idaho, LLC (“Valiant”), by and through its attorneys of record, McConnell Wagner Sykes & Stacey PLLC, and moves this Court, pursuant to Rule 55(a)(1) of the Idaho Rules of Civil Procedure, to enter default against Third Party Defendant Monteheno Investments, LLC (“Montaheno”), in that Montaheno, after having been personally served through its registered agent with Valiant’s Counterclaim, Cross-Claim and Third Party Complaint (“3rd Party Complaint”), has failed to appear or plead in response to the 3rd Party Complaint within the statutory period as set forth in Rule 12(a) of the Idaho Rules of Civil Procedure.

This motion is based upon the pleadings on file herein, and the Declaration of Richard L. Stacey in Support of Motion For Entry of Default Against Third Party Defendant Monteheno Investments, LLC filed concurrently herewith.

DATED this 5th day of December 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

BY:

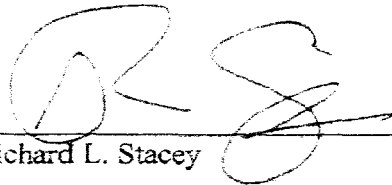

Richard L. Stacey
Attorneys For Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bcf@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>garvfinnev@finnevlaw.net</u></p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>johnfinnev@finnevlaw.net</u></p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>tobv@sandpointlaw.com</u></p>

Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net
---	---


Richard L. Stacey

STATE OF IDAHO
COUNTY OF BONNER
FILED
JAN 22 2010 10:00
CLERK OF DISTRICT COURT

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**DECLARATION OF
RICHARD L. STACEY IN SUPPORT
OF VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
MONTAHENO INVESTMENTS, LLC**

Honorable Barbara A. Buchanan

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
MONTAHENO INVESTMENTS, LLC - Page 1
E:\1547 20\INPLE\Default-Montaheno Dec of RLS 141204.doc

ORIGINAL
1464

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHEHO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

**DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
MONTAHEHO INVESTMENTS, LLC - Page 2**

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Pursuant to Rule 7(d) of the Idaho Rules of Civil Procedure and Idaho Code § 9-1406,

Richard L. Stacey declares as follows:

1. I am an attorney at law duly licensed to practice before this Court, and all Courts in the State of Idaho. I am member of the law firm of McConnell Wagner Sykes & Stacey PLLC, attorneys for Defendant/Counter-Claimant/Cross-Claimant/Third Party Plaintiff Valiant Idaho, LLC ("Valiant"). I make this Declaration in support of the Motion For Entry of Default Against Third Party Defendant Montaheno Investments, LLC ("Montaheno") filed concurrently and upon my personal knowledge.

2. Montaheno was and is a limited liability company organized and existing under the laws of the State of Nevada, with its principal place of business in the City of Reno, County of Washoe, State of Nevada.

3. The address most likely to provide notice of said default and default judgment to Montaheno is:

Montaheno Investments, LLC
c/o Sherry Wagner, Registered Agent
3241 Serena Avenue
Clovis, California 93619

4. Montaheno was personally, duly and regularly served with Valiant's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint") on September 28, 2014 through its registered agent, as set forth on the Affidavit of Service on file herein, a copy of which is attached as Exhibit 1.

5. The time for Montaheno to appear and plead in response to the 3rd Party Complaint has expired and Montaheno has not pled further in any manner.

6. The 3rd Party Complaint is, by Idaho Rule of Civil Procedure 8(d), taken as admitted by Montaheno for failure to appear and plead further.

I HEREBY CERTIFY AND DECLARE, under penalty of perjury pursuant to the laws of the State of Idaho, that the foregoing is true and correct.

DATED this 5th day of December 2014.



RICHARD L. STACEY

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
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<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>toby@sandpointlaw.com</u></p>

DECLARATION OF RICHARD L. STACEY IN
 SUPPORT OF VALLANT IDAHO, LLC'S MOTION FOR
 ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
 MONTAHENO INVESTMENTS, LLC - Page 5

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<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>
--	--



Richard L. Stacey

704 OCT 20 09 11 24

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

Genesis Golf Builders, Inc., fka National Golf Builders, Inc.

Plaintiff(s):

AFFIDAVIT OF SERVICE

vs.

Case Number: CV-09-1810

Pend Orville Bonner Development, LLC, et al.

Defendant(s):

COMES NOW, CHRIS ROWE, being first duly sworn upon oath, and hereby deposes and says: That I am over the age of eighteen (18) years, and not a party to the action or related to any of the parties in the above entitled action. I received a true copy of the Summons on Third Party Complaint, Counterclaim, Cross-Claim and Third Party Complaint for Judicial Foreclosure and delivered the same upon Montaheno Investments, LLC by delivering to and leaving with Sherry A. Wagner, Registered Agent, a person authorized to accept service on behalf of Montaheno Investments, LLC

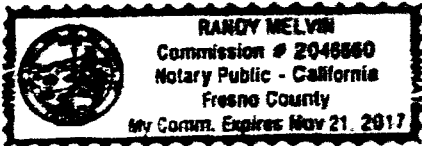
At (Address) 3241 SERENA AVE.

(City, State) CLOVIS, CA (ZIP) 93619

on the 28th day of SEPTEMBER, 2014, at 6:16 o'clock p. m.

County of Fresno)
:ss
State of California)

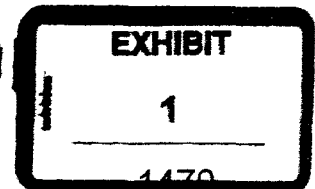
Subscribed and sworn to before me on this 30 day of September, 2014 before me a Notary Public, the affiant personally appeared, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that they executed the same.



[Signature] Affiant
[Signature] NOTARY PUBLIC
Residing at _____
Commission Expires: _____

Our Reference Number: 140475
Client Reference: > Richard L. Stacey

COPY



Richard L. Stacey, ISB #6800
Chad M. Nicholson, ISB #7506
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@lawidaho.com
nicholson@lawidaho.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**SUMMONS ON
THIRD PARTY COMPLAINT
BROUGHT BY
THIRD PARTY PLAINTIFF
VALIANT IDAHO, LCC
[Montaheno Investments, LLC]**

Honorable Michael J. Griffin

SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC
[Montaheno Investments, LLC] - Page 1
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VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

**NOTICE: YOU HAVE BEEN SUED BY THE ABOVE-NAMED THIRD PARTY
PLAINTIFF. THIS COURT MAY ENTER JUDGMENT AGAINST YOU
WITHOUT FURTHER NOTICE UNLESS YOU RESPOND WITHIN
TWENTY (20) DAYS. READ THE INFORMATION BELOW.**

**SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC**

[Montaheno Investments, LLC] - Page 2
E:\10482.002\PLD\S\Summons-Montaheno 140818.doc

TO: MONTAHENO INVESTMENTS, LLC
c/o Sherry Wagner, Registered Agent
59 Damonte Ranch Parkway B353
Reno, Nevada 89521

You are hereby notified that in order to defend this lawsuit, an appropriate written response must be filed with the above-designated Court at **215 South First Avenue, Sandpoint, Idaho 83864, 208.265.1445**, within twenty (20) days after service of this Third Party Summons ("Summons") upon you. If you fail to so respond, this Court may enter judgment against you as demanded by the Third Party Plaintiff in its Third Party Complaint ("Complaint").

A copy of the Complaint is served with this Summons. If you wish to seek the advice or representation by an attorney in this matter, you should do so promptly so that your written response, if any, may be filed in time and other legal rights protected.

An appropriate written response requires compliance with Rule 10(a)(1) and other Idaho Rules of Civil Procedure, and shall also include:

1. The title and number of this case.
2. If your response is an answer to the Complaint, it must contain admissions or denials of the separate allegations of the Complaint and other defenses you may claim.
3. Your signature, mailing address and telephone number, or the signature, mailing address and telephone number of your attorney.
4. Proof of mailing or delivery of a copy of your response to Third Party Plaintiff's attorney, as designated above.

To determine whether you must pay a filing fee with your response, contact the Clerk of the above-named Court.

DATED this ^{3rd} ~~2nd~~ day of ^{Sept} ~~August~~ 2014.

R. ANN DUSTON-SATER
CLERK OF THE DISTRICT COURT

By: 
Deputy Clerk

SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC
[Montaheno Investments, LLC] - Page 3
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Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
RUSS CAPITAL GROUP, LLC**

Honorable Barbara A. Buchanan

**VALIANT IDAHO, LLC'S MOTION FOR ENTRY
OF DEFAULT AGAINST THIRD PARTY DEFENDANT
RUSS CAPITAL GROUP, LLC - Page 1**

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ORIGINAL
1474

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND ORELLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHEHO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

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**VALIANT IDAHO, LLC'S MOTION FOR ENTRY
OF DEFAULT AGAINST THIRD PARTY DEFENDANT
RUSS CAPITAL GROUP, LLC - Page 2**

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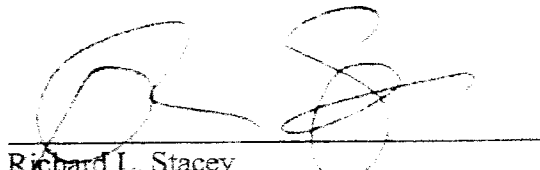
COMES NOW, Counter-Claimant Valiant Idaho, LLC (“Valiant”), by and through its attorneys of record, McConnell Wagner Sykes & Stacey PLLC, and moves this Court, pursuant to Rule 55(a)(1) of the Idaho Rules of Civil Procedure, to enter default against Third Party Defendant Russ Capital Group, LLC (“Russ”), in that Russ, after having been personally served through its registered agent with Valiant’s Counterclaim, Cross-Claim and Third Party Complaint (“3rd Party Complaint”), has failed to appear or plead in response to the 3rd Party Complaint within the statutory period as set forth in Rule 12(a) of the Idaho Rules of Civil Procedure.

This motion is based upon the pleadings on file herein, and the Declaration of Richard L. Stacey in Support of Motion For Entry of Default Against Third Party Defendant Russ Capital Group, LLC filed concurrently herewith.

DATED this 5th day of December 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

BY:

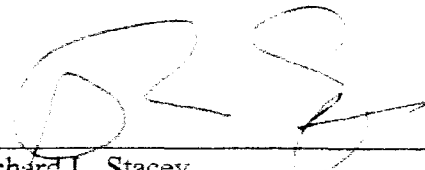

Richard L. Stacey
Attorneys For Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
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Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net
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Richard L. Stacey

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawvers.com
sykes@mwsslawvers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**DECLARATION OF
RICHARD L. STACEY IN SUPPORT
OF VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
RUSS CAPITAL GROUP, LLC**

Honorable Barbara A. Buchanan

**DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
RUSS CAPITAL GROUP, LLC - Page 1**

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ORIGINAL

1479

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
RUSS CAPITAL GROUP, LLC - Page 2

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Pursuant to Rule 7(d) of the Idaho Rules of Civil Procedure and Idaho Code § 9-1406,

Richard L. Stacey declares as follows:

1. I am an attorney at law duly licensed to practice before this Court, and all Courts in the State of Idaho. I am member of the law firm of McConnell Wagner Sykes & Stacey PLLC, attorneys for Defendant/Counter-Claimant/Cross-Claimant/Third Party Plaintiff Valiant Idaho, LLC ("Valiant"). I make this Declaration in support of the Motion For Entry of Default Against Third Party Defendant Russ Capital Group, LLC ("Russ") filed concurrently and upon my personal knowledge.

2. Russ was and is a limited liability company organized and existing under the laws of the State of Arizona, with its principal place of business in the City of Fountain Hills, County of Maricopa, State of Arizona.

3. The address most likely to provide notice of said default and default judgment to Russ is:

Russ Capital Group, LLC
c/o Catherine P. Egan, Registered Agent
13711 Camino del Sol, Unit 4
Sun City West, Arizona 85375

4. Russ was personally, duly and regularly served with Valiant's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint") on September 22, 2014 through its registered agent, as set forth on the Affidavit of Service on file herein, a copy of which is attached as Exhibit 1.

**DECLARATION OF RICHARD L. STACEY IN
SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
RUSS CAPITAL GROUP, LLC - Page 3**

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5. The time for Russ to appear and plead in response to the 3rd Party Complaint has expired and Russ has not pled further in any manner.

6. The 3rd Party Complaint is, by Idaho Rule of Civil Procedure 8(d), taken as admitted by Russ for failure to appear and plead further.

I HEREBY CERTIFY AND DECLARE, under penalty of perjury pursuant to the laws of the State of Idaho, that the foregoing is true and correct.

DATED this 5th day of December 2014.



RICHARD L. STACEY

CERTIFICATE OF SERVICE

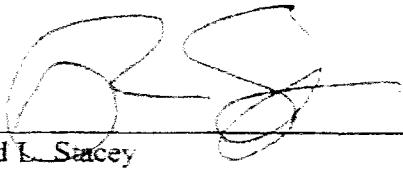
I HEREBY CERTIFY that on the 5th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bcf@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>garyfinney@finneylaw.net</u></p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>johnfinney@finneylaw.net</u></p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>toby@sandpointlaw.com</u></p>

DECLARATION OF RICHARD L. STACEY IN
 SUPPORT OF VALIANT IDAHO, LLC'S MOTION FOR
 ENTRY OF DEFAULT AGAINST THIRD PARTY DEFENDANT
 RUSS CAPITAL GROUP, LLC - Page 5

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<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>sweeks@jvwlaw.net</u></p>
--	--



Richard L. Stacey

RECEIVED

OCT 23 2014

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

Genesis Golf Builders, Inc., fka National Golf Builders, Inc.

Plaintiff(s):

AFFIDAVIT OF SERVICE

vs.

Defendant(s):

Case Number: CV-09-1810

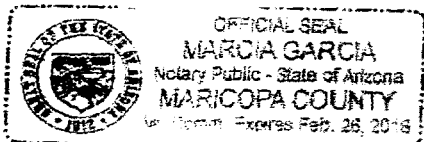
Pend Oreille Bonner Development, LLC

COMES NOW, BRYAN MUTH, being first duly sworn upon oath, and hereby deposes and says: That I am over the age of eighteen (18) years, and not a party to the action or related to any of the parties in the above entitled action. I received a true copy of the **Summons on Third Party Complaint, Counterclaim, Cross-Claim and Third Party Complaint for Judicial Foreclosure** and delivered the same upon **Russ Capital Group, LLC** by delivering to and leaving with Catherine P. Egan, Registered Agent, a person authorized to accept service on behalf of Russ Capital Group, LLC

At (Address): 13717 CAMINO DEL SOL # 4
(City, State): SUN CITY WEST AZ (ZIP): 85375
on the 22 day of SEPT 2014, at 2:25 o'clock P m.

County of Maricopa)
State of Arizona) :ss

Subscribed and sworn to before me on this 26 day of SEPT, 2014 before me a Notary Public, the affiant personally appeared, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that they executed the same.



Bryan Muth
Affiant

Marcia Garcia
NOTARY PUBLIC

Residing at: Arizona
Commission Expires: Feb 26, 2016

Our Reference Number: 140472
Client Reference: > Richard L. Stacey

COPY



Richard L. Stacey, ISB #6800
Chad M. Nicholson, ISB #7506
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@lawidaho.com
nicholson@lawidaho.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**SUMMONS ON
THIRD PARTY COMPLAINT
BROUGHT BY
THIRD PARTY PLAINTIFF
VALIANT IDAHO, LCC
[Russ Capital Group, LLC]**

Honorable Michael J. Griffin

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC
[Russ Capital Group, LLC] - Page 1
[\\10482.002\PLD\Summons-Russ 140818.doc]

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

**NOTICE: YOU HAVE BEEN SUED BY THE ABOVE-NAMED THIRD PARTY
PLAINTIFF. THIS COURT MAY ENTER JUDGMENT AGAINST YOU
WITHOUT FURTHER NOTICE UNLESS YOU RESPOND WITHIN
TWENTY (20) DAYS. READ THE INFORMATION BELOW.**

**SUMMONS ON THIRD PARTY COMPLAINT BROUGHT
BY THIRD PARTY PLAINTIFF VALIANT IDAHO, LLC**

[Russ Capital Group, LLC] - Page 2

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TO: RUSS CAPITAL GROUP, LLC
c/o Catherine P. Egan, Registered Agent
13711 Camino del Sol, Unit 4
Sun City West, Arizona 85375

You are hereby notified that in order to defend this lawsuit, an appropriate written response must be filed with the above-designated Court at **215 South First Avenue, Sandpoint, Idaho 83864, 208.265.1445**, within twenty (20) days after service of this Third Party Summons ("Summons") upon you. If you fail to so respond, this Court may enter judgment against you as demanded by the Third Party Plaintiff in its Third Party Complaint ("Complaint").

A copy of the Complaint is served with this Summons. If you wish to seek the advice or representation by an attorney in this matter, you should do so promptly so that your written response, if any, may be filed in time and other legal rights protected.

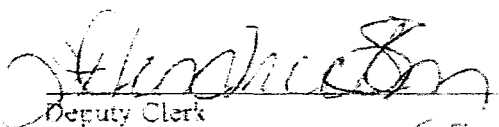
An appropriate written response requires compliance with Rule 10(a)(1) and other Idaho Rules of Civil Procedure, and shall also include:

1. The title and number of this case.
2. If your response is an answer to the Complaint, it must contain admissions or denials of the separate allegations of the Complaint and other defenses you may claim.
3. Your signature, mailing address and telephone number, or the signature, mailing address and telephone number of your attorney.
4. Proof of mailing or delivery of a copy of your response to Third Party Plaintiff's attorney, as designated above.

To determine whether you must pay a filing fee with your response, contact the Clerk of the above-named Court.

DATED this ^{31st}~~30th~~ day of ^{Sept}~~August~~ 2014.

R. ANN DUSTON-SATER
CLERK OF THE DISTRICT COURT

By: 
Deputy Clerk

(Seal)

Richard L. Stacey, ISB #6800
 Jeff R. Sykes, ISB #5058
 Chad M. Nicholson, ISB #7506
 McCONNELL WAGNER SYKES & STACEY ^{PLLC}
 755 West Front Street, Suite 200
 Boise, Idaho 83702
 Telephone: 208.489.0100
 Facsimile: 208.489.0110
stacey@lawidaho.com
sykes@lawidaho.com
nicholson@lawidaho.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
 OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
 formerly known as
 NATIONAL GOLF BUILDERS, INC.,
 a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
 DEVELOPMENT, LLC,
 a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
 AND THIRD PARTY ACTIONS
 PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
 NOTICE OF INTENT
 TO TAKE DEFAULT**

Honorable Barbara A. Buchanan

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC, an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC, an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO., an Idaho limited liability company;
PANHANDLE MANAGEMENT INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC, an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of **GLACIER BANK,** a Montana corporation;
FIRST AMERICAN TITLE COMPANY, a California corporation;
NETTA SOURCE LLC, a Missouri limited liability company;
MONTAHEHO INVESTMENTS, LLC, a Nevada limited liability company;
CHARLES W. REEVES and **ANN B. REEVES,** husband and wife;
and **C. E. KRAMER CRANE & CONTRACTING, INC.,** an Idaho corporation,

Third Party Defendants.

////

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**TO: Cross-Defendant *VP Incorporated* and its counsel of record,
James, Vernon & Weeks, PA**

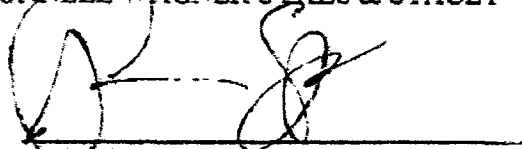
YOU WILL PLEASE TAKE NOTICE that demand is herewith made upon you that you answer or otherwise plead to Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("Cross-Claim") on file herein, a copy of which has been heretofore served on you, within three (3) days of service of this notice upon you.

YOU WILL FURTHER TAKE NOTICE that if you fail to answer or otherwise plead in response to the foregoing notice within the time herein stated, default may be taken and a judgment entered against you as prayed for in Cross-Claim on file herein.

DATED this 8th day of December 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

BY:



Richard L. Stacey
Attorneys For Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

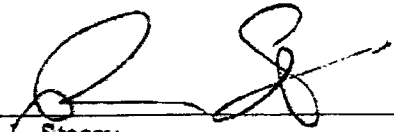
<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com</p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bcf@featherstonlaw.com</p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail garvfinnev@finnevlaw.net</p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinnev@finnevlaw.net</p>

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p>[] U.S. Mail [] Hand Delivered [<input checked="" type="checkbox"/>] Facsimile [] Overnight Mail [] Electronic Mail brucea@ejame.com</p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p>[] U.S. Mail [] Hand Delivered [<input checked="" type="checkbox"/>] Facsimile [] Overnight Mail [] Electronic Mail bct@featherstonlaw.com</p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p>[] U.S. Mail [] Hand Delivered [<input checked="" type="checkbox"/>] Facsimile [] Overnight Mail [] Electronic Mail garvfinnev@finnevlaw.net</p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p>[] U.S. Mail [] Hand Delivered [<input checked="" type="checkbox"/>] Facsimile [] Overnight Mail [] Electronic Mail johnfinnev@finnevlaw.net</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p>[] U.S. Mail [] Hand Delivered [<input checked="" type="checkbox"/>] Facsimile [] Overnight Mail [] Electronic Mail toby@sandpointlaw.com</p>

Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net
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Richard L. Stacey

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IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

ORDER FOR ENTRY OF DEFAULT
AGAINST
AMY KORENGUT

Honorable Barbara A. Buchanan

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**


IN THIS ACTION, Third Party Defendant Amy Korengut ("Korengut") having been personally served on September 20, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Korengut to have appeared and plead in response to the 3rd Party Complaint has expired and Korengut has not pled further in any manner;

ORDER FOR ENTRY OF DEFAULT AGAINST
AMY KORENGUT - Page 1
E:\54720\PLEDCV-2009-1310\Default-Amy Order 141204.doc

ORIGINAL

NOW, THEREFORE, IT IS ORDERED AND THIS DOES ORDER, that the default of Korengut be entered herein.

DATED this 10 day of December 2014.




 Honorable Barbara A. Buchanan
 Judge of the First Judicial District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
Brent C. Featherston, Esq. Featherston Law Firm, Chrd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bcbf@featherstonlaw.com
Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail gary.finney@finneylaw.net

John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net
Ms. Amy Korengut 67 Culberson Road Basking Ridge, New Jersey 07920	<input checked="" type="checkbox"/> U.S. Mail
D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail toby@sandpointlaw.com
Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwslawyers.com sykes@mwslawyers.com
Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net



 Clerk of the Court

2014 SEP 23 10:03 AM
CLERK'S OFFICE
DISTRICT COURT
BOZEMAN, MONTANA

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**CLERK'S ENTRY OF DEFAULT
AGAINST
AMY KORENGUT**

Honorable Barbara A. Buchanan

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**

IN THIS ACTION, Third Party Defendant Amy Korengut ("Korengut") having been personally served on September 20, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Korengut to have appeared and plead in response to the 3rd Party Complaint has expired and Korengut has not pled further in any manner;

**CLERK'S ENTRY OF DEFAULT AGAINST
AMY KORENGUT - Page 1**

\\1547.29\PLD\CV-2009-1810\Default-Amy Clerks Entry 141204.doc

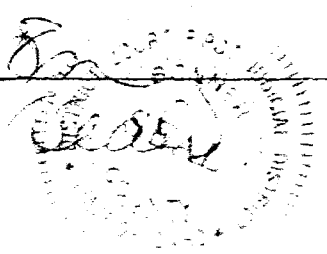
ORIGINAL

DEFAULT IS HEREBY ENTERED and filed according to law.

WITNESS MY HAND AND SEAL of this Court on the 10 day of December 2014.

R. Alan Dutton-Slater
CLERK OF THE DISTRICT COURT

[Signature]
Deputy Clerk



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 10 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

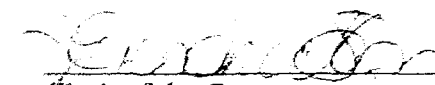
Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bcf@featherstonlaw.com
Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail gary.finney@finneylaw.net

CLERK'S ENTRY OF DEFAULT AGAINST

AMY KORENGUT - Page 2

141547 2014PLD/CV-2009-1310Default-Amy Clerks Entry 141204.doc

<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net</p>
<p>Ms. Amy Korengut 67 Culberson Road Basking Ridge, New Jersey 07920</p>	<p><input checked="" type="checkbox"/> U.S. Mail</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail tobv@sandpointlaw.com</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwsslawvers.com svkes@mwsslawvers.com</p>
<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>



Clerk of the Court

STATE OF IDAHO
COUNTY OF BONNER
CLERK OF DISTRICT COURT

2014 SEP 10 PM 4:07

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**ORDER FOR ENTRY OF DEFAULT
AGAINST
MONTAHENO INVESTMENTS, LLC**

Honorable Barbara A. Buchanan

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**

IN THIS ACTION, Third Party Defendant Montaheno Investments, LLC ("Montaheno")
having been personally served on September 28, 2014, with Valiant Idaho, LLC's Counterclaim,
Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Montaheno to have
appeared and plead in response to the 3rd Party Complaint has expired and Montaheno has not pled
further in any manner;

ORIGINAL

NOW, THEREFORE, IT IS ORDERED AND THIS DOES ORDER, that the default of Montaheno be entered herein.

DATED this 10 day of December 2014.



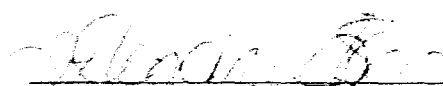
Honorable Barbara A. Buchanan
Judge of the First Judicial District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bcf@featherstonlaw.com
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<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail toby@sandpointlaw.com</p>
<p><u>Monteheno Investments, LLC:</u> c/o Sherry Wagner, Registered Agent 3241 Serena Avenue Clovis, California 93619</p>	<p><input checked="" type="checkbox"/> U.S. Mail</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwslawvers.com svkes@mwslawvers.com</p>
<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>



 Clerk of the Court

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**

Case No. CV-09-1810

CLERK'S ENTRY OF DEFAULT
AGAINST
MONTAHENO INVESTMENTS, LLC

Honorable Barbara A. Buchanan

IN THIS ACTION, Third Party Defendant Monteheno Investments, LLC ("Montaheno") having been personally served on September 28, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Montaheno to have appeared and plead in response to the 3rd Party Complaint has expired and Montaheno has not pled further in any manner;

CLERK'S ENTRY OF DEFAULT AGAINST
MONTAHENO INVESTMENTS, LLC - Page 1

01547 2014PLDCV-2009-1810Default-Montaneno Clerk's Entry 14, 204 doc

ORIGINAL

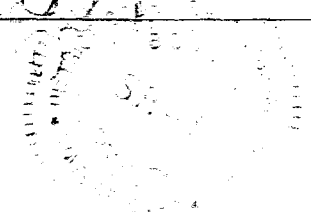
1504

DEFAULT IS HEREBY ENTERED and filed according to law.

WITNESS MY HAND AND SEAL of this Court on the 10 day of December 2014.

Aileen Sutson Decker
CLERK OF THE DISTRICT COURT

[Signature]
Deputy Clerk




CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
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<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Parhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail toby@sandpointlaw.com</p>
<p><u>Monteheno Investments, LLC:</u> c/o Sherry Wagner, Registered Agent 3241 Serena Avenue Clovis, California 93619</p>	<p><input checked="" type="checkbox"/> U.S. Mail</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McCormell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwslawyers.com sykes@mwslawyers.com</p>
<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>



Clerk of the Court

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**

Case No. CV-09-1810

**ORDER FOR ENTRY OF DEFAULT
AGAINST
GENESIS GOLF BUILDERS, INC.**

Honorable Barbara A. Buchanan

IN THIS ACTION, Counterdefendant Genesis Golf Builders, Inc. ("Genesis") having been personally served on October 3, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("Counterclaim"); and the time for Genesis to have appeared and plead in response to the Counterclaim has expired and Genesis has not pled further in any manner;

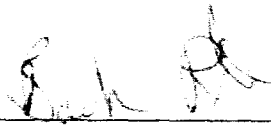
ORDER FOR ENTRY OF DEFAULT AGAINST
GENESIS GOLF BUILDERS, INC. - Page 1

D:\154729\PLD\CV-2009-1810\Default-Genesis Order 141201.doc

ORIGINAL
1507

NOW, THEREFORE, IT IS ORDERED AND THIS DOES ORDER, that the default of Genesis be entered herein.

DATED this 10 day of December 2014.



Honorable Barbara A. Buchanan
Judge of the First Judicial District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bcf@featherstonlaw.com

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<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net</p>
<p>Genesis Golf Builders, Inc.: Genesis Golf Builders, Inc. c/o Smith & Ginapp LLC, Registered Agent 5443 South Durango Drive Las Vegas, Nevada 89113 Douglas L. Monson, Esq. 7495 West Azure Drive, Suite 225 Las Vegas, Nevada 89130 Mr. Ronald J. Freund Principal of Genesis Golf Builders, Inc. Post Office Box 1271 McHenry, Illinois 60050</p>	<p><input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> U.S. Mail</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail toby@sandpointlaw.com</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwsslawyers.com sykes@mwsslawyers.com</p>

<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>
--	--

[Handwritten Signature]

Clerk of the Court

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**

Case No. CV-09-1810

CLERK'S ENTRY OF DEFAULT
AGAINST
GENESIS GOLF BUILDERS, INC.

Honorable Barbara A. Buchanan

IN THIS ACTION, Counterdefendant Genesis Golf Builders, Inc. ("Genesis") having been personally served on October 3, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("Counterclaim"); and the time for Genesis to have appeared and plead in response to the Counterclaim has expired and Genesis has not pled further in any manner;

CLERK'S ENTRY OF DEFAULT AGAINST
GENESIS GOLF BUILDERS, INC. - Page 1

\\MS1547.201\PLD\CV-2009-1810\Default-Genesis Clerks Entry 141201.doc

ORIGINAL

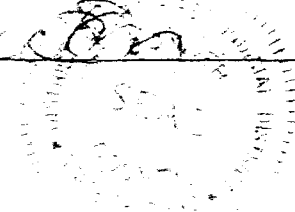
1511

DEFAULT IS HEREBY ENTERED and filed according to law.

WITNESS MY HAND AND SEAL of this Court on the 10 day of December 2014.

R. Ann Deaton Deaton
CLERK OF THE DISTRICT COURT

J. MacDonald
Deputy Clerk



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83854 Telephone: 208.263.6856 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bct@featherstonlaw.com

<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail garyfinney@finneylaw.net</p>
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<p>Genesis Golf Builders, Inc.: Genesis Golf Builders, Inc. c/o Smith & Ginapp LLC, Registered Agent 5443 South Durango Drive Las Vegas, Nevada 89113 Douglas L. Monson, Esq. 7495 West Azure Drive, Suite 225 Las Vegas, Nevada 89130 Mr. Ronald J. Freund Principal of Genesis Golf Builders, Inc. Post Office Box 1271 McHenry, Illinois 60050</p>	<p><input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> U.S. Mail</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail toby@sandpointlaw.com</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwsslawyers.com sykes@mwsslawyers.com</p>

<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>
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J. Anderson
Clerk of the Court
Deputy

STATE OF IDAHO
COUNTY OF BONNER
FILED
2014 SEP 18 11:00 AM
CLERK OF DISTRICT COURT

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**ORDER FOR ENTRY OF DEFAULT
AGAINST
C. E. KRAMER CRANE &
CONTRACTING, INC.**

Honorable Barbara A. Buchanan

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**


IN THIS ACTION, Third Party Defendant C. E. Kramer Crane & Contracting, Inc. ("Kramer") having been personally served on September 18, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Kramer to have appeared and plead in response to the 3rd Party Complaint has expired and Kramer has not pled further in any manner;

ORIGINAL
1515

NOW, THEREFORE, IT IS ORDERED AND THIS DOES ORDER, that the default of

Kramer be entered herein.

DATED this 10 day of December 2014.

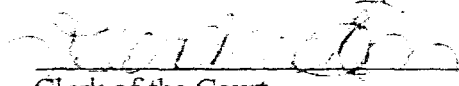

Honorable Barbara A. Buchanan
Judge of the First Judicial District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bcf@featherstonlaw.com
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<p><u>C. E. Kramer Crane & Contracting, Inc.:</u> C. E. Kramer Crane & Contracting, Inc. c/o Darrell Kerby, Registered Agent 7192 Main Street Bonners Ferry, Idaho 83805 C. E. Kramer Crane & Contracting, Inc. c/o Darrell Kerby, Registered Agent 306 South Main Street Bonners Ferry, Idaho 83805</p>	<p><input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> U.S. Mail</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail tobv@sandpointlaw.com</p>
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<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>



 Clerk of the Court

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**

Case No. CV-09-1810

**CLERK'S ENTRY OF DEFAULT
AGAINST
C. E. KRAMER CRANE &
CONTRACTING, INC.**

Honorable Barbara A. Buchanan

IN THIS ACTION, Third Party Defendant C. E. Kramer Crane & Contracting, Inc. ("Kramer") having been personally served on September 18, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Kramer to have appeared and plead in response to the 3rd Party Complaint has expired and Kramer has not pled further in any manner;

**CLERK'S ENTRY OF DEFAULT AGAINST
C. E. KRAMER CRANE & CONTRACTING, INC. - Page 1**

\\154720\PLD\CY-2009-1810\Default-Kramer Clerks Entry 141201.doc

ORIGINAL
1518

DEFAULT IS HEREBY ENTERED and filed according to law.

WITNESS MY HAND AND SEAL of this Court on the 10 day of December 2014.

R. Alan Dickson-Sater
CLERK OF THE DISTRICT COURT


[Signature]
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
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<p>C. E. Kramer Crane & Contracting, Inc.: C. E. Kramer Crane & Contracting, Inc. c/o Darrell Kerby, Registered Agent 7192 Main Street Bonners Ferry, Idaho 83805 C. E. Kramer Crane & Contracting, Inc. c/o Darrell Kerby, Registered Agent 306 South Main Street Bonners Ferry, Idaho 83805</p>	<p><input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> U.S. Mail</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail toby@sandpointlaw.com</p>
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<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>



 -Clerk of the Court

CLERK OF DISTRICT COURT
DISTRICT OF BONNER COUNTY
PO BOX 100
IDAHO FALLS, IDAHO 83402
2014 SEP 23 10 57 AM
[Handwritten initials]

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**ORDER FOR ENTRY OF DEFAULT
AGAINST
RUSS CAPITAL GROUP, LLC**

Honorable Barbara A. Buchanan

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**


IN THIS ACTION, Third Party Defendant Russ Capital Group, LLC ("Russ") having been personally served on September 22, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Russ to have appeared and plead in response to the 3rd Party Complaint has expired and Russ has not pled further in any manner;

ORIGINAL

NOW, THEREFORE, IT IS ORDERED AND THIS DOES ORDER, that the default of

Russ be entered herein.

DATED this 10 day of December 2014.

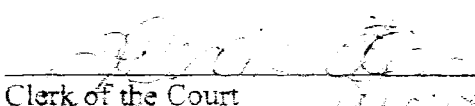

Honorable Barbara A. Buchanan
Judge of the First Judicial District


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
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<p><u>Russ Capital Group, LLC:</u> Russ Capital Group, LLC c/o Catherine P. Egan, Registered Agent 13711 Camino del Sol, Unit 4 Sun City West, Arizona 85375</p>	<p><input checked="" type="checkbox"/> U.S. Mail</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwsslawyers.com sykes@mwsslawyers.com</p>
<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>


Clerk of the Court

6:00 PM
09/22/14
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**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**CLERK'S ENTRY OF DEFAULT
AGAINST
RUSS CAPITAL GROUP, LLC**

Honorable Barbara A. Buchanan

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**

IN THIS ACTION, Third Party Defendant Russ Capital Group, LLC ("Russ") having been personally served on September 22, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Russ to have appeared and plead in response to the 3rd Party Complaint has expired and Russ has not pled further in any manner;

ORIGINAL

DEFAULT IS HEREBY ENTERED and filed according to law.

WITNESS MY HAND AND SEAL of this Court on the 10th day of December 2014.

R. Ann Daston-Decker
CLERK OF THE DISTRICT COURT

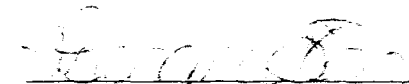
[Signature]
Deputy Clerk

CERTIFICATE OF SERVICE

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<p>Russ Capital Group, LLC: Russ Capital Group, LLC c/o Catherine P. Egan, Registered Agent 13711 Camino del Sol, Unit 4 Sun City West, Arizona 85375</p>	<p><input checked="" type="checkbox"/> U.S. Mail</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwsslawvers.com sykes@mwsslawvers.com</p>
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Clerk of the Court

374
COUNT
FILED



SEP 22 10 47 AM '14

CLERK OF DISTRICT COURT

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**ORDER FOR ENTRY OF DEFAULT
AGAINST
NETTA SOURCE LLC**

Honorable Barbara A. Buchanan

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**

IN THIS ACTION, Third Party Defendant Netta Source LLC ("Netta") having been personally served on September 17, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Netta to have appeared and plead in response to the 3rd Party Complaint has expired and Netta has not pled further in any manner;

ORIGINAL

NOW, THEREFORE, IT IS ORDERED AND THIS DOES ORDER, that the default of

Netta be entered herein.

DATED this 10 day of December 2014.



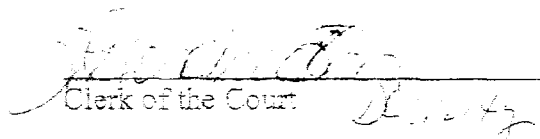
Honorable Barbara A. Buchanan
Judge of the First Judicial District

CERTIFICATE OF SERVICE

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Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bcf@featherstonlaw.com
Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail garyfinney@finneylaw.net

<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail tobv@sandpointlaw.com</p>
<p><u>Netta Source LLC:</u> Netta Source LLC c/o Paul Buie, Registered Agent 4070 East State Highway CC Fair Grove, Missouri 65648</p>	<p><input checked="" type="checkbox"/> U.S. Mail</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwsslawvers.com sykes@mwsslawvers.com</p>
<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>


 Clerk of the Court

STATE
CLERK
JUL 10 2014

09:45

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**CLERK'S ENTRY OF DEFAULT
AGAINST
NETTA SOURCE LLC**

Honorable Barbara A. Buchanan

**AND ALL RELATED COUNTER,
CROSS AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN
[including Valiant Idaho, LLC's
Counterclaim, Cross-Claim and Third Party
Complaint Filed August 19, 2014].**

IN THIS ACTION, Third Party Defendant Netta Source LLC ("Netta") having been personally served on September 17, 2014, with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("3rd Party Complaint"); and the time for Netta to have appeared and plead in response to the 3rd Party Complaint has expired and Netta has not pled further in any manner;


ORIGINAL

DEFAULT IS HEREBY ENTERED and filed according to law.

WITNESS MY HAND AND SEAL of this Court on the 10 day of December 2014.

R. L. Connors-Dutton
CLERK OF THE DISTRICT COURT

[Signature]
Deputy Clerk

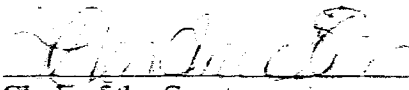


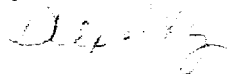
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11 day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco Mortgage Fund</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bct@featherstonlaw.com
Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail gar.finney@finneylaw.net

<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net</p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail toby@sandpointlaw.com</p>
<p>Netta Source LLC: Netta Source LLC c/o Paul Buie, Registered Agent 4070 East State Highway CC Fair Grove, Missouri 65648</p>	<p><input checked="" type="checkbox"/> U.S. Mail</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@mwsslawyers.com sykes@mwsslawyers.com</p>
<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>



Clerk of the Court 

STATE OF IDAHO
County of Bonner
FILED 12/11/14
AT 4:51 O'Clock P. M.
CLERK, DISTRICT COURT

Susan P. Weeks, ISB #4255
JAMES, VERNON & WEEKS, PA
1626 Lincoln Way
Coeur d'Alene, Idaho 83814
Telephone: (208) 667-0683
Facsimile: (208) 664-1684
sweeks@jvwlaw.net

Attorneys for Defendant VP, Incorporated

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

GENESIS GOLF BUILDERS, INC., formerly
known as National Golf Builders, Inc., a
Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC, a Nevada limited
liability company; R.E. LOANS, LLC, a
California limited liability company; DAN S.
JACOBSON, an individual; SAGE
HOLDINGS LLC, an Idaho limited liability
company; STEVEN G. LAZAR, an individual;
PENSCO TRUST CO. CUSTODIAN FBO
BARNEY NG; MORTGAGE FUND '08
LLC, a Delaware limited liability company;
VP, INCORPORATED, an Idaho corporation;
JV L.L.C., an Idaho limited liability company;
WELLS FARGO FOOTHILL, LLC, a
Delaware limited liability company;
INTERSTATE CONCRETE AND ASPHALT
COMPANY, an Idaho corporation; T-O
ENGINEERS, INC., fka Toothman-Orton
Engineering Company, an Idaho corporation;
PUCCI CONSTRUCTION INC., an Idaho
corporation; ACI NORTHWEST, INC., an
Idaho corporation; LUMBERMENS, INC.,
dba ProBuild, a Washington corporation;
ROBERT PLASTER dba Cedar Etc.; NORTH
IDAHO RESORTS, LLC, an Idaho limited

Case No. CV 2009-01810

VP, INCORPORATED'S ANSWER TO
VALIANT IDAHO, LLC'S
COUNTERCLAIM, CROSS-CLAIM AND
THIRD PARTY COMPLAINT FOR
JUDICIAL FORECLOSURE

VP INCORPORATED'S ANSWER TO VALIANT IDAHO, LLC'S COUNTERCLAIM,
CROSS-CLAIM AND THIRD PARTY COMPLAINT FOR JUDICIAL FORECLOSURE - 1

liability company; R.C. WORST & COMPANY, INC., an Idaho corporation; DOES I through X, <p style="text-align: center;">Defendants.</p>
--

COMES NOW, Defendant, VP, Incorporated ("VP"), by and through its attorney of record,

Susan P. Weeks of the firm James, Vernon & Weeks, P.A., and answers Valiant Idaho, LLC's

("Valiant") Counterclaim, Cross-Claim and Third Party Complaint for Judicial Foreclosure as follows:

PARTIES

1. Denies for lack of knowledge or information, the allegations set for in paragraphs 1, 2, 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
2. Answering paragraph 7, admits VP, Incorporated was and is an Idaho corporation in good standing. Denies its principal place of business is in Boundary County. VP, Inc.'s principal place of business is in Bonners County.
3. Answering Paragraph 11, admits North Idaho Resorts, LLC, was and is an Idaho corporation in good standing. Denies its principal place of business is in Boundary County. VP, Inc.'s principal place of business is in Bonners County.
4. To the extent that paragraph 29 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, this answering Defendants deny the allegations set forth in paragraph 29.

JURISDICTION AND VENUE

5. Admits the allegations set forth in paragraph 30 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
6. Admits the allegations set forth in paragraph 31 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

GENERAL ALLEGATIONS

7. Answering the allegations of Paragraph 32 of Valiant's Counterclaim, Cross-Claim and Third Party

VP INCORPORATED'S ANSWER TO VALIANT IDAHO, LLC'S COUNTERCLAIM,
CROSS-CLAIM AND THIRD PARTY COMPLAINT FOR JUDICIAL FORECLOSURE - 2

Complaint, VP realleges and reincorporates its answers to the previous paragraphs.

8. Answering the allegation of Paragraph 33 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint, VP admits North Idaho Resorts, LLC claims an interest. Denies remainder of paragraph as to other parties for lack of knowledge or information.

FIRST CAUSE OF ACTION

(For Breach of Contract Against POBD Pursuant to the R.E. Loans Agreement)

9. Answering the allegations of Paragraph 34 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint, Defendant, VP realleges and reincorporate its answers to the previous paragraphs.
10. Denies for lack of knowledge or information, the allegations set for in paragraph 35 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
11. Denies for lack of knowledge or information, the allegations set for in paragraph 36 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
12. Denies for lack of knowledge or information, the allegations set for in paragraph 37 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
13. Denies for lack of knowledge or information, the allegations set for in paragraph 38 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
14. Denies for lack of knowledge or information, the allegations set for in paragraph 39 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
15. Denies for lack of knowledge or information, the allegations set for in paragraph 40 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
16. Denies for lack of knowledge or information, the allegations set for in paragraph 41 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
17. Denies for lack of knowledge or information, the allegations set for in paragraph 42 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
18. Denies for lack of knowledge or information, the allegations set for in paragraph 43 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

19. Denies for lack of knowledge or information, the allegations set for in paragraph 44 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
20. Denies for lack of knowledge or information, the allegations set for in paragraph 45 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
21. Denies for lack of knowledge or information, the allegations set for in paragraph 46 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

SECOND CAUSE OF ACTION

(For Breach of Contract Against POBD Pursuant to the Pensco Trust Co. Agreement)

22. Answering the allegations of Paragraph 47 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint, Defendant, VP realleges and reincorporates its answers to the previous paragraphs.
23. Denies for lack of knowledge or information, the allegations set for in paragraph 48 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
24. Denies for lack of knowledge or information, the allegations set for in paragraph 49 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
25. Denies for lack of knowledge or information, the allegations set for in paragraph 50 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
26. Denies for lack of knowledge or information, the allegations set for in paragraph 51 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
27. Denies for lack of knowledge or information, the allegations set for in paragraph 52 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
28. Denies for lack of knowledge or information, the allegations set for in paragraph 53 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
29. Denies for lack of knowledge or information, the allegations set for in paragraph 54 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
30. Denies for lack of knowledge or information, the allegations set for in paragraph 55 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
31. Denies for lack of knowledge or information, the allegations set for in paragraph 56 of Valiant's

VP INCORPORATED'S ANSWER TO VALIANT IDAHO, LLC'S COUNTERCLAIM,
CROSS-CLAIM AND THIRD PARTY COMPLAINT FOR JUDICIAL FORECLOSURE - 4

Counterclaim, Cross-Claim and Third Party Complaint.

32. Denies for lack of knowledge or information, the allegations set for in paragraph 57 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

THIRD CAUSE OF ACTION
(For Breach of Contract Against POBD
Pursuant to the MF08 Agreement)

33. Answering the allegations of Paragraph 58 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint Defendants, North Idaho Resorts, realleges and reincorporates its answers to the previous paragraphs.
34. Denies for lack of knowledge or information, the allegations set for in paragraph 59 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
35. Denies for lack of knowledge or information, the allegations set for in paragraph 60 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
36. Denies for lack of knowledge or information, the allegations set for in paragraph 61 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
37. Denies for lack of knowledge or information, the allegations set for in paragraph 62 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
38. Denies for lack of knowledge or information, the allegations set for in paragraph 63 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
39. Denies for lack of knowledge or information, the allegations set for in paragraph 64 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
40. Denies for lack of knowledge or information, the allegations set for in paragraph 65 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
41. Denies for lack of knowledge or information, the allegations set for in paragraph 66 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
42. Denies for lack of knowledge or information, the allegations set for in paragraph 67 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

VP INCORPORATED'S ANSWER TO VALLANT IDAHO, LLC'S COUNTERCLAIM,
CROSS-CLAIM AND THIRD PARTY COMPLAINT FOR JUDICIAL FORECLOSURE - 5

43. Denies for lack of knowledge or information, the allegations set for in paragraph 68 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

FOURTH CAUSE OF ACTION
(Judicial Foreclosure of Mortgage Instrument Nos. 724829 & 729834)

44. Answering the allegations of Paragraph 69 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint. Defendants, North Idaho Resorts, realleges and reincorporates its answers to the previous paragraphs.

45. Denies for lack of knowledge or information, the allegations set for in paragraph 70 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

46. Answering paragraph 71 as to VP, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest in the pool lot, the well lots and the infrastructure easements. As to the balance of paragraph 71, deny for lack of knowledge or information.

47. As to VP, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 72, deny for lack of knowledge or information.

FIFTH CAUSE OF ACTION
(Judicial Foreclosure of Mortgage Instrument Nos. 756394 & 756396)

48. Answering the allegations of Paragraph 73 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint. Defendant, VP realleges and reincorporates its answers to the previous paragraphs.

49. 74. Denies for lack of knowledge or information, the allegations set for in paragraph 74 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

50. As to VP, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest in the well lots, the lagoon lot and the utility easements. As to the balance of paragraph 75, deny for lack of knowledge or information.

51. As to VP, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 76, deny for lack of knowledge or information.

VP INCORPORATED'S ANSWER TO VALIANT IDAHO, LLC'S COUNTERCLAIM,
CROSS-CLAIM AND THIRD PARTY COMPLAINT FOR JUDICIAL FORECLOSURE - 6

SIXTH CAUSE OF ACTION**(Judicial Foreclosure of Mortgage Instrument Nos. 756398 & 756 & 756399)**

52. Answering the allegations of Paragraph 77 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint, Defendant, VP realleges and reincorporates its answers to the previous paragraphs.
53. Denies for lack of knowledge or information, the allegations set for in paragraph 78 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
54. As to VP, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest in the lagoon lot, the well lots and the easements. As to the balance of paragraph 79, deny for lack of knowledge or information.
55. As to VP, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 80, deny for lack of knowledge or information.

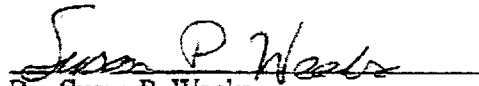
SEVENTH CAUSE OF ACTION**(Judicial Foreclosure of Redemption Deed Instrument No. 861460)**

56. Answering the allegations of Paragraph 81 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint, Defendant, North Idaho Resorts, LLC realleges and reincorporates its answers to the previous paragraphs.
57. Denies for lack of knowledge or information, the allegations set for in paragraph 82 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
58. As to North Idaho Resorts, LLC, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 83, deny for lack of knowledge or information.
59. As to North Idaho Resorts, LLC, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 84, deny for

lack of knowledge or information.

DATED this 11th day of December, 2014.

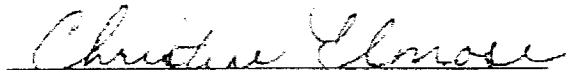
JAMES, VERNON & WEEKS, P.A.


By: Susan P. Weeks

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following persons in the manner indicated this ~~6th~~ ^{11th} day of ~~October~~ ^{December}, 2014:

- | | | |
|-------------------------------------|----------------------------|---------------------------------------|
| <input type="checkbox"/> | U.S. Mail, Postage Prepaid | Gary A. Finney |
| <input type="checkbox"/> | Hand Delivered | FINNEY FINEY & FINNEY, PA |
| <input type="checkbox"/> | Overnight Mail | 120 E Lake St., Ste. 317 |
| <input checked="" type="checkbox"/> | Facsimile: 208-263-8211 | Sandpoint, ID 83864 |
|
 | | |
| <input type="checkbox"/> | U.S. Mail, Postage Prepaid | Richard Stacey |
| <input type="checkbox"/> | Hand Delivered | McConnell Wagner Sykes & Stacey, PLLC |
| <input type="checkbox"/> | Overnight Mail | 755 West Front St., Ste. 200 |
| <input checked="" type="checkbox"/> | Facsimile: 208-489-0110 | Boise, ID 83702 |



Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
REPLY TO: (1) JV L.L.C.'S ANSWER TO
VALIANT IDAHO, LLC'S
COUNTERCLAIM, CROSS-CLAIM AND
THIRD PARTY COMPLAINT FOR
JUDICIAL FORECLOSURE; AND
(2) JV L.L.C.'S CROSS-CLAIM AND
THIRD PARTY COMPLAINT**

Honorable Barbara Buchanan

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

VALIANT IDAHO, LLC'S REPLY TO: (1) JV L.L.C.'S ANSWER TO
VALIANT IDAHO, LLC'S COUNTERCLAIM, CROSS-CLAIM AND
THIRD PARTY COMPLAINT FOR JUDICIAL FORECLOSURE; AND
(2) JV L.L.C.'S CROSS-CLAIM AND THIRD PARTY COMPLAINT - Page 1
C:\S4720\PLD\CV-2009-1319\Reply to JV CC 141211.doc

ORIGINAL

1541

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

COMES NOW, Valiant Idaho, LLC (“Valiant”), by and through its attorneys of record, McConnell Wagner Sykes & Stacey PLLC, and for its reply to JV L.L.C.’s Special Appearance Contesting Jurisdiction: and JV L.L.C.’s Answer to [Valiant’s] Counterclaim, Cross-Claim and Third Party Complaint For Judicial Foreclosure: and JV L.L.C.’s Cross-Claim: and JV L.L.C.’s Third Party Complaint (“JV’s Counterclaim”) filed on or about September 15, 2014 by JV L.L.C. (“JV”) admits, denies, alleges and answers as follows:

1. Unless otherwise specifically admitted, Valiant denies each and every allegation in JV’s Counterclaim.

2. Paragraphs 1, 2, 3, 4, 5 and 6 of JV’s Counterclaim appear to be allegations rather than responses to Valiant’s Counterclaim, Cross-Claim and Third Party Complaint For Judicial Foreclosure (“Valiant Cross-Claim”). As such, to the extent a response from Valiant is necessary, Valiant hereby replies as follows:

a. In response to the allegations set forth in Paragraph 1 of JV’s Counterclaim, Valiant denies the same.

b. In response to the allegations set forth in Paragraph 2 of JV’s Counterclaim, Valiant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, on that basis, denies the same.

c. In response to the allegations set forth in Paragraphs 3, 4, 5 and 6 of JV’s Counterclaim, Valiant denies the same.

3. With respect to Paragraphs 7, 8, 9, 10, 11, 12, 13, 15 – 38, inclusive, 42, 44, 47, 48, 49, 50, 54, 55, 58, 64, 67, 69, 70, 71, 72, 75, 76, 79, 80, 82, 83, 84, 86, 87, 88, 91, 92, 93 and 94 of

JV's Counterclaim, Valiant does not believe these paragraphs contain any affirmative allegations requiring a response and, as such, Valiant does not respond to the same herein.

4. In response to the allegations set forth in Paragraph 14 of JV's Counterclaim, Valiant denies the same.

5. In response to the allegations set forth in Paragraph 39 of JV's Counterclaim, Valiant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, on that basis, denies the same.

6. In response to the allegations set forth in Paragraph 40 of JV's Counterclaim, Valiant denies the same.

7. In response to the allegations contained in Paragraph 41 of JV's Counterclaim, Valiant re-alleges and re-avers its responses to each allegation in Paragraphs 1 through 40 of JV's Counterclaim as if set forth fully therein.

8. As to Paragraph 42 of JV's Counterclaim, *see* Paragraph 4 above.

9. In response to the allegations set forth in Paragraph 43 of JV's Counterclaim, Valiant denies the same.

10. As to Paragraph 44 of JV's Counterclaim, *see* Paragraph 4 above.

11. In response to the allegations set forth in Paragraphs 45 and 46 of JV's Counterclaim, Valiant denies the same.

12. As to Paragraphs 47, 48, 49 and 50 of JV's Counterclaim, *see* Paragraph 4 above.

13. In response to the allegations set forth in Paragraphs 51, 52 and 53 of JV's Counterclaim, Valiant denies the same.

14. As to Paragraph 54 of JV's Counterclaim, *see* Paragraph 4 above.
15. In response to the allegations contained in Paragraph 55 of JV's Counterclaim, Valiant re-alleges and re-avers its responses to each allegation in Paragraphs 1 through 54 of JV's Counterclaim as if set forth fully therein.
16. As to Paragraph 56 of JV's Counterclaim, *see* Paragraph 4 above.
17. In response to the allegations set forth in Paragraph 57 of JV's Counterclaim, Valiant denies the same.
18. As to Paragraph 58 of JV's Counterclaim, *see* Paragraph 4 above.
19. In response to the allegations set forth in Paragraphs 59, 60, 61, 62 and 63 of JV's Counterclaim, Valiant denies the same.
20. As to Paragraph 64 of JV's Counterclaim, *see* Paragraph 4 above.
21. In response to the allegations set forth in Paragraph 65 of JV's Counterclaim, Valiant denies the same.
22. In response to the allegations contained in Paragraph 66 of JV's Counterclaim, Valiant re-alleges and re-avers its responses to each allegation in Paragraphs 1 through 65 of JV's Counterclaim as if set forth fully therein.
23. As to Paragraph 67 of JV's Counterclaim, *see* Paragraph 4 above.
24. In response to the allegations set forth in Paragraph 68 of JV's Counterclaim, Valiant denies the same.
25. As to Paragraphs 69, 70, 71 and 72 of JV's Counterclaim, *see* Paragraph 4 above.

26. In response to the allegations set forth in Paragraphs 73 and 74 of JV's Counterclaim, Valiant denies the same.

27. As to Paragraphs 75 and 76 of JV's Counterclaim, *see* Paragraph 4 above.

28. In response to the allegations contained in Paragraph 77 of JV's Counterclaim, Valiant re-alleges and re-avers its responses to each allegation in Paragraphs 1 through 76 of JV's Counterclaim as if set forth fully therein.

29. In response to the allegations set forth in Paragraph 78 of JV's Counterclaim, Valiant denies the same.

30. As to Paragraphs 79 and 80 of JV's Counterclaim, *see* Paragraph 4 above.

31. In response to the allegations contained in Paragraph 81 of JV's Counterclaim, Valiant re-alleges and re-avers its responses to each allegation in Paragraphs 1 through 80 of JV's Counterclaim as if set forth fully therein.

32. As to Paragraphs 82, 83 and 84 of JV's Counterclaim, *see* Paragraph 4 above.

33. In response to the allegations contained in Paragraph 85 of JV's Counterclaim, Valiant re-alleges and re-avers its responses to each allegation in Paragraphs 1 through 84 of JV's Counterclaim as if set forth fully therein.

34. As to Paragraph 86, 87 and 88 of JV's Counterclaim, *see* Paragraph 4 above.

35. In response to the allegations contained in Paragraph 89 of JV's Counterclaim, Valiant re-alleges and re-avers its responses to each allegation in Paragraphs 1 through 88 of JV's Counterclaim as if set forth fully therein.

36. In response to the allegations set forth in Paragraph 90 of JV's Counterclaim, Valiant denies the same.

37. As to Paragraphs 91, 92, 93 and 94 of JV's Counterclaim, *see* Paragraph 4 above.

38. In response to the allegations set forth in Paragraph 95 of JV's Counterclaim, Valiant denies the same.

39. In response to the allegations set forth in Paragraph 96 of JV's Counterclaim, Valiant admits the same.

40. In response to the allegations set forth in Paragraphs 97, 98 and 99 of JV's Counterclaim, Valiant denies the same.

41. In response to the allegations set forth in Paragraph 100.A of JV's Counterclaim, Valiant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, on that basis, denies the same.

42. In response to the allegations set forth in Paragraphs 100.B and 100.C of JV's Counterclaim, Valiant denies the same.

43. In response to the allegations set forth in Paragraphs 100.D, 100.E and 100.F of JV's Counterclaim, Valiant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, on that basis, denies the same.

44. In response to the allegations set forth in Paragraph 101 of JV's Counterclaim, Valiant denies the same.

45. In response to the allegations set forth in Paragraph 102 of JV's Counterclaim, Valiant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, on that basis, denies the same.

46. In response to the allegations set forth in Paragraph 103 of JV's Counterclaim, Valiant denies the same.

47. In response to the allegations set forth in Paragraph 104 of JV's Counterclaim, Valiant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, on that basis, denies the same.

48. In response to the allegations set forth in Paragraph 105 of JV's Counterclaim, Valiant denies the same.

49. In response to the allegations set forth in Paragraph 106 of JV's Counterclaim, Valiant is without knowledge or information sufficient to form a belief as to the truth of the allegations and, on that basis, denies the same.

50. JV has no right to a jury trial, as demanded in Paragraph 107 of JV's Counterclaim, on any of the issues set forth in its Counterclaim, as this action is *in rem* and must be tried by the Court.

51. In response to the allegations set forth in Paragraph 108 in JV's Counterclaim, including Subparagraphs 1, 2, 3, 4, 5, 6, 7, 8 and 9 thereof, Valiant denies the same.

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AFFIRMATIVE DEFENSES

The following defenses are not stated separately as to each claim for relief or allegation of JV. Nevertheless, the following defenses are applicable, where appropriate, to any and all of JV's claims for relief. Valiant, in asserting defenses, does not admit that the burden of proving the allegations or denials contained in this Reply is upon it, but, to the contrary, asserts that, by the reason of these denials and by reason of relevant statutory and judicial authority, the burden of proving the inverse of the allegations contained in many of the defenses is upon JV. Moreover, Valiant does not admit, in asserting any defense, any responsibility or liability, but, to the contrary, specifically denies any and all allegations of responsibility and liability in JV's Counterclaim.

First Affirmative Defense

JV's Counterclaim, and each and every purported cause of action alleged therein against Valiant fails to state a claim upon which relief can be granted and should be dismissed pursuant to Rule 12(b)(6) of the Idaho Rules of Civil Procedure.

Second Affirmative Defense

JV's claims for relief against Valiant are barred based upon the individual and collective legal principles of waiver, laches and/or estoppel.

Third Affirmative Defense

JV is barred by the doctrine of unclean hands, *in pari delicto*, and/or equitable estoppels because JV was a knowing participant in the acts about which it now complains.

Fourth Affirmative Defense

JV has failed to act reasonably or to otherwise mitigate its alleged damages and protect it from avoidable consequences.

Fifth Affirmative Defense

Valiant has, at all times, acted in good faith with a reasonable basis for its actions

Sixth Affirmative Defense

Valiant alleges that JV's Counterclaim, and each and every cause of action alleged therein, fails to state facts sufficient to allow for JV's recovery of attorneys' fees.

Seventh Affirmative Defense

JV's claims and the relief sought therefrom would constitute an unjust enrichment of JV to the detriment of Valiant.

Eighth Affirmative Defense

JV's recovery in this action, if any, should be reduced in accordance with the Doctrine of Avoidable Consequences.

Ninth Affirmative Defense

JV's alleged injuries, if any, are not actionable because JV did voluntarily, knowingly and expressly consent to the situation which caused its harm, if any.

Tenth Affirmative Defense

Valiant is informed and believes, and on that basis alleges that the damages claimed by JV, if any, were caused by acts of negligence attributable to JV.

Eleventh Affirmative Defense

JV directed, ordered, approved and/or ratified Valiant's conduct, and JV is therefore estopped from asserting claims based thereon.

Twelfth Affirmative Defense

JV is not entitled to foreclose its mortgage because Valiant's interests in and to the subject property by virtue of its mortgages recorded against said property are superior in right, title and interest to JV's mortgage.

Thirteenth Affirmative Defense

JV's Counterclaim and claims for relief are barred based upon the individual and collective legal principles of *res judicata*, claim preclusion, collateral estoppel and/or issue preclusion.

RULE 12 STATEMENT

Valiant has considered and believes that it may have additional defenses, but does not have enough information at this time to assert additional defenses under Rule 12 of the Idaho Rules of Civil Procedure. Valiant does not intend to waive any such defenses and specifically asserts its intention to amend this Reply if, pending research and after discovery, facts come to light giving rise to such additional defenses.

ATTORNEYS' FEES

To defend against this action, Valiant has retained the services of McConnell Wagner Sykes & Stacey PLLC and is entitled to an award of attorneys' fees and costs pursuant to Idaho Code §§ 12-120 and 12-121, and Rule 54 of the Idaho Rules of Civil Procedure.

PRAYER FOR RELIEF

WHEREFORE, Valiant prays for judgment as follows:

- A. That JV takes nothing by way of its Counterclaim;
- B. That JV's Counterclaim be dismissed with prejudice;
- C. For an award of attorneys' fees and costs in defending this action; and
- D. For such other and further relief as this Court deems just and equitable.

DATED this 12th day of December 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

BY:


Richard L. Stacey
Attorneys For Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the 12th day of December 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83315 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	[<input checked="" type="checkbox"/>] U.S. Mail [<input type="checkbox"/>] Hand Delivered [<input type="checkbox"/>] Facsimile [<input type="checkbox"/>] Overnight Mail [<input type="checkbox"/>] Electronic Mail <u>brucea@ejame.com</u>
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	[<input checked="" type="checkbox"/>] U.S. Mail [<input type="checkbox"/>] Hand Delivered [<input type="checkbox"/>] Facsimile [<input type="checkbox"/>] Overnight Mail [<input type="checkbox"/>] Electronic Mail <u>bct@featherstonlaw.com</u>
Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i>	[<input checked="" type="checkbox"/>] U.S. Mail [<input type="checkbox"/>] Hand Delivered [<input type="checkbox"/>] Facsimile [<input type="checkbox"/>] Overnight Mail [<input type="checkbox"/>] Electronic Mail <u>garvfinney@finneylaw.net</u>
John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i>	[<input checked="" type="checkbox"/>] U.S. Mail [<input type="checkbox"/>] Hand Delivered [<input type="checkbox"/>] Facsimile [<input type="checkbox"/>] Overnight Mail [<input type="checkbox"/>] Electronic Mail <u>johnfinney@finneylaw.net</u>
D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i>	[<input checked="" type="checkbox"/>] U.S. Mail [<input type="checkbox"/>] Hand Delivered [<input type="checkbox"/>] Facsimile [<input type="checkbox"/>] Overnight Mail [<input type="checkbox"/>] Electronic Mail <u>tobw@sandpointlaw.com</u>

Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net
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Richard L. Stacey