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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

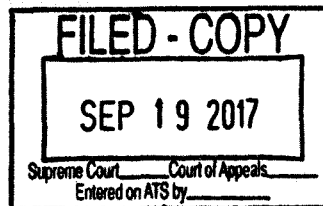
CLERK'S RECORD ON APPEAL

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

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STATE OF IDAHO
 COUNTY OF BONNER
 FIRST JUDICIAL DIST.

2009 MAY 24 P 3:43

MARIE SCOTT
 CLERK DISTRICT COURT
 DEPUTY

**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;)
 PENSICO 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)
 liability company; R.C. WORST & COMPANY,)
 INC., an Idaho corporation; DOES I through X,)

Defendants.)

Case No. CV 2009-01810

**SPECIAL APPEARANCE
 ON BEHALF OF
 DEFENDANT PENSICO
 TRUST CO., CUSTODIAN
 FBO BARNEY NG**

Featherston Law Firm cmt
 Daniel P. Featherston
 Brent C. Featherston*
 Jeremy P. Featherston
 Attorneys at Law

113 S. Second Ave.
 Sandpoint, Idaho 83864
 (208) 263-6866
 Fax (208) 263-0400

* Licensed in
 Idaho & Washington

**SPECIAL APPEARANCE ON BEHALF OF DEFENDANT
 PENSICO TRUST CO., CUSTODIAN FBO BARNEY NG - I**

COMES NOW BRENT C. FEATHERSTON of FEATHERSTON LAW FIRM, CHTD., pursuant to Idaho Rules of Civil Procedure, Rule 4, and does hereby specially appear on behalf of all the Defendant, PENSICO TRUST CO., CUSTODIAN FBO BARNEY NG, in the above entitled action, reserving and, without waiving, issues of lack of jurisdiction, improper venue, insufficiency of service of process, and motions to dismiss pursuant to I.R.C.P. Rule 12(b) raised by the Plaintiff's Complaint.

All further pleadings, Notices of Hearings, and other matters shall be served upon the Defendant, PENSICO TRUST CO., CUSTODIAN FBO BARNEY NG, at the following address:

BRENT C. FEATHERSTON, ESQ.
FEATHERSTON LAW FIRM, CHTD.
113 SOUTH SECOND AVENUE
SANDPOINT, IDAHO 83864.

DATED this 24th day of May, 2010.

FEATHERSTON LAW FIRM, CHTD

By: 

BRENT C. FEATHERSTON
Attorney for Defendant Pensco

Featherston Law Firm cdc

*Daniel P. Featherston
Brent C. Featherston*
Jeremy P. Featherston
Attorneys at Law*

*113 S. Second Ave.
Sandpoint, Idaho 83864
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** Licensed in
Idaho & Washington*

**SPECIAL APPEARANCE ON BEHALF OF DEFENDANT
PENSICO TRUST CO., CUSTODIAN FBO BARNEY NG - 2**

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of May, 2010, I caused a true and correct copy of the foregoing document to be served upon the following person(s) in the following manner:

Lynnette M. Davis, Esq.
HAWLEY TROXELL ENNIS & HAWLEY LLP
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P.O. Box 1617
Boise, ID 83701-1617
[Attorney for Plaintiff]

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- Other: _____

Steven C. Wetzel, Esq.
WETZEL WETZEL & HOLT, PLLC
618 N. Fourth
Coeur d'Alene, ID 83815-8339
[Attorneys for Defendants VP, Incorporated;
ACI Northwest, Inc.; and North Idaho
Resorts, LLC]

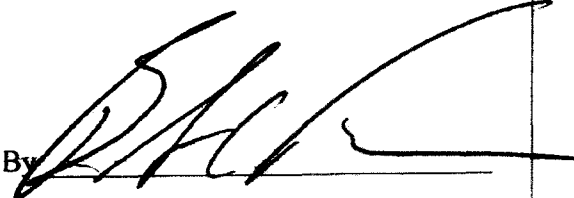
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Gary A. Finney, Esq.
FINNEY FINNEY & FINNEY, P.A.
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[Attorneys for Defendants JV L.L.C. and
Pucci Construction, Inc.]

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ROBERT J. FASNACHT, P.C.
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[Attorneys for Defendants Interstate
Concrete and Asphalt Company]

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By 

Featherston Law Firm oid
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SPECIAL APPEARANCE ON BEHALF OF DEFENDANT
PENSICO TRUST CO., CUSTODIAN FBO BARNEY NG - 3

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2009 AUG -9 P 1:49

MADE SCOTT
CLERK DISTRICT COURT
DEPUTY

Pete B. Bredeson, ISB #6437
BREDESON LAW GROUP
1677 E. Miles Avenue, Ste. 202
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Telephone: (208) 762-9900
Facsimile: 1 (866) 719-7958
Attorney for Defendant ACI Northwest, Inc.

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
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

Case No. CV 2009-01810

ANSWER, COUNTERCLAIMS, CROSS-
CLAIMS AND THIRD PARTY
COMPLAINT OF DEFENDANT ACI
NORTHWEST, INC.

Fee: \$86.00

Category: I-1; K-3; K-4

ANSWER, COUNTERCLAIMS, CROSS-CLAIMS
AND THIRD PARTY COMPLAINT OF DEFENDANT ACI NORTHWEST, INC.

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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 liability company; R.C. WORST & COMPANY, INC., an Idaho corporation; DOES I through X,

Defendants.

ACI NORTHWEST, INC., an Idaho corporation,

Counterclaimant, Cross-claimant, and Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT, LLC, a Nevada limited liability company,

Counterclaim Defendant,

and

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; PENSICO 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; LUMBERMENS, INC.,

ANSWER, COUNTERCLAIMS, CROSS-CLAIMS
AND THIRD PARTY COMPLAINT OF DEFENDANT ACI NORTHWEST, INC.

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dba ProBuild, a Washington corporation;
ROBERT PLASTER dba Cedar Etc; NORTH
IDAHO RESORTS, LLC, an Idaho limited
liability company; R.C. WORST &
COMPANY, INC., an Idaho corporation;
DOES I through X,

Cross-claim Defendants,

and

PANHANDLE STATE BANK, an Idaho
corporation,

Third Party Defendant.

COMES NOW, Defendant ACI NORTHWEST, INC., an Idaho corporation (hereinafter
“ACI”), by and through its attorney Pete B. Bredeson, and Answers the allegations contained in
Plaintiff’s Complaint (hereinafter “Complaint”) as follows:

ANSWER

I. GENERAL ALLEGATIONS

1. ACI admits the allegations contained in Paragraph 1 of Plaintiff’s Complaint.
2. ACI admits the allegations contained in Paragraph 2 of Plaintiff’s Complaint.
3. ACI admits the allegations contained in Paragraph 3 of Plaintiff’s Complaint.
4. With respect to the allegations contained in Paragraph 4 of Plaintiff’s Complaint, ACI
lacks information sufficient to form a belief as to the truth or falsity of these allegations
and therefore denies the same.
5. With respect to the allegations contained in Paragraph 5 of Plaintiff’s Complaint, ACI
lacks information sufficient to form a belief as to the truth or falsity of these allegations
and therefore denies the same.

ANSWER, COUNTERCLAIMS, CROSS-CLAIMS
AND THIRD PARTY COMPLAINT OF DEFENDANT ACI NORTHWEST, INC.

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6. ACI admits the allegations contained in Paragraph 6 of Plaintiff's Complaint.
7. ACI denies the allegations contained in Paragraph 7 of Plaintiff's Complaint. To the best of ACI's knowledge and belief, Defendant Jacobson resides in the State of Washington and transacts business within the State of Idaho.
8. ACI admits the allegations contained in Paragraph 8 of Plaintiff's Complaint.
9. ACI admits the allegations contained in Paragraph 9 of Plaintiff's Complaint.
10. ACI admits the allegations contained in Paragraph 10 of Plaintiff's Complaint.
11. ACI admits the allegations contained in Paragraph 11 of Plaintiff's Complaint.
12. ACI admits the allegations contained in Paragraph 12 of Plaintiff's Complaint.
13. ACI admits the allegations contained in Paragraph 13 of Plaintiff's Complaint.
14. ACI admits the allegations contained in Paragraph 14 of Plaintiff's Complaint.
15. ACI admits the allegations contained in Paragraph 15 of Plaintiff's Complaint.
16. ACI admits the allegations contained in Paragraph 16 of Plaintiff's Complaint.
17. ACI admits the allegations contained in Paragraph 17 of Plaintiff's Complaint.
18. ACI admits the allegations contained in Paragraph 18 of Plaintiff's Complaint.
19. ACI admits the allegations contained in Paragraph 19 of Plaintiff's Complaint.
20. ACI admits the allegations contained in Paragraph 20 of Plaintiff's Complaint.

II. JURISDICTION AND VENUE

21. ACI admits the allegations contained in Paragraph 21 of Plaintiff's Complaint.
22. ACI admits the allegations contained in Paragraph 22 of Plaintiff's Complaint.
23. ACI admits the allegations contained in Paragraph 23 of Plaintiff's Complaint.

III. COUNT ONE-BREACH OF CONTRACT

24. In response to Paragraph 24 of the Complaint, ACI expressly incorporates its answers above in response to the allegations listed in support of this cause of action as if such answers were fully set forth herein.
25. With respect to the allegations contained in Paragraph 25 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.
26. With respect to the allegations contained in Paragraph 26 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.
27. With respect to the allegations contained in Paragraph 27 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.
28. With respect to the allegations contained in Paragraph 28 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.
29. With respect to the allegations contained in Paragraph 29 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.
30. With respect to the allegations contained in Paragraph 30 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.

IV. COUNT TWO – FORECLOSURE OF LIEN

31. In response to Paragraph 31 of the Complaint, ACI expressly incorporates its answers above in response to the allegations listed in support of this cause of action as if such answers were fully set forth herein.
32. With respect to the allegations contained in Paragraph 32 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.
33. With respect to Paragraph 33 of Plaintiff's Complaint, ACI admits that "[t]he Claim of Lien was recorded on October 17, 2008, as Instrument No. 760705, Official Records of Bonner County, Idaho." With respect to the remaining allegations contained in Paragraph 33 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.
34. With respect to the allegations contained in Paragraph 34 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.
35. ACI admits the allegations contained in Paragraph 35 of Plaintiff's Complaint.
36. With respect to the allegations contained in Paragraph 36 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.
37. ACI admits the allegations contained in the first sentence of Paragraph 37 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 37, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.

38. ACI admits the allegations contained in the first sentence of Paragraph 38 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 38, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
39. ACI admits the allegations contained in the first sentence of Paragraph 39 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 39, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
40. With respect to the allegations contained in the first sentence of Paragraph 40 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same. With respect to the allegations that are contained in the last sentence of Paragraph 40, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
41. ACI admits the allegations contained in the first sentence of Paragraph 41 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 41, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
42. ACI admits the allegations contained in the first sentence of Paragraph 42 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 42, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.

43. ACI admits the allegations contained in the first sentence of Paragraph 43 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 43, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
44. ACI admits the allegations contained in Paragraph 44 of Plaintiff's Complaint.
45. ACI admits the allegations contained in Paragraph 45 of Plaintiff's Complaint.
46. ACI admits the allegations contained in Paragraph 46 of Plaintiff's Complaint.
47. ACI admits the allegations contained in the first sentence of Paragraph 47 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 47, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
48. ACI admits the allegations contained in the first sentence of Paragraph 48 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 48, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
49. ACI admits the allegations contained in the first two sentences of Paragraph 49 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 49, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
50. ACI admits the allegations contained in the first two sentences of Paragraph 50 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 50, these consist of legal argument or legal conclusions to which

no response is required. To the extent that a response is deemed to be required, ACI denies the same.

51. ACI admits the allegations contained in the first sentence of Paragraph 51 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 51, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
52. ACI admits the allegations contained in the first sentence of Paragraph 52 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 52, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
53. ACI admits the allegations contained in the first two sentences of Paragraph 53 of Plaintiff's Complaint. ACI further admits that it will claim an interest in a portion of the Property in relation to a claim of lien recorded on February 9, 2010, as Instrument No. 787569, Official Records of Bonner County, Idaho. With respect to the allegations that are contained in the last sentence of Paragraph 53, ACI denies the same.
54. ACI admits the allegations contained in the first sentence of Paragraph 54 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 54, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.
55. ACI admits the allegations contained in the first sentence of Paragraph 55 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 55, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.

56. ACI admits the allegations contained in the first two sentences of Paragraph 56 of Plaintiff's Complaint. With respect to the allegations that are contained in the last sentence of Paragraph 56, these consist of legal argument or legal conclusions to which no response is required. To the extent that a response is deemed to be required, ACI denies the same.

57. ACI denies the allegations contained in Paragraph 57 of Plaintiff's Complaint.

58. With respect to the allegations contained in Paragraph 58 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.

V. COUNT THREE – QUANTUM MERUIT

59. In response to Paragraph 59 of the Complaint, ACI expressly incorporates its answers above in response to the allegations listed in support of this cause of action as if such answers were fully set forth herein.

60. With respect to the allegations contained in Paragraph 60 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.

61. With respect to the allegations contained in Paragraph 61 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.

62. With respect to the allegations contained in Paragraph 62 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.

63. With respect to the allegations contained in Paragraph 63 of Plaintiff's Complaint, ACI lacks information sufficient to form a belief as to the truth or falsity of these allegations and therefore denies the same.

VI. PRAYER FOR JUDGMENT

64. To the extent that a response by ACI to the Prayer for Judgment contained in Plaintiff's Complaint is deemed necessary, ACI denies the same unless such allegations are specifically admitted to in this Answer.

VII. AFFIRMATIVE DEFENSES

65. Having answered the allegations contained in the Complaint, ACI raises the following affirmative defenses:

- A. The Complaint fails to state a claim against ACI for which relief can be granted.
- B. Some or all of Plaintiff's claims are barred by the doctrine of accord and satisfaction.
- C. Some or all of Plaintiff's claims are barred by the doctrine of failure of consideration.
- D. Some or all of Plaintiff's claims are barred by payment.
- E. Some or all of Plaintiff's claims are barred by release or satisfaction.
- F. Plaintiff has failed to act reasonably or otherwise mitigate its damages, if any.
- G. Some or all of Plaintiff's claims are barred by the doctrine of setoff.
- H. Plaintiff's claims are barred by the doctrine of unclean hands.
- I. Plaintiff's claims are barred by the doctrine of estoppel.
- J. Plaintiff's claims are barred by the doctrine of laches.
- K. Plaintiff's claims are barred by the doctrine of waiver.
- L. Plaintiff's lien interest is subordinate to ACI's lien interest in the Property.

M. Plaintiff's claims are barred by Plaintiff's failure to comply with Idaho Code Section 45-501 *et seq.*

N. Plaintiff is not entitled to a claim of lien for its labor and material.

O. Plaintiff has failed to properly perfect a lien for its labor and material.

COUNTERCLAIMS, CROSS-CLAIMS AND THIRD PARTY COMPLAINT

ACI counterclaims against Plaintiff and cross-claims against the other Defendants as

follows:

I. COUNT I FORECLOSURE OF MECHANIC'S/MATERIALMAN'S LIEN PURSUANT TO IDAHO CODE 45-501 *ET SEQ.*

1. ACI re-alleges and incorporates the foregoing admissions and denials as though fully set forth herein.
2. Pursuant to a Contract for Infrastructure Construction (hereinafter the "Contract") dated October 12, 2006, ACI performed labor upon, furnished materials to, graded, filled in and/or otherwise improved (hereinafter the "Work") the real property legally described in Exhibit "A" attached hereto (hereinafter the "Property").
3. The Work, which pertained to the development now known as The Idaho Club (hereinafter the "Project") included, but was not limited to, installation of a water distribution system and sewer effluent collection system, road construction and the installation of dry utilities.
4. The Work, which commenced on December 27, 2006, was performed at the instance of Chuck Reeves, an agent of POBD. Such work ended on November 12, 2009.

5. On February 9, 2010, ACI recorded a Claim of Lien against the Property in the principal amount of \$1,336,128.19, plus interest thereon and costs and attorney's fees pursuant to Idaho Code 45-513. A copy of said Claim of Lien is attached hereto as Exhibit "B".
6. The principal amount currently owed to ACI pursuant to the terms of the Contract for its Work, after all just offsets and credits, is \$1,336,128.19 (hereinafter "Amount Due Under the Claim of Lien").
7. On or about February 16, 2010, ACI gave Notice of the Claim of Lien to the owner or reputed owners of the Property by certified mail, return receipt requested, within 5 business days of the filing of the Claim of Lien. A true and correct copy of the certified mailing is attached as Exhibit "C".
8. Third Party Defendant Panhandle State Bank (hereinafter "Panhandle") is an Idaho corporation transacting business in the State of Idaho that may claim an interest in the Property by virtue of an Assignment of the interests of the Defendants that are set forth in Paragraphs 41 through 46 of Plaintiff's Complaint. This Assignment was recorded on November 24, 2009, as Instrument No. 783748, Official Records of Bonner County, Idaho, and re-recorded on December 3, 2009 as Instrument No. 784149, Official Records of Bonner County, Idaho. Panhandle shall be referred to and included as a Defendant as that term appears herein.
9. To the extent that the Plaintiff and/or the other Defendants claim some right, title or interest in and to the Property and/or improvements described above, ACI alleges said interests are junior and subservient to the interest held by ACI and should be foreclosed.
10. ACI is entitled to interest on the Amount Due Under the Claim of Lien pursuant to the Contract and/or Idaho Code §28-22-104.

11. ACI is entitled to the cost of filing and recording the Claim of Lien pursuant to Idaho Code §45-513.
12. ACI has had to retain Bredeson Law Group to collect the Amount Due Under the Claim of Lien and to foreclose on the Claim of Lien. Therefore, ACI is entitled to reasonable attorney fees pursuant to Idaho Code §§ 45-513, 12-120(3), (5) and 12-121.

II. COUNT II
BREACH OF EXPRESS CONTRACT

13. ACI re-alleges and incorporates the foregoing admissions, denials and allegations as though fully set forth herein.
14. The Contract constitutes a valid and legally enforceable contract under Idaho law.
15. POBD has breached the Contract by not paying ACI for the work ACI performed pursuant to the Contract. The amount currently due and owing to ACI, excluding interest, is \$1,336,128.19.
16. As a direct and proximate result of POBD's breach of contract, ACI has obviously been damaged at least in the amount of \$1,336,128.19. The total amount of damages, including but not limited to the total interest due on said amount at the highest rate allowed by the Contract and Idaho law, shall be proven at trial.

III. COUNT III
UNJUST ENRICHMENT


17. ACI re-alleges and incorporates the foregoing denials, admissions and allegations as though fully set forth herein.
18. Even if there was no express contract between ACI and POBD as is alleged in COUNT II above, ACI has provided a benefit to POBD in the form of ACI's various construction work, which Pend Oreille has accepted.

19. Under the circumstances, it would be unjust for POBD to retain such benefit without compensating ACI for its value, which is at least \$1,336,128.19, with the precise amount to be proven at trial.

WHEREFORE, ACI prays for judgment as follows:

1. That the Complaint be dismissed in its entirety as against ACI, with the Plaintiff being awarded nothing thereby against ACI;
2. That the Court declare ACI to have a valid and subsisting lien on the Property, the Property and the interests of the parties therein be sold in accordance with Idaho law, the proceeds of sale be returned to the Court, and ACI be paid the amount due under the Claim of Lien (\$1,336,128.19) plus interest and all other amounts due;
3. That ACI is entitled to damages from POBD to be proven at trial in at least the amount of \$1,336,128.19, along with total interest due on said amount at the highest rate allowed by the Contract and Idaho law.
4. For the amount that POBD has been unjustly enriched by not paying for ACI's services, which is at least \$1,336,128.19, with the precise amount to be proven at trial.
5. For an award of reasonable costs and attorney's fees pursuant to the terms of the Contract itself, Idaho Code Sections 45-513, 12-120(3), 12-120(5), and 12-121, along with Idaho Rules of Civil Procedure 54(d)(1) and 54(e), against the Plaintiff and every other party that contests ACI's Counterclaims or Cross-claims. In the event that a judgment is entered by default with respect to ACI's Counterclaims or Cross-claims, the amount of attorney's fees shall equal \$1,000.00 for each Defendant against which a default judgment entered.
6. For any other relief that the Court deems just and proper.

DATED this 9th day of August, 2010.



Pete B. Bredeson
Attorney for Defendant ACI Northwest, Inc.

EXHIBIT "A"
LEGAL DESCRIPTION

LOTS 1, 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14, BLOCK 1; LOT 1, BLOCK 2; LOTS 1, 2, 3, 4, 5, 6, 7, AND 8, BLOCK 3; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 AND 12, BLOCK 4; LOT 2, BLOCK 5; LOTS 2, 3 AND 4, BLOCK 6; LOTS 6 AND 10, BLOCK 7; LOTS 1, 2, 4, 5 AND 6, BLOCK 8; LOTS 3, 5 AND 10, BLOCK 9; LOTS 6 AND 10, BLOCK 10; LOT 2, BLOCK 11, GOLDEN TEE ESTATES 3RD ADDITION, ACCORDING TO THE PLAT RECORDED IN BOOK 8 OF PLATS AT PAGE 78, RECORDS OF BONNER COUNTY, IDAHO.

AND

LOTS 2 AND 8, BLOCK 1; LOTS 1, 2, 3, 4, AND 5, BLOCK 2; LOT 1, BLOCK 3; LOTS 1, 2, 3, 4 AND 5, BLOCK 4; GOLDEN TEE ESTATES 6TH ADDITION, ACCORDING TO THE PLAT RECORDED IN BOOK 8 OF PLATS, PAGE 82, RECORDS OF BONNER COUNTY, IDAHO.

AND

BLOCK 5 (ALSO OF RECORD AS BLOCK 5A), LOT 3A IN BLOCK 12, LOT 1 IN BLOCK 15, BLOCK 16, LOT 1 IN BLOCK 17 AND BLOCK 18 OF THE REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 8 OF PLATS AT PAGE 77, OFFICIAL RECORDS OF BONNER COUNTY, IDAHO.

AND

LOT 1 IN BLOCK 14A OF THE REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 8 OF PLATS AT PAGE 77 OFFICIAL RECORDS OF BONNER COUNTY, IDAHO.

AND

LOT 2 IN BLOCK 17 OF THE REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 8 OF PLATS AT PAGE 77 OFFICIAL RECORDS OF BONNER COUNTY, IDAHO.

AND

ALL PRIVATE ROADS IN GOLDEN TEE ESTATES 1ST ADDITION PLANNED UNIT DEVELOPMENT (PHASE TWO), ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 6 OF PLATS AT PAGE 114 OFFICIAL RECORDS OF BONNER COUNTY, IDAHO.

AND

ALL PRIVATE ROADS IN GOLDEN TEE ESTATES PLANNED UNIT DEVELOPMENT (PHASE ONE), ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 6 OF PLATS AT PAGE 108 OFFICIAL RECORDS OF BONNER COUNTY, IDAHO AND IN THE REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 8 OF PLATS AT PAGE 77 OFFICIAL RECORDS OF BONNER COUNTY, IDAHO.

AND

EXHIBIT 'A'
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787569

FILED BY
ACI Northwest
2010 FEB -9 P 3:38
12th
MARIE SCOTT
BONNER COUNTY RECORDER
CB DEPUTY

CLAIM OF LIEN

1. The name of the Claimant is ACI Northwest, Inc., an Idaho corporation, having its principal place of business at 6600 North Government Way, Coeur d'Alene, Idaho 83815.

2. The name of the owner of real property against which said lien is claimed is Pend Oreille Bonner Development, LLC, an Idaho limited liability company, 151 Clubhouse Way, Sandpoint, Idaho 83864 (hereinafter "Owner").

3. The Claimant hereby claims a lien against all of the real property described in the attached Exhibit "A".

4. This lien is claimed for monies due and owing to Claimant for various infrastructure construction, including but not limited to the installation of a water distribution system, sewer effluent system, storm water collection system, dry utilities and road construction.

5. The related labor, materials and equipment were performed and furnished at the request of Chuck Reeves as an agent/representative of the Owner.

6. Performance of the related labor and furnishing of the related materials and equipment commenced on December 27, 2006 and ended on November 12, 2009.

7. The principal amount claimed due and owing to the Claimant for the related labor, materials and equipment is \$1,336,128.19.

8. A lien is also claimed for interest due and owing at eighteen percent (18%) per annum pursuant to a contract between Claimant and Owner in the amount of \$105,382.14 as of February 1, 2010, plus \$658.91 per day every day thereafter, until paid.

9. A lien is also claimed for all costs and attorney's fees awarded pursuant to Idaho Code Section 45-513.

10. All amounts claimed under this lien are fair, just and equitable for the materials that were supplied and/or the labor that was performed.

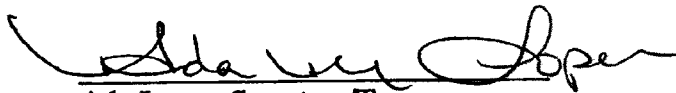
CLAIMANT'S VERIFICATION

STATE OF IDAHO)
) :ss
County of Kootenai)

Ada Loper, being first duly sworn deposes and says:

I am the Secretary/Treasurer of ACI Northwest, Inc., the Claimant in the above-entitled Claim of Lien. I am competent to testify as to all matters contained in this Claim of Lien. I have read the foregoing Claim of Lien, I know the contents thereof, and I testify that the facts stated therein are true, correct and just based upon my personal knowledge.

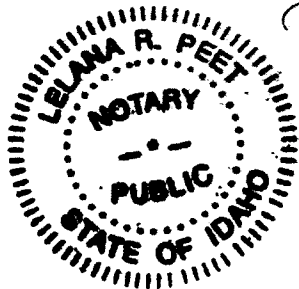
ACI Northwest, Inc.


Ada Loper, Secretary/Treasurer

STATE OF IDAHO)
) :ss
County of Kootenai)

On this 9th day of February, 2010, before me the undersigned, a Notary Public in and for the State of Idaho, personally appeared Ada Loper, known to me to be the Secretary/Treasurer of ACI Northwest, Inc., who acknowledged to me that she executed the within instrument and acknowledged to me that she executed the same for and on behalf of ACI Northwest, Inc.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written in this certificate.



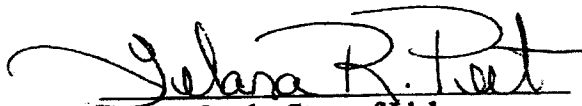

Notary for the State of Idaho
Commission Expires: 4/3/10

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Bredeson Law Group

February 15, 2010

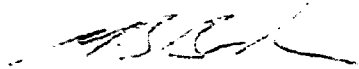
VIA CERTIFIED MAIL

PEND OREILLE BONNER DEVELOPMENT, LLC
Attn: Chuck Reeves
151 Clubhouse Way
Sandpoint, Idaho 83864

Dear Mr. Reeves:

Pursuant to Idaho Code Section 45-507(5), enclosed please find a copy of a Claim of Lien that was recorded by ACI Northwest, Inc. on February 9, 2010.

Sincerely,



Pete B. Bredeson
Attorney for ACI Northwest, Inc.

enc.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

SANDPOINT ID 83864

Postage	\$ 40.61	0814
Certified Fee	\$2.80	02 Postmark Here
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 45.71	02/16/2010

7008 1830 0000 4764 9652

Send To: Pend Oreille Bonner Development LLC
 Street, Apt. No. or PO Box No.: 151 Clubhouse Way
 City, State, ZIP+4: Sandpoint, ID 83864

<p>SENDER: COMPLETE THIS SECTION</p> <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front, if space permits. <p>1. Article Addressed to: <u>Pend Oreille Bonner Development LLC,</u> <u>Attn: Chuck Reeves</u> <u>151 Clubhouse Way</u> <u>Sandpoint, ID 83864</u></p>	<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Address <u>Xc TOLLBOM</u></p> <p>B. Received by (Printed Name) <u>LR TOLLBOM</u> C. Date of Delivery <u>2-17-10</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <u>7008 1830 0000 4764 9652</u></p>	
<p>PS Form 3811, February 2004 105085-02-00-1040</p>	

FEATHERSTON LAW FIRM, CHTD.
BRENT C. FEATHERSTON, ISB NO. 4602
 Attorney at Law
 113 South Second Avenue
 Sandpoint, Idaho 83864
 (208) 263-6866
 (208) 263-0400 (Fax)
 brent@featherstonlaw.com

2009 CV-5-1-130
 [Handwritten signature]

**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;)
 PENSICO 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)
 liability company; R.C. WORST & COMPANY,)
 INC., an Idaho corporation; DOES I through X,)

Defendants.)

Case No. CV 2009-01810

**SPECIAL APPEARANCE
 ON BEHALF OF
 DEFENDANT MORTGAGE
 FUND '08, LLC**

**SPECIAL APPEARANCE ON BEHALF OF
 DEFENDANT MORTGAGE FUND '08, LLC - 1**

Featherston Law Firm chta
 Daniel P. Featherston
 Brent C. Featherston*
 Jeremy P. Featherston
 Attorneys at Law

113 S. Second Ave.
 Sandpoint, Idaho 83864
 (208) 263-6866
 Fax: (208) 263-0400

* Licensed in
 Idaho & Washington

ACI NORTHWEST, INC., an Idaho corporation,)
)
Counterclaimant, Cross-claimant, and)
Third Party Plaintiff,)

vs.)

PEND OREILLE BONNER DEVELOPMENT,)
LLC, a Nevada limited liability company,)

Counterclaim Defendant,)

and)

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; 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; LUMBERMENS, INC., dba)
ProBuild, A Washington corporation; ROBERT)
PLASTER dba Cedar Etc.; NORTH IDAHO)
RESORTS, LLC, an Idaho limited liability company;)
R.C. WORST & COMPANY, INC., an Idaho)
corporation; DOES I through X,)

Cross-claim Defendants,)

and)

PANHANDLE STATE BANK, an Idaho)
corporation,)

Third Party Defendant.)

Featherston Law Firm Ltd.
Daniel P. Featherston
Brent C. Featherston*
Jeremy P. Featherston
Attorneys at Law

113 S. Second Ave.
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(208) 263-6366
Fax (208) 263-0400

* Licensed in
Idaho & Washington

**SPECIAL APPEARANCE ON BEHALF OF
DEFENDANT MORTGAGE FUND '08, LLC - 2**

COMES NOW BRENT C. FEATHERSTON of FEATHERSTON LAW FIRM, CHTD., and does hereby specially appear on behalf of all the Defendant, MORTGAGE FUND '08, LLC, a Delaware limited liability company, in the above entitled action, without waiving issues of Jurisdiction, venue, Service of Process, and such other issues raised by the Plaintiff's Complaint.

All further pleadings, Notices of Hearings, and other matters shall be served upon the Defendant, MORTGAGE FUND '08, LLC, at the following address:

BRENT C. FEATHERSTON, ESQ.
FEATHERSTON LAW FIRM, CHTD.
113 SOUTH SECOND AVENUE
SANDPOINT, IDAHO 83864
(208) 263-6866
(208) 263-0400 (Fax)
brent@featherstonlaw.com

DATED this 28th day of September, 2010.

FEATHERSTON LAW FIRM, CHTD.

By: 

BRENT C. FEATHERSTON
Attorney for Defendant
Mortgage Fund '08, LL

Featherston Law Firm cka

*Daniel P. Featherston
Brent C. Featherston*
Jeremy P. Featherston
Attorneys at Law*

*113 S. Second Ave.
Sandpoint, Idaho 83864
(208) 263-6866
Fax (208) 263-0400*

** Licensed in
Idaho & Washington*

**SPECIAL APPEARANCE ON BEHALF OF
DEFENDANT MORTGAGE FUND '08, LLC - 3**

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of October, 2010, I caused a true and correct copy of the foregoing document to be served upon the following person(s) in the following manner:

Lynnette M. Davis, Esq.
HAWLEY TROXELL ENNIS & HAWLEY LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, ID 83701-1617
[Attorneys for Plaintiff]

- [] U.S. Mail, Postage Prepaid
[] Overnight Mail
[] Hand delivered
[X] Facsimile No. (208) 954-5213
[] Other:

Steven C. Wetzel, Esq.
WETZEL WETZEL & HOLT, PLLC
618 N. Fourth
Coeur d'Alene, ID 83815-8339
[Attorneys for Defendants VP, Incorporated;
ACI Northwest, Inc.; and North Idaho
Resorts, LLC]

- [] U.S. Mail, Postage Prepaid
[] Overnight Mail
[] Hand delivered
[X] Facsimile No. (208) 664-6741
[] Other:

John A. Finney, Esq.
FINNEY FINNEY & FINNEY, P.A.
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Sandpoint, ID 83864-1366
[Attorneys for Defendants JV L.L.C. and
Pucci Construction, Inc.]

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[] Other:

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ROBERT J. FASNACHT, P.C.
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Sandpoint, ID 83864-1366
[Attorneys for Defendants Interstate
Concrete and Asphalt Company]

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[] Other:

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PAINE HAMBLÉN LLP
P.O. Box E
Coeur d'Alene, ID 83816-0328
[Attorneys for Defendant Pend
Oreille Bonner Development, LLC]

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[] Overnight Mail
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[X] Facsimile No. (208) 664-6338
[] Other:

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Brent C. Featherston*
Jeremy P. Featherston
Attorneys at Law

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(208) 263-6866
Fax (208) 263-0400

SPECIAL APPEARANCE ON BEHALF OF
DEFENDANT MORTGAGE FUND '08, LLC - 4

* Licensed in
Idaho & Washington

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DODSON & RAEON LAW OFFICES
1424 Sherman Avenue, Ste. 300
Coeur d'Alene, ID 83816-0328
*[Attorneys for Defendant R.C.
Worst and Company, Inc.]*

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- Other: _____

J. Ford Elsaesser, Esq.
ELSAESSER JARZABEK ET AL.
P.O. Box 1049
Sandpoint, ID 83864
*[Attorneys for Defendants Dan S. Jacobson,
Sage Holdings, LLC and Stephen G. Lazar]*

- U.S. Mail, Postage Prepaid
- Overnight Mail
- Hand delivered
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- Other: _____

Pete B. Bredeson, Esq.
1677 E. Miles Avenue, Ste. 202
Hayden Lake, ID 83835
[Attorneys for Defendant ACI Northwest, Inc.]


- U.S. Mail, Postage Prepaid
- Overnight Mail
- Hand delivered
- Facsimile No. (866) 719-7958

VP, Incorporated
533739 Highway 95
Bonners Ferry, ID 83805

- U.S. Mail, Postage Prepaid
- Overnight Mail
- Hand delivered
- Facsimile No. _____
- Other: _____

R.E. Loans, LLC
201 Lafayette Circle, 2nd Floor
Lafayette, CA 94549

- U.S. Mail, Postage Prepaid
- Overnight Mail
- Hand delivered
- Facsimile No. _____
- Other: _____

By 

Featherston Law Firm o&c
Daniel P. Featherston
Brent C. Featherston*
Jeremy P. Featherston
Attorneys at Law

113 S. Second Ave.
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(208) 263-6866
Fax (208) 263-0400

* Licensed in
Idaho & Washington

SPECIAL APPEARANCE ON BEHALF OF
DEFENDANT MORTGAGE FUND '08, LLC - 5

ORIGINAL

Richard W. Mollerup, ISB #4754
Anna E. Eberlin, ISB #7718
MEULEMAN MOLLERUP LLP
755 W. Front Street, Suite 200
Boise, Idaho 83702
(208) 342-6066 Telephone
(208) 336-9712 Fax
mollerup@lawidaho.com
E:\1547.201\PLD\Notice of Appearance - RE Loans.doc

2010 OCT 14 P 2:00

ap

Attorneys for Defendant R.E. Loans, 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,

v.

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 LLC, an Idaho limited liability company;
WELLS FARGO FOOTHILL, LLC,
a Delaware limited liability company;
INTERSTATE CONCRETE AND

Case No. CV-09-1810

NOTICE OF APPEARANCE

Category: I-7
Filing Fee: \$58.00

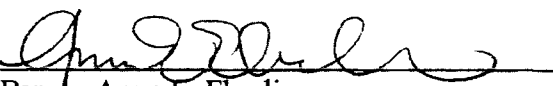
ASPHALT COMPANY, an Idaho corporation;
T-O ENGINEERS, INC.,
fka Toothman-Orton Engineering Company,
an Idaho corporation;
PUCCI CONSTRUCTION INC., an Idaho corporation;
ACI NORTHWEST, INC., an Idaho corporation;
LUMBERMENS, INC., dba Probuild, a Washington corporation;
ROBERT PLASTER dba Cedar Etc;
NORTH IDAHO RESPORTS, LLC, an Idaho limited liability company;
R.C. WORST & COMPANY, INC., an Idaho corporation;
DOES I through X,
Defendants.

TO: THE CLERK OF THE ABOVE ENTITLED COURT and ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Anna E. Eberlin of Meuleman Mollerup LLP, with offices at 755 W. Front Street, Suite 200, Boise, Idaho 83702, hereby enters her appearance as attorney of record for Defendant R.E. Loans, LLC, and the Clerk of this Court is hereby requested to make such entry as may be required to record such appearance.

DATED this 18th day of October 2010.

MEULEMAN MOLLERUP LLP


By: Anna E. Eberlin
Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12th day of October 2010, a true and correct copy of the foregoing document was served by the method indicated below to the following parties:

Lynette M. Davis
Hawley, Troxell, Ennis & Hawley, LLP
877 W. Main Street, Ste. 1000
Boise, Idaho 83702-5883
Fax: 954-5213
Counsel for Genesis Golf Builders, Inc.

U.S. Mail Hand Delivered Overnight Mail Facsimile

Gary A. Finney
Finney Finney & Finney
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Fax: 208-263-8211
Counsel for J.V., LLC

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Finney Finney & Finney
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Counsel for Pucci Construction, Inc.

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Counsel for Interstate Concrete and Asphalt Company

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Counsel for RC Worst & Company

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Janet D. Robnett
Paine Hamblen

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Counsel for Pend Oreille Bonner Development, LLC

U.S. Mail Hand Delivered Overnight Mail Facsimile

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Counsel for Pensco Trust Co.

U.S. Mail Hand Delivered Overnight Mail Facsimile

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Counsel for Dan S. Jacobson

Steven G. Lazar

Sage Holdings, LLC

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Fax: 208-664-6741

U.S. Mail Hand Delivered Overnight Mail Facsimile


Anna E. Eberlin

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2011 FEB -4 P 1:38

MARIE SCOTT
CLERK DISTRICT COURT

Richard W. Mollerup, ISB #4754
Anna E. Eberlin, ISB #7718
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(208) 342-6066 Telephone
(208) 336-9712 Fax
mollerup@lawidaho.com
I:\1547.201\PL\DAACI Cross-Claim (RE Loans Reply).doc

Attorneys for R.E. Loans, LLC

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

Case No. CV-09-1810

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

**REPLY BY R.E. LOANS, LLC TO CROSS
CLAIM BY ACI NORTHWEST, INC.**

Plaintiff.

v.

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, LLC, an Idaho limited liability company;
WELLS FARGO FOOTHILL, LLC,
a Delaware limited liability company;
INTERSTATE CONCRETE AND

REPLY BY R.E. LOANS, LLC TO CROSS CLAIM BY ACI NORTHWEST, INC. - 1

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 RESPORTS, LLC, an Idaho limited liability company;
 R.C. WORST & COMPANY, INC., an Idaho corporation;
 DOES I through X,

Defendants.

ACI NORTHWEST, INC., an Idaho corporation,
 Counterclaimant, Cross-claimant, and
 Third Party Plaintiff

vs.

PEND OREILLE BONNER
 DEVELOPMENT, LLC, a Nevada limited liability company,

Counterclaim Defendant

and

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;
 PENSICO TRUST CO. CUSTODIAN
 FBO BARNEY NG; MORTGAGE FUND '08 LLC,
 a Delaware limited liability company;
 VP, INCORPORATED, an Idaho corporation;
 JV, LLC, an Idaho limited liability company;
 WELLS FARGO FOOTHILL, LLC,
 a Delaware limited liability company;
 INTERSTATE CONCRETE AND

REPLY BY R.E. LOANS, LLC TO CROSS CLAIM BY ACI NORTHWEST, INC. - 2

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 RESPORTS, LLC, an Idaho limited liability company;
 R.C. WORST & COMPANY, INC., an Idaho corporation;
 DOES I through X,

Cross-claim Defendants.

and

PANHANDLE STATE BANK, an Idaho corporation,

Third Party Defendant

COMES NOW, R.E. Loans, LLC, a California Limited Liability Company, ("R.E. Loans") by and through its attorneys of record, Meuleman Mollerup LLP, and admits, denies and replies to the allegations of ACI Northwest, Inc. ("ACI") in its Counterclaims, Cross-claims and Third Party Complaint ("ACI Cross-claim").

1. Paragraph 1 of the ACI Cross-Claim does not require an answer as it merely incorporates the admissions and denials in ACI's Answers.

2. In response to the allegations contained Paragraph 2, 3 and 4 of ACI's Cross-Claim, R.E. Loans lacks sufficient information to admit or deny the allegations contained herein and, on that basis denies the same.

3. In response to the allegations contained in Paragraph 5 of ACI's Cross-claim, R.E. Loans admits that a document was recorded in the records of Bonner County as Instrument No. 787569 which purports to be a claim of lien in the amount of \$1,336,128.00; however, R.E. Loans denies that such document is a valid claim of lien. ACI filed a claim of lien for approximately \$1.5 million dollars on December 27, 2006 and release such claim of lien by release recorded August 6, 2008 as Instrument No. 756407.

4. In response to the allegations contained in Paragraph 6, 7 and 8 of ACI's Cross-claim, R.E. Loans lacks sufficient information to admit or deny the allegations contained therein and on that basis denies the same.

5. In response to the allegations contained in Paragraph 9, 10, 11 and 12 of ACI's Cross-claim, R.E. Loans denies the allegations contained therein.

6. In response to the allegations contained in Paragraphs 13, 14, 15, 16, 17, 18, and 19 of ACI's Cross-claim, R.E. Loans lacks sufficient information to admit or deny the allegations contained therein and on that basis R.E. Loans denies the same.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

ACI's Cross-claim fails to state a claim for which relief can be granted under Rule 12(b)(6) under the Idaho Rules of Civil Procedure.

SECOND AFFIRMATIVE DEFENSE

ACI's claims are barred by the collective principals of estoppel, waiver and laches.

THIRD AFFIRMATIVE DEFENSE

In the event a lien filed by ACI as Instrument No. 787569 is valid claim of lien, such lien is junior and subordinate to the lien of the Deed of Trust in favor of R.E. Loans, LLC.

REPLY BY R.E. LOANS, LLC TO CROSS CLAIM BY ACI NORTHWEST, INC. - 4

ATTORNEYS FEES AND COSTS

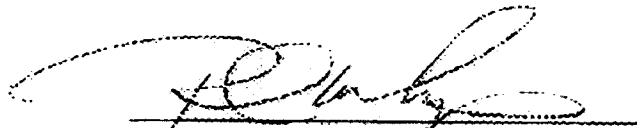
R.E. Loans has been required to retain the services of Meuleman Mollerup, LLP to defend the allegations in ACI's cross-claim, it is entitled to recovery of its reasonable attorney fees pursuant to Idaho Code §§12-120, 12-121 and Rule 54 of Idaho Rules of Civil Procedure.

WHEREFORE, R.E. Loans, prays for a judgment as follows:

1. That ACI's Cross-claim be dismissed with prejudice and ACI take nothing thereby;
2. That ACI's claim of lien is junior and subordinate to the Deed of Trust in favor of R.E. Loans.
3. For recovery of reasonable attorneys' fees and costs; and
4. For other such relief as the court deems just and proper.

DATED this 4th day of February 2011.

MEULEMAN MOLLERUP LLP



By: Richard W. Mollerup
Attorneys for Defendant, Cross-claim
Defendant R.E. Loans, LLC

REPLY BY R.E. LOANS, LLC TO CROSS CLAIM BY ACI NORTHWEST, INC. - 5

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of February 2011, a true and correct copy of the foregoing document was served by the method indicated below to the following parties:

Lynette M. Davis
Hawley, Troxell, Ennis & Hawley, LLP
877 W. Main Street, Ste. 1000
Boise, Idaho 83702-5883
Fax: 954-5213
Counsel for Genesis Golf Builders, Inc.

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile

Gary A. Finney
Finney Finney & Finney
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Fax: 208-263-8211
Counsel for J.V., LLC

- U.S. Mail
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Finney Finney & Finney
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Counsel for Pucci Construction, Inc.

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- Hand Delivered
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Fax: 208-664-4789
Counsel for Interstate Concrete and Asphalt Company

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile

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Dodson & Raeon
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Fax: 208-666-9211
Counsel for RC Worst & Company

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Facsimile

Janet D. Robnett
Paine Hamblen

REPLY BY R.E. LOANS, LLC TO CROSS CLAIM BY ACI NORTHWEST, INC. - 6

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Counsel for Pend Oreille Bonner Development, LLC

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 Sandpoint, Idaho 83864

Counsel for Pensco Trust Co.

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 Ford Elsaesser Jarzabek
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Counsel for Dan S. Jacobson

Steven G. Lazar


Sage Holdings, LLC

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Pete B. Bredeson
 Bredeson Law Group
 1677 E. Miles Avenue, Ste 202
 Fax: 866-719-7958

Counsel for ACI Northwest, Inc.

U.S. Mail Hand Delivered Overnight Mail Facsimile



Richard W. Mollerup

REPLY BY R.E. LOANS, LLC TO CROSS CLAIM BY ACI NORTHWEST, INC. - 7

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

FILED March 14 2011
AT 10:20 O'CLOCK A M
CLERK, DISTRICT COURT

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

~~Case~~ No. CV- 2009-01810

PLAINTIFF(S)

AFFIDAVIT OF SERVICE

vs

PEND ORIELLE BONNER DEVELOPMENT, LLC, a
Nevada limited liability company, R.E. LOANS, LLC., ET
AL

DEFENDANT(S)

State of Idaho)
County of Kootenai) ss
)

I, ROD JOHNSON, being duly sworn, depose and say: I have been duly authorized to make service of document(s) listed herein and I am over the age of eighteen and not a party to or otherwise interested in this matter.

On 2/2/2011 I received the following documents: ANSWER, COUNTERCLAIMS, CROSS CLAIMS AND THIRD PARTY COMPLAINT OF DEFENDANT ACI NORTHWEST, INCCOMPLAINT for the above captioned action.

On 2/3/2011 at 3:45 PM, I executed service of the documents as follows:

SERVED PERSONALLY to an individual over the age of 18, at her dwelling house who identified herself as MARIE VILLELLI, A CORPORATE OFFICER OF VP, INCORPORATED.


SERVICE ADDRESS:

533739 HWY 95, BONNERS FERRY ID 83805



ROD JOHNSON

SUBSCRIBED AND SWORN to before me this 14th day of February, 2011.



Beth Blagden
Notary Public for Idaho
Residing at COEUR D'ALENE
My Commission Expires: 3/6/2012

RETURN PROOF OF SERVICE



STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DISTRICT

2011 APR 21 A 9:50

FILED
_____ *ap* _____

Richard W. Mollerup, ISB #4754
Richard L. Stacey, ISB #6800
Anna E. Eberlin, ISB #7718
MEULEMAN MOLLERUP LLP
755 W. Front Street, Suite 200
Boise, Idaho 83702
(208) 342-6066 Telephone
(208) 336-9712 Fax
mollerup@lawidaho.com
E:\1547.201\PLD\Answer (RE Loans).doc

Attorneys for R.E. Loans, 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,

v.

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, LLC, 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.,

Case No. CV-09-1810

**R.E. LOANS, LLC'S ANSWER TO
COMPLAINT**

ORIGINAL

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 RESPORTS, LLC,
an Idaho limited liability company;
R.C. WORST & COMPANY, INC.,
an Idaho corporation; DOES I through X,

Defendants.

**AND RELATED COUNTERCLAIMS,
CROSS-CLAIMS, AND THIRD-PARTY
COMPLAINTS**

COMES NOW, Defendant/Cross-Defendant R.E. Loans, LLC (“R.E. Loans” or “Defendant”) by and through its attorneys of record, Meuleman Mollerup LLP, and for its answer to Plaintiff Genesis Golf Builders, Inc.’s (“Genesis” or “Plaintiff”) Complaint, admits and alleges as follows:

1. Unless otherwise specifically admitted, Defendant denies each and every allegation in Plaintiff’s Complaint.
2. In response to the allegations contained in paragraph 1 of Plaintiff’s Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.
3. In response to the allegations contained in paragraph 2 of Plaintiff’s Complaint, Defendant understands, and on that basis admits, Pend Oreille Bonner Development LLC (“POBD”) is the record owner of real property described as attached to the Complaint as Exhibit A. Otherwise, Defendant is without information and on that basis denies the remaining allegations contained therein.

4. In response to the allegations contained in paragraph 3 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

5. In response to the allegations contained in paragraph 4 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

6. Defendant admits the allegations contained in paragraph 5 of Plaintiff's Complaint.

7. Defendant admits the allegations contained in paragraph 6 of Plaintiff's Complaint.

8. In response to the allegations contained in paragraph 7 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

9. In response to the allegations contained in paragraph 8 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

10. In response to the allegations contained in paragraph 9 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

11. In response to the allegations contained in paragraph 10 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

12. In response to the allegations contained in paragraph 11 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

13. In response to the allegations contained in paragraph 12 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

14. In response to the allegations contained in paragraph 13 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

15. In response to the allegations contained in paragraph 14 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

16. In response to the allegations contained in paragraph 15 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

17. In response to the allegations contained in paragraph 16 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

18. In response to the allegations contained in paragraph 17 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

19. In response to the allegations contained in paragraph 18 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

20. In response to the allegations contained in paragraph 19 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

21. In response to the allegations contained in paragraph 20 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

22. Defendant admits the allegations contained in paragraph 21 of Plaintiff's Complaint.

23. Defendant admits the allegations contained in paragraph 22 of Plaintiff's Complaint.

24. Defendant admits the allegations contained in paragraph 23 of Plaintiff's Complaint.

25. In response to the allegations contained in paragraph 24 of Plaintiff's Complaint, Defendant hereby re-alleges and re-avers its responses to each allegation as if set forth fully therein.

26. In response to the allegations contained in paragraph 25 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

27. In response to the allegations contained in paragraph 26 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

28. In response to the allegations contained in paragraph 27 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

29. In response to the allegations contained in paragraph 28 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

30. In response to the allegations contained in paragraph 29 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

31. In response to the allegations contained in paragraph 30 of Plaintiff's Complaint, Defendant admits that Plaintiff has retained the services of Hawley Troxell Ennis & Hawley LLP. Otherwise, Defendant denies the remaining allegations contained therein.

32. In response to the allegations contained in paragraph 31 of Plaintiff's Complaint, Defendant hereby re-alleges and re-avers its responses to each allegation as if set forth fully therein.

33. In response to the allegations contained in paragraph 32 of Plaintiff's Complaint, Defendant denies the allegations contained therein.

34. In response to the allegations contained in paragraph 33 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

35. In response to the allegations contained in paragraph 34 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

36. In response to the allegations contained in paragraph 35 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

37. In response to the allegations contained in paragraph 36 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

38. In response to the allegations contained in paragraph 37 of Plaintiff's Complaint, Defendant admits that R.E. Loans claims superior interests in the Property. Otherwise, Defendant denies the remaining allegations contained therein.

39. In response to the allegations contained in paragraph 38 of Plaintiff's Complaint, Defendant admits that the document recorded as Instrument No. 734027, Official Records of Bonner County, Idaho, speaks for itself. Otherwise, Defendant denies the remaining allegations contained therein.

40. In response to the allegations contained in paragraph 39 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

41. In response to the allegations contained in paragraph 40 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

42. In response to the allegations contained in paragraph 41 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

43. In response to the allegations contained in paragraph 42 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

44. In response to the allegations contained in paragraph 43 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

45. In response to the allegations contained in paragraph 44 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

46. In response to the allegations contained in paragraph 45 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

47. In response to the allegations contained in paragraph 46 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

48. In response to the allegations contained in paragraph 47 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

49. In response to the allegations contained in paragraph 48 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

50. In response to the allegations contained in paragraph 49 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

51. In response to the allegations contained in paragraph 50 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

52. In response to the allegations contained in paragraph 51 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

53. In response to the allegations contained in paragraph 52 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

54. In response to the allegations contained in paragraph 53 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

55. In response to the allegations contained in paragraph 54 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

56. In response to the allegations contained in paragraph 55 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

57. In response to the allegations contained in paragraph 56 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

58. Defendant denies the allegations contained in paragraph 57 of Plaintiff's Complaint.

59. In response to the allegations contained in paragraph 58 of Plaintiff's Complaint, Defendant admits that Plaintiff has retained the services of Hawley Troxell Ennis & Hawley LLP. Otherwise, Defendant denies the remaining allegations contained therein.

60. In response to the allegations contained in paragraph 59 of Plaintiff's Complaint, Defendant hereby re-alleges and re-avers its responses to each allegation as if set forth fully therein.

61. In response to the allegations contained in paragraph 60 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

62. In response to the allegations contained in paragraph 61 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

63. In response to the allegations contained in paragraph 62 of Plaintiff's Complaint, Defendant is without information or beliefs sufficient to admit or deny these allegations and, on that basis, denies the allegations contained therein.

64. In response to the allegations contained in paragraph 63 of Plaintiff's Complaint, Defendant admits Plaintiff has retained the services of Hawley Troxell Ennis & Hawley LLP. Otherwise, Defendant denies the remaining allegations contained therein.

With regard to Plaintiff's prayer for judgment as to Counts One and Three of its Complaint, including paragraphs 1a-1c and 2 therein, Defendant denies the allegations contained therein to the extent a response thereto may be required.

With regard to Plaintiff's prayer for judgment as to Count Two of its Complaint, including paragraphs 1a-1d and 2-9 therein, Defendant denies the allegations contained therein to the extent a response thereto may be required.

AFFIRMATIVE DEFENSES

The following defenses are not stated separately as to each claim for relief or allegation of Plaintiff. Nevertheless, the following defenses are applicable, where appropriate, to any and all of Plaintiff's claims for relief. The Defendant, in asserting the defenses, does not admit that the burden of proving the allegations or denials contained in this Answer is upon the Defendant, 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 Plaintiff. Moreover, the Defendant 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 the Complaint.

FIRST AFFIRMATIVE DEFENSE

Plaintiff's Complaint, and each and every purported cause of action alleged therein fails to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

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

THIRD AFFIRMATIVE DEFENSE

Defendant alleges that Plaintiff is barred by the doctrine of unclean hands.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred in whole or part because it failed to mitigate its damages, if any.

FIFTH AFFIRMATIVE DEFENSE

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

SIXTH AFFIRMATIVE DEFENSE

Defendant alleges that the Complaint, and each and every cause of action alleged therein, fails to state facts sufficient to allow for Plaintiff's recovery of attorneys' fees.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred in whole or part by the statute of limitations, specifically including, but not necessarily limited to, Idaho Code Sections 45-507 and/or 45-510.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred in whole or part due to its failure to perform condition precedents necessary to recover its damage claims, including but not limited to, making proper demand and/or making proper service of the required and necessary notices.

NINTH AFFIRMATIVE DEFENSE

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

TENTH AFFIRMATIVE DEFENSE

In as much as there is a written contractual agreement between the parties to this action, the theory of *Quantum Meruit* cannot be utilized as a measure of damages.

ELEVENTH AFFIRMATIVE DEFENSE

Defendant's interest under the Deed of Trust recorded in the Official Records of Bonner County against the Property is superior to Plaintiff's interest in the Property.

TWELFTH AFFIRMATIVE DEFENSE

Plaintiff's Claim of Lien fails to comply with the requirements of Idaho Code, Title 45, regarding mechanics' liens.

THIRTEENTH AFFIRMATIVE DEFENSE

The amount set forth in Plaintiff's alleged Claim of Lien is in excess of the reasonable value of the materials or labor purportedly provided.

FOURTEENTH AFFIRMATIVE DEFENSE

Plaintiff's Claim of Lien fails to comply with the requirements of the Idaho Contractor Registration Act.

RULE 12 STATEMENT

Defendant 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. Defendant does not intend to waive any such defenses and specifically asserts its intention to amend this answer if, pending research and after discovery, facts come to light giving rise to such additional defenses.

ATTORNEYS' FEES AND COSTS

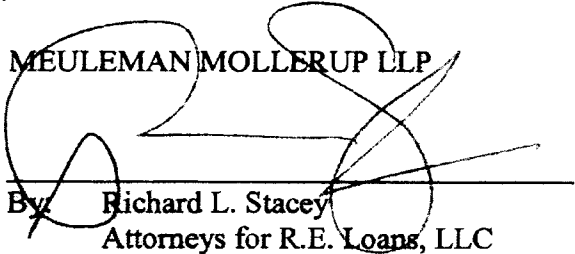
Defendant has been required to retain the services of Meuleman Mollerup LLP to defend it in this litigation and is entitled recovery of reasonable attorneys' fees and costs pursuant to Idaho Code Sections 12-120 and 12-121 and Rule 54 of the Idaho Rules of Civil Procedure, and any other applicable laws allowing for the recovery of attorneys' fees in this action.

WHEREFORE Defendant prays for a judgment against Plaintiff as follows:

- A. That Plaintiff's Complaint be dismissed with prejudice and that Plaintiff take nothing thereby;
- B. For an award of attorneys' fees and costs; and
- C. For other such relief as the court deems just and proper.

DATED this 19th day of April 2011.

MEULEMAN MOLLERUP LLP

By  Richard L. Stacey
Attorneys for R.E. Loans, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 19th day of April 2011, a true and correct copy of the foregoing document was served by the method indicated below to the following parties:

Lynette M. Davis
Hawley, Troxell, Ennis & Hawley, LLP
877 W. Main Street, Ste. 1000
Boise, Idaho 83702-5883
Fax: 954-5213
Counsel for Genesis Golf Builders, Inc.
 Mail Fax Overnight Hand Delivery

Steven C. Wetzel
Wetzel, Wetzel & Holt, P.L.L.C.
618 N. 4th, Suite 2
Coeur d' Alene, Idaho 83814
Fax: 208-664-6741
Counsel for VP Incorporated and North Idaho Resorts, LLC
 Mail Fax Overnight Hand Delivery

Pete B. Bredeson
Bredeson Law Group
1677 E. Miles Avenue, Ste. 202
Hayden Lake, Idaho 83835
Fax: 866-719-7958
Counsel for ACI Northwest, Inc.
 Mail Fax Overnight Hand Delivery

Bruce A. Anderson
Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd.
1400 Northwood Center Ct., Ste. C
Coeur d' Alene, Idaho 83814
Fax: 208-667-2150
Counsel for Dan S. Jacobson, Steven G. Lazar, and Sage Holdings, LLC
 Mail Fax Overnight Hand Delivery

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Featherston Law Firm, Chtd.
113 South Second Ave.
Sandpoint, Idaho 83864
Fax: 208-263-0400
Counsel for Pensco Trust Co.
 Mail Fax Overnight Hand Delivery

Janet D. Robnett
Paine Hamblen LLP
701 Front Avenue, Ste. 101
Coeur d' Alene, Idaho 83814
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Counsel for Pend Oreille Bonner Development, LLC
 Mail Fax Overnight Hand Delivery

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 Mail Fax Overnight Hand Delivery

Robert J. Fasnacht, Jr.
Robert J. Fasnacht, P.C.
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Counsel for Interstate Concrete and Asphalt Company
 Mail Fax Overnight Hand Delivery

John Finney
Finney Finney & Finney, P.A.
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Sandpoint, Idaho 83864
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Counsel for Pucci Construction, Inc.
 Mail Fax Overnight Hand Delivery

Gary A. Finney
Finney Finney & Finney, P.A.
120 E. Lake Street, Ste 317
Sandpoint, Idaho 83864
Fax: 208-263-8211
Counsel for J.V. LLC
 Mail Fax Overnight Hand Delivery


Richard L. Stacey

STATE OF IDAHO } ss
 County of Bonner }
 FILED 5-18-11
 AT 3:40 O'Clock P M
 CLERK, DISTRICT COURT
 Deputy

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,	)	CASE NO. CV-2009-0001810
)	
Plaintiff,	)	ORDER GRANTING LEAVE
	)	FOR WITHDRAWAL OF
v.	)	ATTORNEY
)	
PEND OREILLE BONNER DEVELOPMENT,)	
LLC, a Nevada limited liability company, et al.,)	
)	
Defendants.)	
)	


On April 22, 2011, Janet D. Robnett of the firm Paine Hamblen LLP, the attorney of record for Defendant Pend Oreille Bonner Development, LLC, moved this court, pursuant to I.R.C.P. 11(b)(2), for an Order granting her leave to withdraw as attorney of record for this defendant in the above-entitled matter because Pend Oreille Bonner Development, LLC is unable to pay the firm's outstanding account and is unable to make payments on this matter going forward. The matter came before the court for hearing on May 18, 2011.

NOW, THEREFORE, the court having considered the motion, and for good cause shown, IT IS ORDERED that:

- Janet D. Robnett is hereby granted leave to withdraw as attorney of record for Defendant Pend Oreille Bonner Development, LLC in the above-entitled matter.**

2. Janet D. Robnett shall forthwith, and with due diligence, serve a copy of this Order upon Pend Oreille Bonner Development, LLC via certified mail, or by personal service upon its registered agent, to the last known address most likely to give the company notice, and service shall be complete upon mailing. Ms. Robnett shall then file an Affidavit of proof of service of the same with the court, specifying the method of service and if service was accomplished by certified mail, and listing the mailing address to which service was provided.
3. If Pend Oreille Bonner Development, LLC wishes to have further representation, it shall appoint another attorney to appear by having the retained attorney file a written notice of appearance with the court within 20 days from the date of service or mailing of the Order.
4. Upon entry of this Order, no further proceedings shall be had in the above-entitled matter which will affect the rights of Pend Oreille Bonner Development, LLC for a period of 20 days after service or mailing of the Order.
5. If Pend Oreille Bonner Development, LLC does not file and serve an additional written appearance in the above-entitled matter through a newly appointed attorney within the 20-day period, such failure shall be sufficient grounds for the entry of default and a default judgment against it, without further notice.

DATED this 18th day of May, 2011.



Steve Verby
District Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, this 26 day of May, 2011, to:

Lynette M. Davis
HAWLEY TROXELL ENNIS & HAWLEY LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, ID 83701
(Attorney for Genesis Golf Builders)

Robert J. Fasnacht
Attorney at Law
850 W. Ironwood Drive, Suite 101
Coeur d'Alene, ID 83814
(Attorney for Interstate Concrete and Asphalt Co.)

Charles M. Dodson
Attorney at Law
1424 Sherman Avenue, Suite 300
Coeur d'Alene, ID 83814
(Attorney for Defendant R.C. Worst & Company, Inc.)

Gary A. Finney
FINNEY FINNEY & FINNEY, P.A.
120 East Lake Street, Suite 317
Sandpoint, Idaho 83864
(Attorney for J.V. LLC)

John A. Finney
FINNEY FINNEY & FINNEY, P.A.
120 East Lake Street, Suite 317
Sandpoint, ID 83864
(Attorney for Pucci Construction, Inc.)

Janet D. Robnett
PAINE HAMBLÉN LLP
701 Front Avenue, Suite 101
P.O. Box E
Coeur d'Alene, ID 83816
(Attorney for Pend Oreille Bonner Development, LLC)

Bruce Anderson
J. Ford Elsaesser
ELSAESSER JARZABEK ANDERSON ELLIOT &
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1400 Northwood Center Court, Suite C
Coeur d'Alene, ID 83814
(Attorney for Sage Holdings, LLC, Dan Jacobson, and Steven Lazar)

Pete B. Bredeson
BREDESON LAW GROUP
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Hayden Lake, ID 83835
(Attorney for ACI Northwest, Inc.)

Brent C. Featherston
FEATHERSTON LAW FIRM, CHTD.
113 S. Second Avenue
Sandpoint, ID 83864
*(Attorney for Mortgage Fund '08, LLC; and Pensco Trust Co.,
Custodian FBO Barney Ng)*

Richard W. Mollerup
Richard L. Stacey
Anna E. Eberlin
MEULEMAN MOLLERUP LLP
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Gary I. Amendola
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Coeur d'Alene, ID 83814
(Attorney for T-O Engineers, Inc.)

Steven C. Wetzel
WETZEL WETZEL & HOLT, PLLC
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Coeur d'Alene, ID 83814



Deputy Clerk

ORIGINAL

JOHN A. FINNEY
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Attorneys at Law
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Sandpoint, Idaho 83864
Phone: (208) 263-7712
Fax: (208) 263-8211
ISB No. 5413

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2011 AUG 29 P 3:52

MARIE SCOTT
CLERK DISTRICT COURT
MS
DEPUTY

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.,	)	Case No. CV-2009-1810
formerly known as National Golf)	
Builders, Inc., a Nevada	)	SUBSTITUTION OF COUNSEL
corporation,	)	FOR ACI NORTHWEST, INC.
)	
Plaintiff,)	
)	
v.)	
)	
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 liability)
 company; R.C. WORST & COMPANY,)
 INC., an Idaho corporation;)
 DOES 1 through X,)
)
)
 Defendants.)
)
 _____)

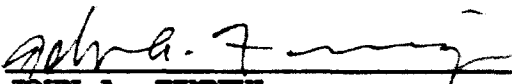
NOTICE IS HEREBY GIVEN that JOHN A. FINNEY, Attorney at Law,
 of the firm Finney Finney & Finney P.A., substitutes in the place
 and instead of PETE B. BREDESON, as counsel of record for the
 Defendant, ACI Northwest, Inc. in this action.

All further pleadings, notices, and inquiries shall be made
 upon JOHN A. FINNEY, Attorney for Defendant, ACI Northwest, Inc.
 in the above action at 120 East Lake Street, Suite 317,
 Sandpoint, Idaho 83864-1366, Fax No. (208) 263-7712.

DATED this _____ day of _____, 2011.



 PETE B. BREDESON
 Withdrawing Attorney



 JOHN A. FINNEY
 Substituting Attorney
 8/29/2011

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by deposit in First Class U.S. Mail, postage prepaid, unless otherwise indicated, this 29th day of August, 2011, and addressed as follows:

Bruce A. Anderson
Ford Elsaesser
ELSAESSER JARZABEK
1400 Northwood Center Court, Suite C
Coeur d'Alene, ID 83814

Brent C. Featherston
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& MCKLVEEN, CHTD.
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Boise, ID 83702

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Finney Finney & Finney, P.A.
Attorneys at Law
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Sandpoint, ID 83864
(Via Hand Delivery)

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1677 E. Miles Avenue, Ste. 202
Hayden Lake, ID 83835

Lynnette M. Davis
HAWLEY TROXELL ENNIS & HAWLEY
LLP
Attorneys at Law
P.O. Box 1617
Boise, ID 83701-1617

By: Golra. Finney

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL
OF THE STATE OF IDAHO**

**ADMINISTRATIVE ORDER
B11-DW.1**

STATE OF IDAHO
COUNTY OF BENCH
FIRST JUDICIAL DIST.

2011 SEP 27 P 4:20

DEPUTY CLERK DISTRICT COURT

DEPUTY

RE: Assignment of District Court Cases for Kootenai County

IT IS HEREBY ORDERED that cases listed below assigned to the other First Judicial District Judges as listed below, be reassigned to the **Honorable Jeff Brudie**, Administrative District Judge for the Second Judicial District, for re-assignment to a District Judge for the Second Judicial District for all further proceedings.

IT IS FURTHER ORDERED all proceedings presently scheduled before a First District Judge are **VACATED**, to be rescheduled by the re-assigned to a Second District Judge.

IT IS FURTHER ORDERED that a copy of all pleadings filed after the date of this Administrative Order, must be sent by Counsel (or the party if self-represented) to the assigned Second District Judge in chambers.

CASES ASSIGNED TO JUDGE MITCHELL

CR2008-9095 State of Idaho v. Michael Southern (Appeal from Magistrate Division)
Oral Argument 10-25-11

CV2009-10686 Stephanie Reed v. Scott Reed (Appeal from Magistrate Division)
Motions Set Before Judge Wayman 9/28/11 & 11/7/11

CV2010-9175 Marianne Bendell v. Timothy Baumgartner (Appeal from Magistrate Division)
Nothing Set

ASSIGNMENT OF CASES TO JUDGE BRUDIE

CV2010-9797 Yvonne Mellick v. David Mellick (Appeal from Magistrate Division)
Nothing Set

CR 2011-730 State of Idaho v. Scott Cardwell (Appeal from Magistrate Division)
Nothing Set

CV2011-3442 James Moen v. State of Idaho (Post Conviction Relief)

CV2011-6093 Anthony Cruz v. State of Idaho (Post Conviction Relief)
Nothing Set

CV2011-4814 In the Matter of Randall Phillip Bottum (Petition Release from Sex
Offender Registration Requirements)
Nothing Set

CV2009-3827 Steven C. Lloyd v. TWC Digital Phone – To be set for Jury Trial

CV2010-6090 Kristina Allen v. Kevin Johnson MD – To be set for Jury Trial
Motion to Withdrawn Set for 11/2/11

CV2011-4529 Beth Nelson v. Seven Oaks Community – To be set for Jury Trial

CASES ASSIGNED TO JUDGE HAYNES

CV2011-4810 Sid Wurzburg v Kootenai County Board of Commissioners
(Administrative Appeal)
Oral Argument 12-12-11

CV2011-2977 Keith Daniels v. Idaho Trans Dept. (Administrative Appeal)
Nothing Set

CV2011-5166 John Rocchio v. Idaho Dept. of Lands (Administrative Appeal)
Motion Augment Record 10-14-11

CR2011-5064 State of Idaho v. Valerie Posey (Appeal from Magistrate Division)
Restitution Hearing Set before Judge Watson on 9/30/11

CV2006-3033 Estate of Lebsock (Appeal from Magistrate Division)
Hearing with Judge Wayman on 9-26-11

CV2007-7092 Jeffrey Harris v. Wendi Harris (Appeal from Magistrate Division)
Motions Set Before Judge Peterson on 9/29/11; Oral Argument 1/6/12

CV2009-9480 Beard v Wylie (Appeal from Magistrate Division)
Oral Argument Set 10-3-11

ASSIGNMENT OF CASES TO JUDGE BRUDIE

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CV2011-1286 Howard Willis v. State of Idaho (Post Conviction Relief)
Court Trial 1-17-12

CV2011-2288 John Warren v. State of Idaho (Post Conviction Relief)
Court Trial 2-21-12

CV2011-2943 Jeremy Pogue v. State of Idaho (Post Conviction Relief)
Court Trial 3-19-12

CV2011-7510 Cecil Daniels v. State of Idaho (Post Conviction Relief)
Nothing Set

CASES ASSIGNED TO JUDGE LUSTER

CR2009-24916 State of Idaho v. Carey Baker (Appeal from Magistrate Division)
Appeal Hearing 10-28-11

CR2010-6294 State of Idaho v. Gary Haight (Appeal from Magistrate Division)
Appeal Hearing 10-21-11

CR2010-24279 State of Idaho v. David Odenthal (Appeal from Magistrate Division)
Appeal Hearing 12-18-11

CV2008-2590 Paul Driggers v. Karen Vassallo (Appeal from Magistrate Division)
Status Conference Set 10-20-11; Appeal Hearing 11-18-11

JV2011-235 Interest of Blehm, Brandon (Appeal from Magistrate Division)
Nothing Set

CV2011-3984 Vincent Ashinger v. State of Idaho (Post Conviction Relief)
Evidentiary Hearing Set 3/1/12

CV2011-6401 David Lonn v. State of Idaho (Post Conviction Relief)
MSJ Set 11/10/11

CV2001-5504 Gerald Barcella v. State of Idaho
Briefing Pending/Under Advisement

ASSIGNMENT OF CASES TO JUDGE BRUDIE

CASES ASSIGNED TO JUDGE SIMPSON

CV2009-2079 Tall Pines v Kootenai County (Administrative Appeal)
Stayed on 2-1-2010

CV2011-5388 Tom Hamilton v Board of Trustees of CDA School District
(Administrative Appeal) MSJ Set 10-11-11

CV2010-3790 Sherry Brooks v Keith Brooks (Appeal from Magistrate Division)
Status Conference Set 10-4-11

JV2010-10109 Interest of Kacie Klundt (Appeal from Magistrate Division)
Nothing Set

CR2011-4956 State of Idaho v. Kelli Ann Klawitter (Appeal from Magistrate Division)
Nothing Set

CV2008-6552 Ronald Henry v. State of Idaho (Post Conviction Relief)
PTC 10-6-11; Court Trial 10-11-11

CV2011-3570 James Burke v. State of Idaho (Post Conviction Relief)
Nothing Set

CV2011-3571 James Burke v. State of Idaho (Post Conviction Relief)
Nothing Set

CASES ASSIGNED TO JUDGE VERBY

BONNER COUNTY

CR2011-737 State of Idaho v. Suane Gale Wooden (Appeal from Magistrate Division)
Nothing Set

CR2010-6140 State of Idaho v. Tracy Dawn Jenkins Appeal from Magistrate Division)
Nothing Set

CV2011-575 Paul Douglas Johnson v. State of Idaho, Department of Transportation
(CV2010-598 Consolidated with CV-2011-575) (Administrative Appeal)
Nothing Set

CV2011-536 Lon Peckham v. Idaho State Board of Dentistry, et al. (Administrative
Appeal)
Nothing Set

ASSIGNMENT OF CASES TO JUDGE BRUDIE

- CV2011-1489 Stacy Jene Baker v. State of Idaho, Department of Transportation
(Administrative Appeal) Nothing Set
- CV2010-338 Brian Keith Heffling v. State of Idaho, Department of Transportation
(Administrative Appeal)
Nothing Set
- CV2010-1534 Frank Leonard Arnold v. State of Idaho, Department of Transportation
(Administrative Appeal)
Nothing Set
- CV2010-36 James Crumble v. State of Idaho (Post Conviction Relief)
Nothing Set
- CV2010-2301 Kenneth D. Rawley v. State of Idaho (Post Conviction Relief)
Nothing Set
- CV-2011-135 Pacific Capital Bank, N.A. v. Pend Oreille Bonner Development, LLC, JV
LLC, Dan S. Jacobson, Sage Holdings LLC, Timberline Investments,
LLC, an Idaho limited liability. Steven G. Lazar, Amy Korengut, HLT
Real Estate LLC, Panhandle State Bank, an Idaho corporation, R.E. Loans
LLC, a California Limited Liability Co., Wells Fargo Capital Finance
LLC, a Delaware LL Co., North Idaho Resorts LLC, an Idaho limited
liability, Pend Oreille Bonner Development Holdings, Inc., Pensco Trust
Co., Mortgage Fund '08 LLC, B-K Lighting Inc., Frederick J. Grant,
Christine Grant, Russ Capital Group LLC, Joseph Dussich, Mountain
West Bank, State of Idaho Department of Revenue and Taxation,
Montaheno Investments LLC, a Nevada limited liability, Toyon
Investments LLC, Charles W. Reeves, Ann B. Reeves, ACI Northwest
Inc., an Idaho corporation
TO BE SET FOR TRIAL
- CV2010-2211 ACI Northwest Inc., an Idaho corporation v. BAR-K, Pensco Trust Co.
Custodian fbo Barney Ng, R.E. Loans LLC, a California Limited Liability
Co., Wells Fargo Foothill LLC, a Delaware limited liability, Mortgage
Fund '08 LLC
TO BE SET FOR TRIAL
- CV2010-2142 Sage Holdings LLC v. Pend Oreille Bonner Development, LLC, Charles
W. Reeves, Ann B. Reeves, Chip L. Bowlby, Thomas J. Mershcel, Pend
Oreille Development LLC, Pend Oreille Bonner Development Holdings,
Inc., Reeves Family Trust, Montaheno Investments LLC, a Nevada limited
liability, Toyon Investments LLC, North Idaho Resorts LLC, an Idaho
limited liability, R.E. Loans LLC, a California Limited Liability Co.,
Wells Fargo Capital Finance LLC, a Delaware LL Co., Bar K, Inc., ACI

ASSIGNMENT OF CASES TO JUDGE BRUDIE

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Northwest Inc., an Idaho corporation, Pensco Trust Co., Mortgage Fund '08 LLC, R.C. Worst & Co. Inc., Genesis Golf Builders, Inc., T.O. Engineers Inc., Interstate Concrete & Asphalt Co., Idaho Club Homeowner's Association, B-K Lighting Inc., timothy J. Feehan, Kimberly A. Feehan, Kenneth Paul Schmidt, Tracy Franklin Schmidt, Richard A. Lazar, Laura Finney, Ted W. Palmer, Elizabeth A. Palmer, Trustees of the Ted W. & Elizabeth A. Palmer Trust, Northern Lights, Inc.
TO BE SET FOR TRIAL

CR2009-1810 Genesis Golf Builders, Inc. v. Pend Oreille Bonner Development, LLC., R.E. Loans LLC, a California Limited Liability Co., Dan Jacobson, Sage Holdings LLC, Steven G. Lazar, Pensco Trust Co. Custodian fbo Barney Ng, Mortgage Fund '08 LLC, VP Inc., an Idaho Corporation, JV, LLC, an Idaho Limited Liability Company, Wells Fargo Foothil LLC, a Delaware limited liability, Interstate Concrete and Asphalt Company, an Idaho, T-O- Engineers Inc., Pucci Construction, Inc., ACI Northwest Inc., an Idaho corporation, Lumbermens Inc., Robert Plaster, North Idaho Resorts, LLC, an Idaho limited liability, RC Worst & Company Inc., an Idaho corporation, Does I through X, Inclusive, Panhandle State Bank, Panhandle State Bank, an Idaho corporation
TO BE SET FOR TRIAL

BOUNDARY COUNTY

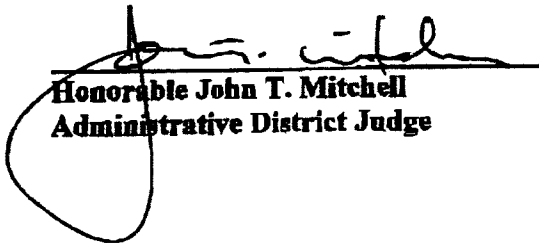
- CV2009-52 Stanley Phillip Sweet, etal. v. Rebecca Lee Vineyard Foreman, teal.
 (Appeal from Magistrate Division)
 Nothing Set
- CV2010-137 James R. Evans v. Sunrise Transport LTD (Appeal from Magistrate Division)
 Oral Argument Set for 10-5-11
- CR2010-2013 State of Idaho v. Jennifer I. Myers (Appeal from Magistrate Division)
 Nothing Set
- CR2011-493 State of Idaho v. Cary J. Slominski (Appeal from Magistrate Division)
 Nothing Set
- CV2011-261 Ronald Abraham v. Idaho State Police, Alcohol Beverage Control
 (Administrative Appeal)
 Nothing Set

ASSIGNMENT OF CASES TO JUDGE BRUDIE

IT IS FURTHER ORDERED that a copy of this Order shall be placed in each case file listed above.

IT IS FURTHER ORDERED that a copy of this Order Assigning Cases to Honorable Jeff Brudie, Administrative District Judge Second Judicial District, shall be mailed to all attorneys of record in the cases listed above.

DATED this 27th day of September, 2011.



Honorable John T. Mitchell
Administrative District Judge

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the order were transmitted September 21 2011, by the following method, to:

Hon. Jeff Brudie
Fax: (208) 799-3058

Hon. Barry Watson
Fax: 446-1114

Hon. Lansing L. Haynes
Interoffice

Hon. Scott Wayman
Fax: 446-1121

Hon. John P. Luster
Fax: 446-1119

Hon. James Stow
Fax: 446-1114

Hon. Benjamin R. Simpson
Interoffice

Hon. Penny Friedlander
Interoffice

Hon. John T. Mitchell
Interoffice

Hon. Clark Peterson
Interoffice

Hon. Steve Verby
Fax: (208) 265-1468

Hon. Robert Caldwell
Interoffice

Hon. Fred M. Gibler
Fax: (208) 753-3581

Patricia Tobias
Administrative Director of the Courts
(208) 334-2616


Karlene Behringer
Trial Court Administrator
Fax: 446-1224

Diana Meyer
Court Services Director
Interoffice


Jeanne Clausen, Deputy Clerk

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2011 SEP 29 A 10:09

MARIE SCOTT
CLERK DISTRICT COURT

DEPUTY

**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 2009-0001810

STAY ORDER

(re: R.E. Loans, LLC)

Documentation (a copy of which is attached) has been received by the Court indicating that Defendant R.E. Loans, LLC filed a Chapter 11 bankruptcy petition in the United States Bankruptcy Court, Northern District of Texas, on September 13, 2011, in Case No. 11-35865-bjh11. The filing of a bankruptcy petition triggers a stay under 11 U.S.C. § 362, of actions against the debtor, R.E. Loans, LLC; the stay is automatic.

IT IS THEREFORE ORDERED THAT:


1. The cause of action of Plaintiff Genesis Golf Builders, Inc. against R.E. Loans, LLC in the

STAY ORDER - 1

above-entitled matter is stayed until the automatic bankruptcy stay is lifted or the bankruptcy proceedings are dismissed.

2. R.E. Loans, LLC shall promptly notify the Court when its bankruptcy case is dismissed and/or the automatic stay is lifted.
3. The Clerk of the Court is directed after the elapse of six (6) months to send a notice to the parties that the cause of action of Plaintiff Genesis Golf Builders, Inc. against R.E. Loans, LLC is subject to dismissal with prejudice, pursuant to Idaho Rule of Civil Procedure 40(c), if the bankruptcy matter has been resolved by that date.

DATED this 29th day of September, 2011.



Steve Verby
District Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, this 29 day of September, 2011, to:

Lynette M. Davis
HAWLEY TROXELL ENNIS & HAWLEY, LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, ID 83701
(Attorney for Plaintiff)

John A. Finney
FINNEY FINNEY & FINNEY, P.A.
120 East Lake Street, Suite 317
Sandpoint, ID 83864
(Attorney for Defendant ACI Northwest, Inc., and Pucci Construction, Inc.)

Gary A. Finney
FINNEY FINNEY & FINNEY, P.A.
120 East Lake Street, Suite 317
Sandpoint, ID 83864
(Attorney for Defendant JV LLC)

Charles M. Dodson
Attorney at Law
1424 Sherman Avenue, Suite 300
Coeur d'Alene, ID 83814
(Attorney for Defendant R.C. Worst & Company, Inc.)

Gary A. Amendola
AMENDOLA & DOTY, PLLC
702 N. 4th Street
Coeur d'Alene, ID 83814
(Attorney for T-O Engineers, Inc.)

Bruce A. Anderson
J. Ford Elsaesser
ELSAESSER JARZABEK ANDERSON ELLIOTT & MACDONALD, CHTD.
1400 Northwood Center Court, Suite C
Coeur d'Alene, ID 83814
(Attorney for Dan S. Jacobson; Sage Holdings, LLC; Steven G. Lazar)

STAY ORDER - 3

Stanley J. Tharp
Peter W. Ware
EBERLE, BERLIN, KADING, TURNBOW & McKLVEEN, CHTD.
1111 W. Jefferson St., Suite 530
P.O. Box 1368
Boise, ID 83701
*(Attorney for Defendant Mortgage Fund '08, LLC; and Wells Fargo Capital Finance, LLC,
successor-in interest to Defendant Wells Fargo Foothill, LLC)*

Steven C. Wetzel
JAMES VERNON & WEEKS, P.A.
1626 Lincoln Way
Coeur d'Alene, ID 83814
(Attorney for Defendant North Idaho Resorts, LLC)

Robert J. Fasnacht
Attorney at Law
850 W. Ironwood Drive, Suite 101
Coeur d'Alene, ID 83814
(Attorney for Interstate Concrete and Asphalt Company)

Richard L. Stacey
MEULEMAN MOLLERUP LLP
755 W. Front St., Suite 200
Boise, ID 83702
(Attorney for Defendant R.E. Loans, LLC)

Brent C. Featherston
FEATHERSTON LAW FIRM, CHTD.
113 S. Second Avenue
Sandpoint, ID 83864
(Attorney for Defendant Pensco Trust Co., Custodian FBO Barney NG)

John R. Layman
Patti Jo Foster
LAYMAN LAYMAN & ROBINSON, PLLP
601 S. Division Street
Spokane, WA 99202
(Attorney for Pend Oreille Bonner Development, LLC)

Jeffrey C. Krause
STUTMAN, TREISTER & GLATT, P.C.
1901 Avenue of the Stars, 12th Floor
Los Angeles, CA 90067
(Bankruptcy Attorney for Debtor R.E. Loans, LLC)



Deputy Clerk

B1 (Official Form 1) (4/10)

**United States Bankruptcy Court
Northern District of Texas**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): R.E. Loans, LLC	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):
Street Address of Debtor (No. & Street, City, and State): 201 Lafayette Circle Lafayette, CA	Street Address of Joint Debtor (No. & Street, City, and State):
ZIP CODE 94549	ZIP CODE
County of Residence or of the Principal Place of Business: Contra Costa	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
ZIP CODE	ZIP CODE

Location of Principal Assets of Business Debtor (if different from street address above): **14241 Dallas Parkway, Ste 1300, Dallas, TX 75254**

Type of Debtor (Form of Organization) (Check one box) <ul style="list-style-type: none"> <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) 	Nature of Business (Check one box) <ul style="list-style-type: none"> <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other 	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <ul style="list-style-type: none"> <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13
Tax-Exempt Entity (Check box, if applicable.) <ul style="list-style-type: none"> <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). 		Nature of Debts (Check one box) <ul style="list-style-type: none"> <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose" <input checked="" type="checkbox"/> Debts are primarily business debts.

Filing Fee (Check one box.) <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rate 100%(ft). See Official Form 3A <input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B 	Check one box: Chapter 11 Debtors <ul style="list-style-type: none"> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D) Check if: <ul style="list-style-type: none"> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). Check all applicable boxes: <ul style="list-style-type: none"> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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Statistical/Administrative Information

Debtor estimates that funds will be available for distribution to unsecured creditors.

Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors

<input type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input checked="" type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000
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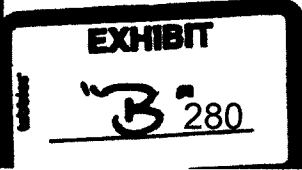
Estimated Assets

<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input checked="" type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
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Estimated Debts

<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input checked="" type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
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THIS SPACE IS FOR COURT USE ONLY



Voluntary Petition <i>(This page must be completed and filed in every case.)</i>		Name of Debtor(s): R.E. Loans, LLC	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)			
Location Where Filed: - None -		Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.)			
Name of Debtor: See "Attachment to Voluntary Petition"		Case Number:	Date Filed:
District:		Relationship:	Judge:
Exhibit A		Exhibit B	
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		(To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b). X _____ Signature of Attorney for Debtor(s) (Date)	
Exhibit C			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?			
<input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No			
Exhibit D			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)			
<input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
Information Regarding the Debtor - Venue (Check any applicable box.)			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) _____ (Name of landlord that obtained judgment) _____ (Address of landlord)			
<input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(f)).			

<p>Voluntary Petition <i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): R.E. Latta, LLC</p>
Signatures	
<p>Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b). I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (if not represented by attorney)</p> <p>_____ Date</p>	<p>Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p>X _____ (Signature of Foreign Representative)</p> <p>_____ (Printed Name of Foreign Representative)</p> <p>_____ Date</p>
<p>Signature of Attorney* X <u>Jeffrey C. Krause</u> <i>Jeffrey C. Krause</i> Printed Name of Attorney for Debtor(s) Jeffrey C. Krause (CA State Bar No. 94053) Gregory K. Jones (CA State Bar No. 181973) Firm Name Stutman, Treister & Glatt Professional Corporation 1901 Avenue of the Stars, 12th Floor Los Angeles, CA 90067 Address Tel: (310) 228-6608 Fax: (310) 228-5788 <u>9/13/11</u> Date</p> <p><small>*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.</small></p>	<p>Signature of Non-Attorney Bankruptcy Petition Preparer I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(d), and 342(b); and, 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparer, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official form 19 is attached.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ Social Security number (if the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer) (Required by 11 U.S.C. § 110)</p> <p>_____ Address</p> <p>X _____</p> <p>_____ Date</p>
<p>Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X <u>James A. Weisenberg</u> <i>James A. Weisenberg</i> Signature of Authorized Individual James A. Weisenberg Printed Name of Authorized Individual Chief Restructuring Officer Title of Authorized Individual _____ Date</p>	<p>Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above. Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual. If more than one person prepared this document, attach additional sheets conforming to the appropriate official forms for each person. <small>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fees or imprisonment or both 11 U.S.C. § 110, 16 U.S.C. § 136</small></p>

BI (Official Form I) (4/10)

Page 4

Attachment to Voluntary Petition

The following affiliated debtors are filing voluntary petitions simultaneously:

1. R.E. Loans, LLC;
2. R.E. Future, LLC; and
3. Capital Salvage, a California corporation

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2011 SEP 29 P 2:21

MARIE SCOTT
CLERK DISTRICT COURT
AC
DEPUTY

**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,	)	Case No. CV 2009-0001810
)	
Plaintiff,	)	STAY ORDER
)	
vs.	)	(re: Mortgage Fund '08, LLC)
)	
PEND OREILLE BONNER DEVELOPMENT, LLC, a Nevada limited liability company, et al.,)	
)	
Defendants.)	
_____)	

Documentation (a copy of which is attached) has been received by the Court indicating that Defendant Mortgage Fund '08, LLC filed a Chapter 7 bankruptcy petition in the United States Bankruptcy Court, Northern District of California, on September 12, 2011, in Case No. 11-49803. The filing of a bankruptcy petition triggers a stay under 11 U.S.C. § 362, of actions against the debtor, Mortgage Fund '08, LLC; the stay is automatic.

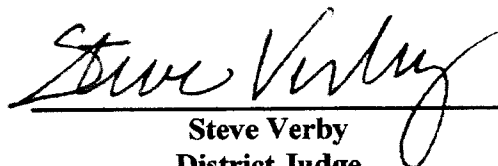
IT IS THEREFORE ORDERED THAT:

1. The cause of action of Plaintiff Genesis Golf Builders, Inc. against Mortgage Fund '08,

LLC in the above-entitled matter is stayed until the automatic bankruptcy stay is lifted or the bankruptcy proceedings are dismissed.

2. Mortgage Fund '08, LLC shall promptly notify the Court when its bankruptcy case is dismissed and/or the automatic stay is lifted.
3. The Clerk of the Court is directed after the elapse of six (6) months to send a notice to the parties that the cause of action of Plaintiff Genesis Golf Builders, Inc. against Mortgage Fund '08, LLC is subject to dismissal with prejudice, pursuant to Idaho Rule of Civil Procedure 40(c), if the bankruptcy matter has been resolved by that date.

DATED this 29th day of September, 2011.



Steve Verby
District Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, this 29 day of September, 2011, to:

Lynette M. Davis
HAWLEY TROXELL ENNIS & HAWLEY, LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, ID 83701
(Attorney for Plaintiff)

John A. Finney
FINNEY FINNEY & FINNEY, P.A.
120 East Lake Street, Suite 317
Sandpoint, ID 83864
(Attorney for Defendant ACI Northwest, Inc., and Pucci Construction, Inc.)

Gary A. Finney
FINNEY FINNEY & FINNEY, P.A.
120 East Lake Street, Suite 317
Sandpoint, ID 83864
(Attorney for Defendant JV LLC)

Charles M. Dodson
Attorney at Law
1424 Sherman Avenue, Suite 300
Coeur d'Alene, ID 83814
(Attorney for Defendant R.C. Worst & Company, Inc.)

Gary A. Amendola
AMENDOLA & DOTY, PLLC
702 N. 4th Street
Coeur d'Alene, ID 83814
(Attorney for T-O Engineers, Inc.)

Bruce A. Anderson
J. Ford Elsaesser
ELSAESSER JARZABEK ANDERSON ELLIOTT & MACDONALD, CHTD.
1400 Northwood Center Court, Suite C
Coeur d'Alene, ID 83814
(Attorney for Dan S. Jacobson; Sage Holdings, LLC; Steven G. Lazar)

STAY ORDER - 3

Stanley J. Tharp
Peter W. Ware
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P.O. Box 1368
Boise, ID 83701
*(Attorney for Defendant Mortgage Fund '08, LLC; and Wells Fargo Capital Finance, LLC,
successor-in interest to Defendant Wells Fargo Foothill, LLC)*

Steven C. Wetzel
JAMES VERNON & WEEKS, P.A.
1626 Lincoln Way
Coeur d'Alene, ID 83814
(Attorney for Defendant North Idaho Resorts, LLC)

Robert J. Fasnacht
Attorney at Law
850 W. Ironwood Drive, Suite 101
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(Attorney for Interstate Concrete and Asphalt Company)

Richard L. Stacey
MEULEMAN MOLLERUP LLP
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(Attorney for Defendant R.E. Loans, LLC)

Brent C. Featherston
FEATHERSTON LAW FIRM, CHTD.
113 S. Second Avenue
Sandpoint, ID 83864
(Attorney for Defendant Pensco Trust Co., Custodian FBO Barney NG)

John R. Layman
Patti Jo Foster
LAYMAN LAYMAN & ROBINSON, PLLP
601 S. Division Street
Spokane, WA 99202
(Attorney for Pend Oreille Bonner Development, LLC)


Deputy Clerk

STAY ORDER - 4

UNITED STATES BANKRUPTCY COURT

Northern District of California

INVOLUNTARY PETITION

IN RE (Name of Debtor – If Individual: Last, First, Middle)

Mortgage Fund '08 LLC

ALL OTHER NAMES used by debtor in the last 8 years
(Include married, maiden, and trade names.)

Last four digits of Social-Security or other Individual's Tax-I.D. No./Complete EIN
(If more than one, state all.):

STREET ADDRESS OF DEBTOR (No. and street, city, state, and zip code)

201 Lafayette Circle, 2nd Floor
Lafayette, CA 94549

MAILING ADDRESS OF DEBTOR (If different from street address)

COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS
Contra Costa County, California

ZIP CODE
94549

ZIP CODE

LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (If different from previously listed addresses)
California

CHAPTER OF BANKRUPTCY CODE UNDER WHICH PETITION IS FILED

Chapter 7 Chapter 11

INFORMATION REGARDING DEBTOR (Check applicable boxes)

Nature of Debts
(Check one box.)

Petitioners believe:

- Debts are primarily consumer debts
- Debts are primarily business debts

Type of Debtor
(Form of Organization)

- Individual (Includes Joint Debtor)
- Corporation (Includes LLC and LLP)
- Partnership
- Other (If debtor is not one of the above entities, check this box and state type of entity below.)

Nature of Business
(Check one box.)

- Health Care Business
- Single Asset Real Estate as defined in 11 U.S.C. § 101(51)(B)
- Railroad
- Stockbroker
- Commodity Broker
- Clearing Bank
- Other

VENUE

- Debtor has been domiciled or has had a residence, principal place of business, or principal assets in the District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- A bankruptcy case concerning debtor's affiliate, general partner or partnership is pending in this District.

FILING FEE (Check one box)

- Full Filing Fee attached
- Petitioner is a child support creditor or its representative, and the form specified in § 304(g) of the Bankruptcy Reform Act of 1994 is attached. [If a child support creditor or its representative is a petitioner, and if the petitioner files the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.]

PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER OR AFFILIATE OF THIS DEBTOR (Report information for any additional cases on attached sheets.)

Name of Debtor Walter J. Ng and Maribel Ng	Case Number 11-45175	Date 05/12/2011
Relationship Principal/Corporate Officer	District Northern District of California	Judge Roger L. Efremsky

ALLEGATIONS (Check applicable boxes)

1. Petitioner (s) are eligible to file this petition pursuant to 11 U.S.C. § 303 (b).
2. The debtor is a person against whom an order for relief may be entered under title 11 of the United States Code.
- 3.a. The debtor is generally not paying such debtor's debts as they become due, unless such debts are the subject of a bona fide dispute as to liability or amount;
 - or
- b. Within 120 days preceding the filing of this petition, a custodian, other than a trustee receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

COURT USE ONLY



Name of Debtor Mortgage Fund '08 LLC

Case No. _____

TRANSFER OF CLAIM

Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents that evidence the transfer and any statements that are required under Bankruptcy Rule 1003(a).

REQUEST FOR RELIEF

Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition. If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached.

Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

<p><input checked="" type="checkbox"/> <u>/s/Bruce Edwards, Custodian</u> Signature of Petitioner or Representative (State title) <small>First Regional Bank, Custodian Bruce Edwards IRA</small> Name of Petitioner _____ Date Signed <u>09/12/2011</u></p> <p>Name & Mailing Address of Individual <u>Bruce Edwards</u> Signing in Representative <u>12 Stonington Pointe</u> Capacity <u>Alameda, CA 94502</u></p>	<p><input checked="" type="checkbox"/> <u>/s/ Iain A. Macdonald</u> <u>09/12/2011</u> Signature of Attorney Date <u>Macdonald & Associates</u> Name of Attorney Firm (If any) <u>221 Sansome Street, Fl. 3, San Francisco, CA 94104</u> Address (415) 362-0449 Telephone No.</p>
<p><input checked="" type="checkbox"/> <u>/s/Jill B. Wiener</u> Signature of Petitioner or Representative (State title) <u>Jill B. Wiener</u> Name of Petitioner _____ Date Signed <u>09/12/2011</u></p> <p>Name & Mailing Address of Individual <u>13915 Califa Street</u> Signing in Representative <u>Valley Glen, CA 91401</u> Capacity _____</p>	<p><input checked="" type="checkbox"/> <u>/s/ Iain A. Macdonald</u> <u>09/12/2011</u> Signature of Attorney Date <u>Macdonald & Associates</u> Name of Attorney Firm (If any) <u>221 Sansome Street, Fl. 3, San Francisco, CA 94104</u> Address (415) 362-0449 Telephone No.</p>
<p><input checked="" type="checkbox"/> <u>/s/Luy Chak Wong</u> Signature of Petitioner or Representative (State title) <u>Luy Chak Wong</u> Name of Petitioner _____ Date Signed <u>09/12/2011</u></p> <p>Name & Mailing Address of Individual <u>480 12th Ave</u> Signing in Representative <u>San Francisco, CA</u> Capacity <u>94118</u></p>	<p><input checked="" type="checkbox"/> <u>/s/ Iain A. Macdonald</u> <u>09/12/2011</u> Signature of Attorney Date <u>Macdonald & Associates</u> Name of Attorney Firm (If any) <u>221 Sansome Street, Fl. 3, San Francisco, CA 94104</u> Address (415) 362-0449 Telephone No.</p>

PETITIONING CREDITORS

Name and Address of Petitioner	Nature of Claim	Amount of Claim
Bruce Edwards, 12 Stonington Pointe Alameda, CA 94502	Breach of Contract	176,524.73
Jill B. Wiener, 13915 Califa Street Valley Glen, CA 91401	Breach of Contract	563,081.21
Luy Chak Wong, 480 12th Ave San Francisco, CA 94118	Breach of Contract	408,708.59
Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above.	Total Amount of Petitioners' Claims	1,148,314.53

_____ continuation sheets attached

Idaho corporation; LUMBERMENS, INC.,)
dba Probuild, a Washington corporation;)
ROBERT PLASTER dba Cedar Etc.; NORTH)
IDAHO RESORTS, LLC, an Idaho limited)
liability company; R.C. WORST &)
COMPANY, INC., an Idaho corporation;)
DOES I through X,)
Defendants.)

YOU ARE HEREBY NOTIFIED that the firm of JAMES, VERNON & WEEKS, PA,
1626 Lincoln Way, Coeur d'Alene, Idaho, 83814, does hereby appear as attorneys of record for
NORTH IDAHO RESORTS, LLC, an Idaho limited liability company.

DATED THIS 28th day of September, 2011.

JAMES, VERNON & WEEKS, PA

By: Kenneth L. Whit (ID 8257) Per
Steven C. Wetzel

*Attorneys for Defendant NORTH IDAHO
RESORTS, LLC.*

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 28 day of September, 2011:

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____ Hand Delivered
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ldavis@hawleytroxell.com

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Attorneys for Plaintiff Genesis Golf Builders, Inc.

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Gary A. Finney
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corporation*

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*Attorney for Pensco Trust Co. Custodian
FBO Barney NG*

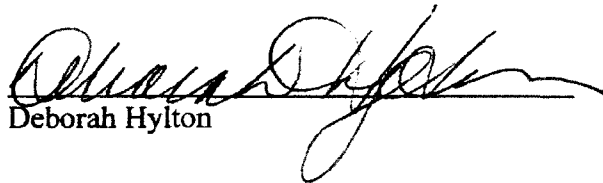
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Anna E. Eberlin
MEULEMAN MOLLERUP, LLP
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Boise, ID 83702

Attorneys for R.E. Loans, LLC


Deborah Hylton

H:\WETZEL\disk1\FILES\V\Vitelli, Dick\1-North Idaho Resort\3-Genesis Golf\Pleadings\Notice of Appearance.doc

CV 07 1916

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2011 NOV 15 P 3:54

JUDGE SCOTT
CLERK DISTRICT COURT
DEPUTY

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

RE: Assignment of District Court Cases for Bonner County

The following cases are hereby reassigned to Judge Michael Griffin, whose chambers are located in Grangeville, Idaho, following disqualification of Judge John Stegner.


CIVIL

CV2011-135 Pacific Capital Bank v. Pend Oreille Bonner Development, et al., (needs jury trial setting)

CV2010-2142 Sage Holdings v. Pend Oreille Bonner Development, et al., (needs jury trial setting)

CV2009-1810 Genesis Golf Builders v. Pend Oreille Bonner Development, et al., (needs jury trial setting)

DATED this 15 day of November 2011.



Jeff M. Brudie
Administrative District Judge

CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing ORDER REASSIGNING CASES was delivered to the following:

Steven C. Wetzel
Faxed 208-664-1684

Bruce A. Anderson
Ford Elsaesser
Faxed 208-667-2150

John A. Finney
Gary A. Finney
Faxed 263-8211

John R. Layman
Patti Jo Foster
Faxed 509-624-2902

Douglas S. Marfice
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Charles M. Dodson
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Lynnette M. Davis
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Robert J. Fasnacht
Faxed 208-664-4789

Stanley J. Tharp
Peter W. Ware
Faxed 208-344-8542

D. Toby McLaughlin
Faxed 263-7557

ORDER REASSIGNING CASES - 2

Brent C. Featherston
Faxed 263-0400

Anna E. Eberlin
Richard Stacey
Faxed 208-336-9712

John E. Miller
Faxed 208-665-9176

R. Wayne Sweney
Faxed 208-664-4125

Susan P. Weeks
Faxed 208-664-1684

Honorable Michael Griffin
320 W. Main Street
Grangeville, ID 83530

on this 21 day of November, 2011.



Deputy Clerk

ORIGINAL

Stanley J. Tharp, ISB No. 3883
Peter W. Ware, ISB No. 5064
EBERLE, BERLIN, KADING, TURNBOW
& McKLVEEN, CHARTERED
1111 West Jefferson Street, Suite 530
Post Office Box 1368
Boise, Idaho 83701
Telephone: (208) 344-8535
Facsimile: (208) 344-8542

RECEIVED
CLERK OF DISTRICT COURT
JAN 23 11:19 AM
2012

*Attorneys for Wells Fargo Capital Finance, LLC,
Successor-in-interest to Defendant Wells Fargo Foothill, 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, R.E.
LOANS, LLC, a California limited liability
company, DAN S. JACOBSON, an individual,
SAGE HOLDINGS LLC, an Idaho limited
liability company, STEVE 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,

Case No. CV 2009-01810

**WELLS FARGO'S MOTION TO
DISMISS WITH PREJUDICE**

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 liability company, R.C.
WORST & COMPANY, INC., an Idaho
corporation, DOES I through X,

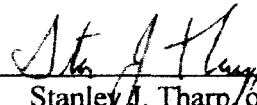
Defendants.

COMES NOW Stanley J. Tharp, a member of the firm of Eberle, Berlin, Kading,
Turnbow, & McKlveen, Chartered, herein for and on behalf of WELLS FARGO CAPITAL
FINANCE, LLC, the successor-in-interest to Defendant WELLS FARGO FOOTHILL, LLC, and
pursuant to Idaho Rule of Civil Procedure 41(b), respectfully requests that this action be dismissed
with prejudice against said defendant above referenced for the reasons that the Plaintiff did not
appear within 20 days from the date of the mailing of the Order Allowing Withdrawal of Counsel.

DATED this 10th day of January, 2012.

EBERLE, BERLIN, KADING, TURNBOW
& MCKLVEEN, CHARTERED

By



Stanley J. Tharp of the firm
Attorneys for Wells Fargo Capital Finance,
LLC, successor in interest to Wells Fargo
Foothill, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing document was served upon the following attorney(s) this 20th day of January, 2012, as indicated below and addressed as follows:

Ron Freund
Genesis Golf Builders, Inc.
P.O. Box 1271
McHenry, IL 60050
Plaintiff

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Richard L. Stacey / Anna Eberlin
Meuleman Mollerup
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Boise, ID 83702
Attorneys for Defendant R.E. Loans, LLC

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Bruce A. Anderson / Ford Elsaesser
Elsaesser Jarzabeck Anderson Elliott
& MacDonald
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Coeur d'Alene, ID 83814
Attorneys for Defendants Dan S. Jacobson, Sage
Holdings LLC, Steve G. Lazar

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Brent C. Featherston
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Attorney for Defendants Pensco Trust Co. Custodian
fbo Barney Ng, Mortgage Fund '08 LLC

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Finney Finney & Finney, PA
120 E. Lake Street, Suite 317
Sandpoint, ID 83864
Attorneys for Defendant Pucci Construction, Inc.

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 Hand Delivery
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Attorneys for Defendant JV, L.L.C.

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Robert J. Fasnacht, Jr.
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Attorney for Defendant Interstate Concrete and
Asphalt Company

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Steven C. Wetzel
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Gary I. Amendola
Amendola & Doty, PLLC
702 N. 4th Street
Coeur d'Alene, Idaho 83814
Attorneys for T-O Engineers, Inc.

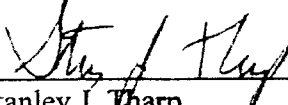
U.S. Mail
 Hand Delivery
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 Fax (208) 765-1046

Douglas S. Marfice
RAMSEN & LYONS, LLP
Post Office Box 1336
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Attorneys for Defendant B-K Lighting, Inc.

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 Fax (208) 664-5884

Honorable Michael Griffin
District Judge
320 W. Main Street
Grangeville, Idaho 83530

U.S. Mail
 Hand Delivery
 Overnight Mail
 Fax (208) 983-2376



Stanley J. Tharp

ORIGINAL

Stanley J. Tharp, ISB No. 3883
Peter W. Ware, ISB No. 5064
EBERLE, BERLIN, KADING, TURNBOW
& MCKLVEEN, CHARTERED
1111 West Jefferson Street, Suite 530
Post Office Box 1368
Boise, Idaho 83701
Telephone: (208) 344-8535
Facsimile: (208) 344-8542

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2012 JAN 23 AM 11:19

CLERK OF DISTRICT COURT
[Signature]

*Attorneys for Wells Fargo Capital Finance, LLC,
Successor-in-interest to Defendant Wells Fargo Foothill, 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, R.E.
LOANS, LLC, a California limited liability
company, DAN S. JACOBSON, an individual,
SAGE HOLDINGS LLC, an Idaho limited
liability company, STEVE G. LAZAR, an
individual, PENSICO 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,

Case No. CV 2009-01810

**AFFIDAVIT OF STANLEY J. THARP
IN SUPPORT OF DEFENDANT
WELLS FARGO'S MOTION TO
DISMISS WITH PREJUDICE**

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 liability company, R.C.
WORST & COMPANY, INC., an Idaho
corporation, DOES I through X,

Defendants.

STATE OF IDAHO)
) ss.
County of Ada)

I, Stanley J. Tharp, being first duly sworn upon oath, deposes and says:

1. I am an attorney with the law firm of Eberle, Berlin, Kading, Turnbow & McKlveen, Chartered, attorneys of record for WELLS FARGO CAPITAL FINANCE, LLC, the successor-in-interest to Defendant WELLS FARGO FOOTHILL, LLC., in the above-entitled matter. As such, I am familiar with the facts of this case and make this affidavit based on my own knowledge and belief.

2. That on December 30, 2011, a copy of the Court's Order Allowing Withdrawal of Counsel was served upon Plaintiff.

3. A true and correct copy of the Notice of Service showing said service is attached hereto as Exhibit "A".

4. That more than 20 days has passed since that notice was served.

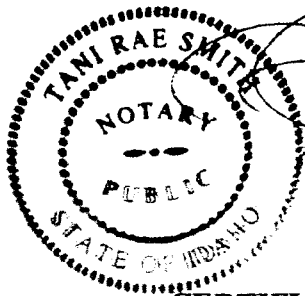
5. No appearance has been filed on behalf of Plaintiff.

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Stanley J. Tharp

SUBSCRIBED AND SWORN to before me this 20th day of January, 2012.



Tani Rae Smith
Notary Public for Idaho

My Commission Expires: 3/10/17

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing document was served upon the following attorney(s) this 20th day of January, 2012, as indicated below and addressed as follows:

Ron Freund
Genesis Golf Builders, Inc.
P.O. Box 1271
McHenry, IL 60050
Plaintiff

U.S. Mail
 Hand Delivery
 Overnight Mail
 Fax (208) 954-5213

Richard L. Stacey / Anna Eberlin
Meuleman Mollerup
755 W. Front Street, Suite 200
Boise, ID 83702
Attorneys for Defendant R.E. Loans, LLC

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 Fax (208) 336-9712

Bruce A. Anderson / Ford Elsaesser
Elsaesser Jarzabek Anderson Elliott
& MacDonald
1400 Northwood Court, Suite C
Coeur d'Alene, ID 83814
Attorneys for Defendants Dan S. Jacobson, Sage
Holdings LLC, Steve G. Lazar

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Attorney for Defendants Pensco Trust Co. Custodian
fbo Barney Ng, Mortgage Fund '08 LLC

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Attorneys for Defendant Pucci Construction, Inc.

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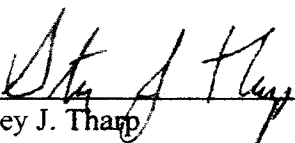
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 Fax (208) 765-1046

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RAMSEN & LYONS, LLP
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 Fax (208) 664-5884

Honorable Michael Griffin
District Judge
320 W. Main Street
Grangeville, Idaho 83530

U.S. Mail
 Hand Delivery
 Overnight Mail
 Fax (208) 983-2376



Stanley J. Tharp

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2011 DEC 30 P 1:00

MARIE SCOTT
CLERK DISTRICT COURT
DEPUTY

Lynnette M. Davis, ISB No. 5263
HAWLEY TROXELL ENNIS & HAWLEY LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, ID 83701-1617
Telephone: 208.344.6000
Facsimile: 208.954.5213
Email: ldavis@hawleytroxell.com
Attorneys for Plaintiff Genesis Golf Builders, Inc.

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

Case No. CV 2009-01810

NOTICE OF SERVICE

NOTICE OF SERVICE - 1

44016.0001.3121045.2

Idaho corporation; LUMBERMENS, INC.,)
dba Probuild, a Washington corporation;)
ROBERT PLASTER dba Cedar Etc.;)
NORTH IDAHO RESORTS, LLC, an Idaho)
limited liability company; R.C. WORST)
& COMPANY, INC., an Idaho corporation;)
DOES I through X,)

Defendants.)

HAWLEY TROXELL ENNIS & HAWLEY hereby gives notice to the Court and all interested parties that on December 30, 2011, it served the Order Allowing Withdrawal of Counsel on Genesis Golf Builders, Inc., via certified mail to the last known address most likely to give notice to Plaintiff Genesis Golf Builders, Inc., as follows:

Attn: Ron Freund
Genesis Golf Builders, Inc.
P.O. Box 1271
McHenry, IL 60050.

DATED THIS 30th day of December, 2011.

HAWLEY TROXELL ENNIS & HAWLEY LLP

By


Lynnette M. Davis, ISB No. 5263

NOTICE OF SERVICE - 2

44016.0001.3121046.2

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of December, 2011, I caused to be served a true copy of the foregoing NOTICE OF SERVICE by the method indicated below, and addressed to each of the following:

Chuck Reeves
c/o Pend Oreille Bonner Development, LLC
151 Clubhouse Way
Sandpoint, ID 83864
[Defendant]

U.S. Mail, Postage Prepaid
 Hand Delivered
 Overnight Mail
 E-mail
 Telecopy:

Richard W. Mollerup
Richard L. Stacey
Anna E. Eberlin
MEULEMAN MOLLERUP LLP
755 W. Front Street, Suite 200
Boise, ID 83702
[Attorneys for Defendant R.E. Loans, LLC]

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Coeur d'Alene, ID 83814-3021

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Old Power House Building
120 East Lake Street, Suite 317
Sandpoint, ID 83864-1366
[Attorneys for Defendant JV L.L.C.]

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Old Power House Building
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Sandpoint, ID 83864-1366
[Attorneys for Defendant Pucci Construction Inc.]

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Robert J. Fasnacht
ROBERT J. FASNACHT, P.C.
850 W. Ironwood Drive, Suite 101
Coeur d'Alene, ID 83814
[Attorneys for Interstate Concrete and Asphalt
Company]

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 Telecopy: 208.664.4789

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1424 Sherman Avenue, Suite 300
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[Attorney for R.C. Worst & Company, Inc.]

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Boise, ID 83701
[Attorneys for Defendants R.E. Loans, LLC and
Mortgage Fund 08, LLC]

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 E-mail
 Telecopy 208.344.8542

Ford Elsaesser
ELSAESSER JARZABEK ANDERSON MARKS
& ELLIOTT, Chtd.
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[Attorneys for Steven G. Lazar]

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[Attorney for Pensco Trust Co., Custodian FBO
Barney Ng]

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 E-mail
 Telecopy 208.263.0400

Douglas S. Marfice
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700 Northwest Boulevard
P.O. Box 1336
Coeur d'Alene, ID 83816-1336
[Attorneys for Defendant B-K Lighting, Inc.]

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 Overnight Mail
 E-mail
 Telecopy 208.664.5884

NOTICE OF SERVICE - 4

44018.0001.312*045.2

Gary I. Amendola
AMENDOLA & DOTY, PLLC
702 N. 4th Street
Coeur d'Alene, ID 83814
[Attorneys for T-O Engineers]

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John A. Finney
FINNEY FINNEY & FINNEY, P.A.
Old Power House Building
120 East Lake Street, Suite 317
Sandpoint, ID 83864
[Attorneys for Defendant ACI Northwest, Inc.]

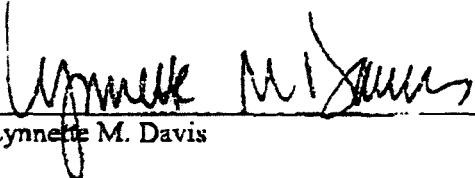
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 Overnight Mail
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 Telecopy: 208.263.8211

Steven C. Wetzel
Kenneth Huit
JAMES, VERNON & WEEKS, PA
1626 Lincoln Way
Coeur d'Alene, ID 83814
[Attorneys for Defendant North Idaho Resorts, LLC]

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 Overnight Mail
 E-mail:
 Telecopy: 208.664.1684

Attn: Ron Freund
Genesis Golf Builders, Inc.
P.O. Box 1271
McHenry, IL 60050

U.S. Mail, Postage Prepaid
 Certified Mail
 Hand Delivered
 Overnight Mail
 E-mail:
 Telecopy



Lynnette M. Davis

NOTICE OF SERVICE - 5

44016.0001.3121045.2

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

FILED
MAR 16 2012
CLERK OF DISTRICT COURT
BONNER COUNTY, IDAHO
MAR 16 2012 P 12:39
[Signature]

Case No. CV 2009-01810

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, STEVE G. LAZAR, an individual, PENSICO 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 liability company, R.C. WORST & COMPANY, INC., an Idaho corporation, DOES I through X,

Defendants.

**ORDER GRANTING DEFENDANT
WELLS FARGO'S MOTION TO
DISMISS WITH PREJUDICE**

THIS MATTER having come on before the court upon the Motion of Wells Fargo Capital Finance, LLC, the successor-in-interest to Defendant Wells Fargo Foothill, LLC.'s Motion to Dismiss With Prejudice, and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that pursuant to I.R.C.P. 41(b), the claims and actions of the Plaintiff, Genesis Golf Builder's, Inc. for failure to appear within 20 days from the date of the mailing of the Order Allowing Withdrawal of Counsel, be and the same are hereby, dismissed with prejudice ^{as to Wells Fargo Capital Finance, LLC} with each party to bear their own costs and attorneys' fees.

IT IS SO ORDERED this 16th day of March, 2012.


District Judge

CLERK'S CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing document was served upon the following attorney(s) this 19th day of January, 2012, as indicated below and addressed as follows:

Stanley J. Tharp	<input checked="" type="checkbox"/> U.S. Mail
Eberle, Berlin, Kading, Turnbow & McKlveen, Chtd	<input type="checkbox"/> Hand Delivery
P.O. Box 1368	<input type="checkbox"/> Overnight Mail
Boise, ID 83701	<input type="checkbox"/> Fax (208) 664-5884
Attorneys for Wells Fargo Capital Finance	

Ron Freund	<input checked="" type="checkbox"/> U.S. Mail
Genesis Golf Builders, Inc.	<input type="checkbox"/> Hand Delivery
P.O. Box 1271	<input type="checkbox"/> Overnight Mail
McHenry, IL 60050	<input type="checkbox"/> Fax (208) 954-5213
Plaintiff	

Richard L. Stacey / Anna Eberlin	<input checked="" type="checkbox"/> U.S. Mail
Meuleman Mollerup	<input type="checkbox"/> Hand Delivery
755 W. Front Street, Suite 200	<input type="checkbox"/> Overnight Mail
Boise, ID 83702	<input type="checkbox"/> Fax (208) 336-9712
Attorneys for Defendant R.E. Loans, LLC	

Bruce A. Anderson / Ford Elsaesser	<input checked="" type="checkbox"/> U.S. Mail
Elsaesser Jarzabek Anderson Elliott	<input type="checkbox"/> Hand Delivery
& MacDonald	<input type="checkbox"/> Overnight Mail
1400 Northwood Court, Suite C	<input type="checkbox"/> Fax (208) 667-2150
Coeur d'Alene, ID 83814	
Attorneys for Defendants Dan S. Jacobson, Sage	
Holdings LLC, Steve G. Lazar	

Brent C. Featherston	<input checked="" type="checkbox"/> U.S. Mail
113 S. 2nd Avenue	<input type="checkbox"/> Hand Delivery
Sandpoint, ID 83864	<input type="checkbox"/> Overnight Mail
Attorney for Defendants Pensco Trust Co. Custodian	<input type="checkbox"/> Fax (208) 263-0400
fbo Barney Ng, Mortgage Fund '08 LLC	

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Attorneys for Defendant Pucci Construction, Inc.

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Attorneys for VP, Inc. and North Idaho Resorts, LLC

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Honorable Michael Griffin
District Judge
320 W. Main Street
Grangeville, Idaho 83530

U.S. Mail
 Hand Delivery
 Overnight Mail
 Fax (208) 983-2376


CLERK

Richard L. Stacey, ISB #6800
 Anna E. Eberlin, ISB #7718
 MEULEMAN MOLLERUP LLP
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 (208) 342-6066 Telephone
 (208) 336-9712 Fax
 mollerup@lawidaho.com
 I:\1547.2011\PI.D\CV-2009-1810\RE Loans - Request to Lift Stay Order 12062.doc

STATE OF IDAHO
 COUNTY OF BONNER
 FIRST JUDICIAL DIST.
 2012 JUN 28 P 1:45
 CLERK DISTRICT COURT
 DEPT. 1

Attorneys for R.E. Loans, 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,

v.

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, LLC, 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

Case No. CV-2009-1810

**R.E. LOANS, LLC'S REQUEST TO LIFT
 THE AUTOMATIC STAY**

CONSTRUCTION INC., an Idaho corporation; ACI NORTHWEST, INC., an Idaho corporation; LUBBERMENS, INC., dba Probuild, a Washington corporation; ROBERT PLASTER dba Cedar Etc; NORTH IDAHO RESPORTS, LLC, an Idaho limited liability company; R.C. WORST & COMPANY, INC., an Idaho corporation; DOES I through X,

Defendants.

**AND RELATED COUNTERCLAIMS,
CROSS-CLAIMS, AND THIRD-PARTY
COMPLAINTS**

COMES NOW, Defendant/Cross-Defendant R.E. Loans, LLC ("R.E. Loans") by and through its attorneys of record, Meuleman Mollerup LLP, and hereby requests that the automatic stay, entered on September 29, 2011 by this Court, be lifted in this case as to the foreclosure claims of Genesis Golf Builders, Inc. ("Genesis"), R.C. Worst Company ("Worst"), and ACI Northwest ("ACI"), based on the June 4, 2012 entry by the United States Bankruptcy Court for the Northern District of Texas, Dallas Division, of an Amended Order Granting Motion to Approve Limited Relief from the Automatic Stay to Permit Actions in Connection with Pend Orielle Bonner Development, LLC to Proceed Against RE Loans, LLC (hereafter the "Order"). A true and correct copy of said Order is attached hereto as Exhibit A.

The Order terminates the automatic stay of 11 U.S.C. § 362 to allow four actions to proceed in the District Court of the First Judicial District of the State of Idaho. The foreclosure claims of Genesis, Worst, and ACI in this case, Case No. CV 2009-1810, are three of the four actions referenced in the Order.

The Order allows this Action "to be liquidated in Idaho State Court; however, the Claimants shall not collect or otherwise enforce any lien or any liquidated judgment without


**R.E. LOANS, LLC'S REQUEST TO LIFT THE
AUTOMATIC STAY - Page 2**

further order” of the Bankruptcy Court. In other words, the lien priorities in the subject property of Genesis, Worst, ACI, R.E. Loans and any other lien claimants may be decided and reduced to a judgment, and the amount of the claims of Genesis, Worst, and ACI may be reduced to a judgment but not enforced until further order of the Bankruptcy Court. However, if R.E. Loans “receives any award in any of the Actions, R.E. Loans may take actions to collect such awards.”

Based on the foregoing, R.E. Loans respectfully requests that this Court enter an order lifting the automatic stay in this action and reinstate this action to active status.

DATED this 26th day of June 2012.

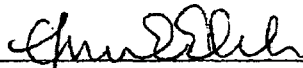
MEULEMAN MOLLERUP LLP


By: _____
Anna E. Eberlin
Attorneys for R.E. Loans, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of June 2012, a true and correct copy of the foregoing document was served by the method indicated below to the following parties:

<p>Ron Freund Genesis Golf Builders, Inc. P.O. Box 1271 McHenry, IL 60050 <i>Genesis Golf Builders, Inc.</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Gary I. Amendola Amendola & Doty, PLLC 702 N. 4th Street Coeur d'Alene, ID 83814 Fax: 208-765-1046 <i>Counsel for T-O Engineers, Inc.</i> <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Steven C. Wetzel Kenneth Huiitt James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, ID 83814 Fax: 208-664-1684 <i>Counsel for VP Incorporated and North Idaho Resorts, LLC</i> <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Bruce A. Anderson Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd. 1400 Northwood Center Ct., Ste. C Coeur d'Alene, Idaho 83814 Fax: 208-667-2150 <i>Counsel for Dan S. Jacobson, Steven G. Lazar, and Sage Holdings, LLC</i> <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Brent C. Featherston Featherston Law Firm, Chtd. 113 South Second Ave. Sandpoint, Idaho 83864 Fax: 208-263-0400 <i>Counsel for Pensco Trust Co.</i> <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Gary A. Finney Finney Finney & Finney, P.A. 120 E. Lake Street, Ste 317 Sandpoint, Idaho 83864 Fax: 208-263-8211 <i>Counsel for J.V., LLC</i> <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Charles M. Dodson Dodson & Raeon 1424 Sherman, Ste. 300 Coeur d'Alene, Idaho 83814 Fax: 208-666-9211 <i>Counsel for RC Worst & Company</i> <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>John Finney Finney Finney & Finney, P.A. 120 E. Lake Street, Ste 317 Sandpoint, Idaho 83864 Fax: 208-263-8211 <i>Counsel for Pucci Construction, Inc. and ACI Northwest, Inc.</i> <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Robert J. Fasnacht Robert J. Fasnacht, P.C. 850 W. Ironwood Drive, Suite 101 Coeur d'Alene, ID 83814 Fax: (208) 664-4789 <i>Counsel for Interstate Concrete and Asphalt Company</i> <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	



Anna E. Eberlin

Case 11-35865-bjh11 Doc 911 Filed 06/04/12 Entered 06/04/12 09:08:45 Desc
Main Document Page 1 of 4

U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET



The following constitutes the ruling of the court and has the force and effect therein described.

Barbara J. Houser
United States Bankruptcy Judge

Signed June 03, 2012

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	§	Chapter 11
	§	
R.E. LOANS, LLC,	§	Case No. 11-35865-BJH
R.E. FUTURE, LLC and	§	
CAPITAL SALVAGE, a California	§	Jointly Administered
corporation,	§	
	§	
Debtors.	§	

AMENDED ORDER GRANTING MOTION TO APPROVE LIMITED RELIEF FROM
THE AUTOMATIC STAY TO PERMIT ACTIONS IN CONNECTION WITH PEND
ORIELLE BONNER DEVELOPMENT, L.L.C. TO PROCEED
AGAINST R.E. LOANS, LLC

Pending before the Court is the *Motion to Approve Limited Relief From the Automatic Stay to Permit Actions in Connection with Pend Orielle Bonner Development, L.L.C. to Proceed Against R.E. Loans, LLC* [Docket No. 673] (the "Motion")¹ of R.E. Loans, LLC, a California

¹ Capitalized terms not otherwise defined herein shall have the definitions ascribed in the Motion.

AMENDED ORDER GRANTING MOTION TO APPROVE LIMITED RELIEF FROM THE AUTOMATIC STAY TO PERMIT ACTIONS IN CONNECTION WITH PEND ORIELLE BONNER DEVELOPMENT, L.L.C. TO PROCEED AGAINST R.E. LOANS, LLC PAGE 1
DALLAS 2325818V.1



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Main Document Page 2 of 4

limited liability company ("R.E. Loans"), one of the debtors and debtors-in-possession in the above-captioned cases.²

Having reviewed the Motion, and after due deliberation and consideration, the Court finds that notice was appropriate under the circumstances, and no further notice is necessary, and that cause exists to grant the relief requested in the Motion to the extent set forth below. Therefore, it is hereby **ORDERED** that:

1. The Motion is granted, consistent with the terms set forth below.
2. The automatic stay of 11 U.S.C. § 362 is hereby terminated to allow the following four actions (the "Actions") to proceed in the District Court of the First Judicial District of the State of Idaho (the "Idaho State Court"):
 - (a) Genesis Golf Builders, Inc. v. Pend Orielle Development, LLC, R.E. Loans, LLC, *et al.*, Case No. CV 2009-01810;
 - (b) R.C. Worst Company v. Pend Orielle Development, LLC, R.E. Loans, LLC, *et al.*, Case No. CV 2009-01810;
 - (c) ACI Northwest, Inc. v. Pend Orielle Development, LLC, R.E. Loans, LLC, *et al.*, Case No. CV 2009-01810; and
 - (d) Sage Holdings LLC, Dan Jacobson, and Steven Lazar v. Pend Orielle Development, LLC, R.E. Loans, LLC, *et al.*, Case No. CV 2010-02142.
3. The Actions may be liquidated in the Idaho State Court; however, the Claimants shall not collect or otherwise enforce any lien or any liquidated judgment without further order of this Court.
4. In the event R.E. Loans receives any award in any of the Actions, R.E. Loans may take actions to collect such awards and the collected amounts shall be applied to

² This Amended Order is entered to correct a typographical error in paragraph 2(b) of the *Order Granting Motion to Approve Limited Relief From the Automatic Stay to Permit Actions in Connection with Pend Orielle Bonner Development, L.L.C. to Proceed Against R.E. Loans, LLC* [Docket No. 752]. The typographical error contained the incorrect Case No. for the R.C. Worst Company v. Pend Orielle Development, LLC, R.E. Loans, LLC, *et al.*, Action.

Case 11-35865-bjh11 Doc 911 Filed 06/04/12 Entered 06/04/12 09:08:45 Desc
Main Document Page 3 of 4

R.E. Loans' obligation to Wells Fargo in the manner set forth in the *Joint Stipulation and Agreed Order: (I) Authorizing Debtors to (A) Obtain Post-Petition Financing on a Super-Priority, Secured and Priming Basis in Favor of Wells Fargo Capital Finance, LLC; (B) Use Cash Collateral on a Final Basis, (C) Provide Adequate Protection to Wells Fargo Capital Finance, LLC and the Noteholders, and (D) Enter Into Post-Petition Financing Agreements with Wells Fargo Capital Finance, LLC; and (II) Modifying the Automatic Stay* [Docket No. 273] (the "DIP Financing Order").

5. The stay of this Order under Fed. R. Bankr. P. 4001 or any similar rule is hereby waived for cause, and this Order shall be effective immediately upon entry on the Court's docket.
6. This Court shall maintain jurisdiction to hear and determine all matters arising from the implementation of this Order.

End of Order

Prepared and submitted by:

/s/ Holland N. O'Neil

Stephen A. McCartin (TX 13374700)
Holland Neff O'Neil (TX 14864700)
Virgil Ochoa (TX 24070358)
GARDERE WYNNE SEWELL LLP
3000 Thanksgiving Tower
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smccartin@gardere.com
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and

AMENDED ORDER GRANTING MOTION TO APPROVE LIMITED RELIEF FROM THE AUTOMATIC STAY TO PERMIT ACTIONS IN CONNECTION WITH PEND ORIELLE BONNER DEVELOPMENT, L.L.C. TO PROCEED AGAINST R.E. LOANS, LLC PAGE- 3
DALLAS 2323818V.1

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Main Document Page 4 of 4

/s/ Gregory K. Jones

Gregory K. Jones (CA 181072)

**STUTMAN, TREISTER & GLATT PROFESSIONAL
CORPORATION**

1901 Avenue of the Stars, 12th Floor

Los Angeles, CA 90067

Telephone: (310) 228-5600

Facsimile: (310) 228-5788

jkrause@stutman.com

gjones@stutman.com

**COUNSEL FOR DEBTORS AND DEBTORS IN
POSSESSION**

AMENDED ORDER GRANTING MOTION TO APPROVE LIMITED RELIEF FROM THE AUTOMATIC STAY TO
PERMIT ACTIONS IN CONNECTION WITH PEND ORIELLE BONNER DEVELOPMENT, L.L.C. TO PROCEED
AGAINST R.E. LOANS, LLC PAGE- 4
DALLAS 2323818V.1

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2012 AUG 24 P 2:42

MARIE SCOTT
CLERK DISTRICT COURT
DEPUTY

Richard W. Mollerup, ISB #4754
Richard L. Stacey, ISB #6800
Anna E. Eberlin, ISB #7718
MEULEMAN MOLLERUP LLP
755 W. Front Street, Suite 200
Boise, Idaho 83702
(208) 342-6066 Telephone
(208) 336-9712 Fax
mollerup@lawidaho.com
\\N1547.201\PLD\CV-2009-1810\Order-RE Loans Request to Lift Stay Order 120802.doc

Attorneys for R.E. Loans, 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,

v.

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, LLC, an Idaho limited
liability company; WELLS FARGO
FOOTHILL, LLC, a Delaware limited liability
company; INTERSTATE CONCRETE AND
ASPHALT COMPANY, an Idaho

Case No. CV-2009-1810

**ORDER GRANTING
R.E. LOANS, LLC'S REQUEST TO LIFT
THE AUTOMATIC STAY**

**ORDER GRANTING R.E. LOANS, LLC'S
REQUEST TO LIFT THE AUTOMATIC STAY - Page 1**

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 RESPORTS, LLC,
 an Idaho limited liability company;
 R.C. WORST & COMPANY, INC.,
 an Idaho corporation; DOES I through X,

Defendants.

**AND RELATED COUNTERCLAIMS,
 CROSS-CLAIMS, AND THIRD-PARTY
 COMPLAINTS**

The Request to Lift the Automatic Stay brought by Defendant/Cross-Defendant, R.E. Loans, LLC ("R.E. Loans") having come before the Court for hearing on August 2, 2012; and R.E. Loans having been represented by Richard L. Stacey; J.V., LLC having been represented by Gary A. Finney; Pucci Construction, Inc. and ACI Northwest, Inc. having been represented by John A. Finney; North Idaho Resorts, LLC having been represented by Steven C. Wetzel; Interstate Concrete & Asphalt, Company having been represented by Robert J. Fasnacht; Wells Fargo Capital Finance, LLC having been represented by Peter W. Ware, and Pensco Trust Co. Custodian FBO Barney Ng and Mortgage Fund '08 having been represented by Brent C. Featherston, and good cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that R.E. Loans, LLC's Request to Lift the Automatic Stay is hereby granted with respect to R.E. Loans, LLC's bankruptcy.

**ORDER GRANTING R.E. LOANS, LLC'S
 REQUEST TO LIFT THE AUTOMATIC STAY - Page 2**

IT IS SO ORDERED.

DATED this 24 day of August 2012.



The Honorable Judge Michael Griffin
Judge of the First Judicial District

**ORDER GRANTING R.E. LOANS, LLC'S
REQUEST TO LIFT THE AUTOMATIC STAY - Page 3**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5 day of Sept 2012 a true and correct copy of the foregoing document was served by the method indicated below to the following parties:

<p>Ron Freund Genesis Golf Builders, Inc. P.O. Box 1271 McHenry, IL 60050 <i>Genesis Golf Builders, Inc.</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Gary I. Amendola Amendola & Doty, PLLC 702 N. 4th Street Coeur d'Alene, ID 83814 Fax: 208-765-1046 <i>Counsel for T-O Engineers, Inc.</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Steven C. Wetzel Kenneth Hult James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, ID 83814 Fax: 208-664-1684 <i>Counsel for VP Incorporated and North Idaho Resorts, LLC</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Bruce A. Anderson Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd. 1400 Northwood Center Ct., Ste. C Coeur d' Alene, Idaho 83814 Fax: 208-667-2150 <i>Counsel for Dan S. Jacobson, Steven G. Lazar, and Sage Holdings, LLC</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Brent C. Featherston Featherston Law Firm, Chtd. 113 South Second Ave. Sandpoint, Idaho 83864 Fax: 208-263-0400 <i>Counsel for Pensco Trust Co. and Mortgage Fund '08</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Gary A. Finney Finney Finney & Finney, P.A. 120 E. Lake Street, Ste 317 Sandpoint, Idaho 83864 Fax: 208-263-8211 <i>Counsel for J.V., LLC</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Charles M. Dodson Dodson & Reason 1424 Shorman, Ste. 300 Coeur d' Alene, Idaho 83814 Fax: 208-666-9211 <i>Counsel for RC Worst & Company</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>John Finney Finney Finney & Finney, P.A. 120 E. Lake Street, Ste 317 Sandpoint, Idaho 83864 Fax: 208-263-8211 <i>Counsel for Pucci Construction, Inc. and ACI Northwest, Inc.</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Robert J. Fasnacht Robert J. Fasnacht, P.C. 850 W. Ironwood Drive, Suite 101 Coeur d'Alene, ID 83814 Fax: (208) 664-4789 <i>Counsel for Interstate Concrete and Asphalt Company</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Stanley J. Tharp Peter W. Ware David M. Swartley Eberle, Berlin, Kading, Turnbow & McKivern, Chartered 1111 West Jefferson Street, Suite 530 P.O. Box 1368 Boise, ID 83701 Fax: 208-344-8542 <i>Counsel for Wells Fargo Foothill, LLC</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>



FAX COVER LETTER

IDAHO COUNTY DISTRICT
COURT

320 WEST MAIN
GRANGEVILLE ID 83530
TELEPHONE (208) 983-2776
FAX (208) 983-2376



PLEASE DELIVER THE FOLLOWING TO:

NAME: Civil Dept.

LOCATION: Bonner Cty Dist Ct.

FROM: Mike Griffin

RE: CV 2009-1810

DATE: 8/24/12 TIME: 2:40 P

NUMBER OF PAGES (INCLUDING COVER SHEET): 5

COMMENTS: Please file this order

and provide copies to all attorneys/

parties.

Thank you
MJG

IF YOU DO NOT RECEIVE ALL OF THE DESCRIBED MATERIAL,
PLEASE CALL THE DISTRICT COURT OFFICE AT (208) 983-2776.

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DIST.

2012 SEP 13 P 1:06

THOMAS SCOTT
CLERK DISTRICT COURT
DEPUTY

ORIGINAL

Robert J. Fasnacht
ROBERT J. FASNACHT, P.C.
850 W, Ironwood Drive, Suite 101
Coeur d'Alene, Idaho 83814
Telephone: (208) 665-9664
Facsimile: (208) 664-4789
Idaho State Bar No.: 3500

Attorney for INTERSTATE CONCRETE AND ASPHALT COMPANY

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,)

Plaintiffs,)

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)

Case No.: CV-09-01810

**ORDER DISMISSING ALL CLAIMS WITH
PREJUDICE AGAINST INTERSTATE
CONCRETE AND ASPHALT COMPANY**

Order Dismissing All Claims with Prejudice
Against Interstate Concrete and Asphalt Company: 1

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 liability company;
 R.C. WORST & COMPANY, INC., an Idaho
 corporation; DOES 1 through X,
 Defendants.
 AND RELATED COUNTERCLAIMS,
 CROSS-CLAIMS, AND THIRD-PARTY
 COMPLAINTS

The record in this matter shows three (3) pending claims against INTERSTATE CONCRETE AND ASPHALT COMPANY: one claim by the plaintiff; one cross-claim by defendant R.C. WORST & COMPANY, INC.; and one cross-claim by defendant ACI NORTHWEST, INC.

WHEREAS, ACI NORTHWEST, INC., and R.C. WORST & COMPANY, INC., have properly filed Rule 41 Notices of Dismissal dismissing their cross-claims against INTERSTATE CONCRETE AND ASPHALT COMPANY.

WHEREAS, INTERSTATE CONCRETE AND ASPHALT COMPANY has filed a Motion to Dismiss with Prejudice all claims of plaintiff based on the plaintiff failing to appoint counsel to appear in this case within twenty-one (21) days with plaintiff's prior counsel's withdrawal.

WHEREAS, there are no other pending claims against INTERSTATE CONCRETE AND ASPHALT COMPANY in the present action, as it has released its lien and deed of trust on the property which forms the basis of this action.

**Order Dismissing All Claims with Prejudice
 Against Interstate Concrete and Asphalt Company: 2**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all claims against INTERSTATE CONCRETE AND ASPHALT COMPANY in the above-captioned matter are dismissed with prejudice with no fees or costs awarded to or against INTERSTATE CONCRETE AND ASPHALT COMPANY.

IT IS SO ORDERED this 13 day of ^{September} August, 2012.


District Judge

CERTIFICATE OF MAILING AND/OR DELIVERY

I hereby certify that on the 14 day of August, 2012, I served the foregoing document upon:

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Ron Freund
GENESIS GOLF BUILDERS, INC.
P.O. Box 1271
McHenry, IL 60050

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Gary A. Finney
Attorney at Law
120 E. Lake Street, Suite 317
Sandpoint, ID 83864
Fax: (208) 263-8211

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- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Stanley J. Tharp
EVERLE, BERLIN, KADING, TURNBOW
& McKLVEEN, CHTD.
P.O. Box 1368
Boise, ID 83701
Fax: (208) 344-8542

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Richard L. Stacey / Anna Eberlin
MEULEMAN MOLLERUP
755 W. Front Street, Suite 200
Boise, ID 83702
Fax: (208) 336-9712

Order Dismissing All Claims with Prejudice
Against Interstate Concrete and Asphalt Company: 3

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Bruce A. Anderson / Ford Elsaesser
 ELSAESSER JARZABECK ANDERSON
 ELLIOTT & MACDONALD
 1400 Northwood Court, Suite C
 Coeur d'Alene, ID 83814
 Fax: (208) 667-2150

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile

Brent C. Featherston
 Attorney at Law
 113 S. 2nd Avenue
 Sandpoint, Idaho 83864

- With Enclosures
- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Fax: (208) 263-0400
 John A. Finney
 Attorney at Law
 120 E. Lake Street, Suite 317
 Sandpoint, Idaho 83864
 Fax: (208) 263-8211

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Charles M. Dodson
 DODSON & RAEON
 1424 Sherman, Suite 300
 Coeur d'Alene, ID 83814
 Fax: (208) 666-9211

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Steven C. Wetzel
 Attorney at Law
 1626 Lincoln Way
 Coeur d'Alene, ID 83814
 Fax: (208) 664-1684

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

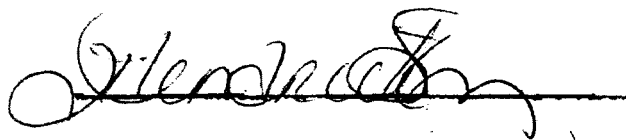
Gary I. Amendola
 AMENDOLA & DOTY, PLLC
 702 N. 4th Street
 Coeur d'Alene, ID 83814
 Fax: (208) 765-1046

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Douglas S. Marfice
 RAMSDEN & LYONS, LLP
 P.O. Box 1336
 Coeur d'Alene, ID 83816
 Fax: (208) 664-5884

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile
- With Enclosures

Robert J. Fasnacht
 ROBERT J. FASNACHT, P.C.
 850 W. Ironwood Drive, Suite 101
 Coeur d'Alene, ID 83814
 Fax: (208) 664-4789



**Order Dismissing All Claims with Prejudice
 Against Interstate Concrete and Asphalt Company: 5**

FAX COVER LETTER
 IDAHO COUNTY DISTRICT
 COURT
 320 WEST MAIN
 GRANGEVILLE ID 83530
 TELEPHONE (208) 983-2776
 FAX (208) 983-2376



PLEASE DELIVER THE FOLLOWING TO:

NAME: _____

LOCATION: Bonner Cty Dist Ct.

FROM: Mike Griffin

RE: CV 2009-1810

DATE: 9/13/12 TIME: 12:58

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COUNTY OF BONNER, IDAHO

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[Signature]

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Attorneys for R.E. Loans, 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,

v.

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, LLC, 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,

Case No. CV-2009-1810

**R.E. LOANS, LLC'S MOTION TO LIFT
AUTOMATIC STAY**

[RE: MORTGAGE FUND '08 LLC]

ORIGINAL

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 RESPORTS, LLC,
an Idaho limited liability company;
R.C. WORST & COMPANY, INC.,
an Idaho corporation; DOES I through X,

Defendants.

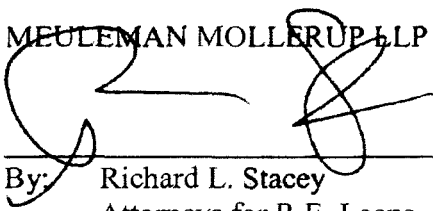
**AND RELATED COUNTERCLAIMS,
CROSS-CLAIMS, AND THIRD-PARTY
COMPLAINTS**

COMES NOW, Defendant/Cross-Defendant R.E. Loans, LLC (“R.E. Loans”) by and through its attorneys of record, Meuleman Mollerup LLP, and hereby moves this Court for an order lifting the Stay Order [re: Mortgage Fund '08, LLC] entered by this Court on September 29, 2011, due to the Order Granting Relief From The Automatic Stay entered by the U.S. Bankruptcy Court for the Northern District of California on May 23, 2013 (the “Order”). Per the Order, the stay shall only be lifted for purposes of allowing the parties to this litigation to enforce all state law remedies against the real property that is the subject of this action, including adjudicating the priority of all liens recorded against said real property and foreclosing upon said liens.

This request is made and based upon papers and pleadings on file herein and all other and further evidence and arguments as are presented at the hearing of this matter.

DATED this 24th day of June 2013.

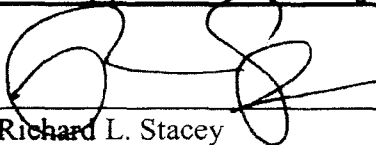
MEULEMAN MOLLERUP LLP

By: 
Richard L. Stacey
Attorneys for R.E. Loans, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the ^{24th} day of June 2013, a true and correct copy of the foregoing document was served by the method indicated below to the following parties:

<p>Ron Freund Genesis Golf Builders, Inc. P.O. Box 1271 McHenry, IL 60050 <i>Genesis Golf Builders, Inc.</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Gary I. Amendola Amendola & Doty, PLLC 702 N. 4th Street Coeur d'Alene, ID 83814 Fax: 208-765-1046 <i>Counsel for T-O Engineers, Inc.</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Steven C. Wetzel Kenneth Huitt James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, ID 83814 Fax: 208-664-1684 <i>Counsel for VP Incorporated and North Idaho Resorts, LLC</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Bruce A. Anderson Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd. 1400 Northwood Center Ct., Ste. C Coeur d' Alene, Idaho 83814 Fax: 208-667-2150 <i>Counsel for Dan S. Jacobson, Steven G. Lazar, and Sage Holdings, LLC</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Brent C. Featherston Featherston Law Firm, Chtd. 113 South Second Ave. Sandpoint, Idaho 83864 Fax: 208-263-0400 <i>Counsel for Pensco Trust Co. and Mortgage Fund '08</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>Gary A. Finney Finney Finney & Finney, P.A. 120 E. Lake Street, Ste 317 Sandpoint, Idaho 83864 Fax: 208-263-8211 <i>Counsel for J.V., LLC</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
<p>Charles M. Dodson Dodson & Raeon 1424 Sherman, Ste. 300 Coeur d' Alene, Idaho 83814 Fax: 208-666-9211 <i>Counsel for RC Worst & Company</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>	<p>John Finney Finney Finney & Finney, P.A. 120 E. Lake Street, Ste 317 Sandpoint, Idaho 83864 Fax: 208-263-8211 <i>Counsel for Pucci Construction, Inc. and ACI Northwest, Inc.</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>
	<p>Stanley J. Tharp Peter W. Ware David M. Swartley Eberle, Berlin, Kading, Turnbow & McKlveen, Chartered 1111 West Jefferson Street, Suite 530 P.O. Box 1368 Boise, ID 83701 Fax: 208-344-8542 <i>Counsel for Wells Fargo Foothill, LLC</i> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> Overnight <input type="checkbox"/> Hand Delivery</p>


 Richard L. Stacey