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Vol 7 of 85
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

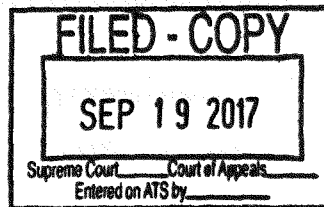
CLERK'S RECORD ON APPEAL

*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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VOLUME VII

44583

TABLE OF CONTENTS

Title Page	Vol. I - 1
Clerk's Record on Appeal.....	Vol. I - 2
Table of Contents.....	Vol. I - 3
Index.....	Vol. I - 34
ROA Report for Case CV2009-1810 – printed May 10, 2017.....	Vol. I - 65
Supreme Court Order re: 44583 - Consolidating Appeal nos. 44583, 44584 and 44585 – filed 11/04/2016	Vol. I - 166
Supreme Court Order re: 44584 - Consolidating Appeal nos. 44583, 44584 and 44585 – filed 11/04/2016	Vol. I - 168
Supreme Court Order re: 44585 - Consolidating Appeal nos. 44583, 44584 and 44585 – filed 11/04/2016	Vol. I - 170
Complaint – filed 10/13/2009	Vol. I - 172
Acknowledgment of Service of Summons and Complaint (VP Inc.) – filed 04/07/2010	Vol. I - 197
Acknowledgment of Service of Summons and Complaint (North Idaho Resorts, LLC) – filed 04/07/2010	Vol. II - 199
Special Appearance on Behalf of Defendant Pensco Trust Co., Custodian FBO Barney Ng – filed 05/24/2010	Vol. II - 201
Answer, Counterclaims, Cross-claims and Third Party Complaint of Defendant ACI Northwest, Inc. – filed 08/09/2010	Vol. II - 204
Special Appearance on Behalf of Defendant Mortgage Fund '08, LLC – filed 10/05/2010	Vol. II - 228
Notice of Appearance – filed 10/14/2010	Vol. II - 233
Reply by R.E. Loans, LLC to Cross-claim by ACI Northwest, Inc. – filed 02/04/2011.....	Vol. II - 237
Affidavit of Service – filed 03/11/2011	Vol. II - 244
R.E. Loans, LLC's Answer to Complaint – filed 04/21/2011.....	Vol. II - 245
Order Granting Leave for Withdrawal of Attorney – filed 05/18/2011	Vol. II - 260
Substitution of Counsel – filed 08/29/2011	Vol. II - 264
Administrative Order – filed 09/27/2011	Vol. II - 267
Stay Order (R.E. Loans, LLC) – filed 09/29/2011.....	Vol. II - 275
Stay Order (Mortgage Fund '08, LLC) – filed 09/29/2011.....	Vol. II - 284
Notice of Appearance – filed 09/29/2011	Vol. II - 290
Assignment of District Court Cases – filed 11/15/2011	Vol. II - 295
Wells Fargo's Motion to Dismiss with Prejudice – filed 01/23/2012.....	Vol. II - 298

Affidavit of Stanley J. Tharp in Support of Defendant Wells Fargo's Motion to Dismiss with Prejudice – filed 01/23/2012	Vol. II - 302
Order Granting Defendant Wells Fargo's Motion to Dismiss with Prejudice – filed 03/16/2012	Vol. II - 312
R.E. Loans, LLC's Request to Lift the Automatic Stay – filed 06/28/2012	Vol. II - 317
Order Granting R.E. Loans, LLC's Request to Lift Automatic Stay – filed 08/24/2012	Vol. II - 325
Order Dismissing all Claims with Prejudice against Interstate Concrete and Asphalt Company – filed 09/13/2012	Vol. II - 330
R.E. Loans, LLC's Motion to Lift Automatic Stay (Mortgage Fund '08 LLC) – filed 06/26/2013	Vol. II - 336
Memorandum in Support of R.E. Loans, LLC's Motion to Lift Automatic Stay (Mortgage Fund '08 LLC) – filed 06/26/2013	Vol. III - 339
Affidavit of Richard L. Stacey in Support of R.E. Loans, LLC's Motion to Lift Automatic Stay – filed 06/26/2013	Vol. III - 343
R.E. Loans, LLC's Motion for Entry of Default (Genesis Golf Builders) – filed 08/12/2013	Vol. III - 362
Affidavit of Richard L. Stacey in Support of R.E. Loans, LLC's Motion for Entry of Default (Genesis Golf Builders) – filed 08/12/2013	Vol. III - 365
Order Granting R.E. Loans, LLC's Motion to Lift Automatic Stay (Mortgage Fund '08 LLC) – filed 08/12/2013	Vol. III - 374
R.C. Worst & Company, Inc.'s Motion for Entry of Default (Genesis Golf Builders) – filed 08/14/2013	Vol. III - 378
Default Judgment (Genesis Golf Builders) – filed 08/15/2013	Vol. III - 383
Order for Entry of Default (Genesis Golf Builders) – filed 08/15/2013	Vol. III - 386
Clerk's Entry of Default (Genesis Golf Builders) – filed 08/15/2013	Vol. III - 389
Order for Entry of Default (Genesis Golf Builders, Inc.) – filed 08/29/2013	Vol. III - 392
Clerk's Entry of Default (Genesis Golf Builders, Inc.) – filed 08/29/2013	Vol. III - 397
Default Judgment (Genesis Golf Builders) – filed 08/29/2013	Vol. III - 402
North Idaho Resorts, LLC's Motion for Entry of Default (Genesis Golf Builders) – filed 10/25/2013	Vol. III - 407
Affidavit of Susan P. Weeks in Support of North Idaho Resorts, LLC's Motion for Entry of Default (Genesis Golf Builders) – filed 10/25/2013	Vol. III - 412
Order for Entry of Default (Genesis Golf Builders) – filed 11/01/2013	Vol. III - 423
Default Judgment (Genesis Golf Builders) – filed 11/01/2013	Vol. III - 428
Clerk's Entry of Default (Genesis Golf Builders) – filed 11/01/2013	Vol. III - 433
R.E. Loans, LLC's Motion for Summary Judgment Against Cross-Claimant ACI Northwest, Inc. – filed 04/29/2014	Vol. III - 438
R.E. Loans, LLC's Memorandum in Support of its Motion for Summary Judgment Against Cross-claimant ACI Northwest, Inc. – filed 04/29/2014	Vol. III - 441

Declaration of Chad M. Nicholson in Support of R.E. Loans, LLC's Motion for Summary Judgment Against Cross-claimant ACI Northwest, Inc. – filed 04/29/2014	Vol. IV - 451
R.E. Loans, LLC's Motion for Summary Judgment Against Cross-Claimant R.C. Worst & Company, Inc. – filed 04/29/2014	Vol. IV - 488
R.E. Loans, LLC's Memorandum in Support of its Motion for Summary Judgment Against Cross-claimant R.C. Worst & Company, Inc. – filed 04/29/2014	Vol. IV - 491
Declaration of Richard L. Stacey in Support of R.E. Loans, LLC's Motion for Summary Judgment Against Cross-claimant R.C. Worst & Company, Inc. – filed 04/29/2014	Vol. IV - 498
Affidavit of Farley Dakan in Support of R.E. Loans, LLC's Motions for Summary Judgment – filed 04/29/2014	Vol. IV - 532
Affidavit of Charles Reeves in Support of R.E. Loans, LLC's Motions for Summary Judgment – filed 04/29/2014	Vol. V - 551
Order Dismissing R.C. Worst & Company, and All Claims, Counterclaims, and Cross Claims thereof Pursuant to Oral Offer of Resolution Advanced to the Court on May 28, 2014 – filed 06/02/2014	Vol. V - 636
Notice of Change of Firm Affiliation – filed 07/18/2014	Vol. V - 643
Findings re: R.E. Loans, LLC's Motions for Summary Judgment Against ACI Northwest, Inc. – filed 07/21/2014	Vol. V - 647
Judgment – filed 07/21/2014	Vol. V - 653
Motion to Substitute Valiant Idaho, LLC in Place of R.E. Loans, LLC as the Real Party in Interest – filed 07/21/2014	Vol. V - 656
Declaration of Richard L. Stacey in Support of Motion to Substitute Valiant, Idaho LLC in Place of R.E. Loans, LLC as the Real Party in Interest – filed 07/21/2014	Vol. V - 674
Order Substituting Valiant Idaho, LLC in Place of R.E. Loans, LLC as the Real Party in Interest – filed 08/07/2014	Vol. V - 667
Motion to Substitute Valiant Idaho, LLC in Place of Wells Fargo Capital Finance, LLC as the Real Party in Interest – filed 08/18/2014	Vol. V - 670
Declaration of Richard L. Stacey in Support of Motion to Substitute Valiant Idaho, LLC in Place of Wells Fargo Capital Finance, LLC as the Real Party in Interest – filed 08/18/2014	Vol. VI - 674
Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure – filed 08/19/2014	Vol. VI - 739
Summons on Third Party Complaint brought by Third Party Plaintiff Valiant Idaho, LLC [Pend Oreille Bonner Development Holdings, Inc.] – filed 09/03/2014	Vol. VI - 768
Defendant North Idaho Resorts, LLC's Motion to Substitute Valiant Idaho, LLC in Place of Wells Fargo Capital Finance, LLC as the Real Party in Interest – filed 09/04/2014	Vol. VI - 771
Valiant Idaho, LLC's Notice of Intent to Take Default – filed 09/10/2014	Vol. VI - 776
Order Substituting Valiant Idaho, LLC in Place of Wells Fargo Capital Finance, LLC as the Real Party in Interest – filed 09/12/2014	Vol. VI - 781

JV, LLC's Special Appearance Contesting Jurisdiction; and JV, LLC's Answer to Complaint; and JV, LLC's Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure; and JV, LLC's Cross-claim; and JV, LLC's Third Party Complaint – filed 09/15/2014	Vol. VII - 784
Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure – filed 09/15/2014	Vol. VII - 844
North Idaho Resorts, LLC's Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure – filed 09/19/2014	Vol. VII - 860
Valiant Idaho, LLC's Notice of Intent to Take Default – filed 09/25/2014	Vol. VII - 874
Valiant Idaho, LLC's Motion for Entry of Default Against Cross-defendant T-O Engineers, Inc. – filed 09/26/2014	Vol. VII - 879
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Cross-defendant T-O Engineers, Inc. – filed 09/26/2014	Vol. VII - 884
Order for Entry of Default Against Cross-defendant T-O Engineers, Inc. – filed 09/26/2014	Vol. VII - 896
Clerk's Entry of Default Against Cross-defendant T-O Engineers, Inc. – filed 09/26/2014	Vol. VII - 900
ACI Northwest, Inc.'s Responsive Pleading to Valiant Idaho, LLC's Counterclaim, Cross-Claim, and Third-Party Complaint for Judicial Foreclosure – filed 09/29/2014	Vol. VII - 904
Acceptance of Service by VP, Incorporated of Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure – filed 10/03/2014	Vol. VII - 908
Valiant Idaho, LLC's Notice of Intent to Take Default – filed 10/03/2014	Vol. VII - 911
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Pend Oreille Bonner Development Holdings, Inc. – filed 10/03/2014	Vol. VII - 913
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Pend Oreille Bonner Development Holdings, Inc. – filed 10/03/2014	Vol. VIII - 918
Motion to Substitute Valiant Idaho, LLC in Place of Mortgage Fund '08 LLC as the Real Party in Interest – filed 10/06/2014	Vol. VIII - 928
Declaration of Richard L. Stacey in Support of Motion to Substitute Valiant Idaho, LLC in Place of Mortgage Fund '08 LLC as the Real Party in Interest – filed 10/06/2014	Vol. VIII - 933
Motion to Substitute Valiant Idaho, LLC in Place of Pensco Trust Co, as the Real Party in Interest – filed 10/06/2014	Vol. VIII - 941
Declaration of Richard L. Stacey in Support of Motion to Substitute Valiant Idaho, LLC in Place of Pensco Trust Co. as the Real Party in Interest – filed 10/06/2014	Vol. VIII - 946
Order Regarding Disqualification of Judge – filed 10/06/2014	Vol. VIII - 953
VP, Incorporated's Motion to Dismiss Third Party Complaint – filed 10/06/2014	Vol. VIII - 959
Order of Reassignment – filed 10/09/2014	Vol. VIII - 963
Affidavit of Service – filed 10/20/2014	Vol. VIII - 965

Order for Entry of Default Against Third Party Defendant Pend Oreille Bonner Development Holdings, Inc. – filed 10/21/2014 Vol. VIII - 969

Clerk’s Entry of Default Against Third Party Defendant Pend Oreille Bonner Development Holdings, Inc. – filed 10/22/2014 Vol. VIII - 973

Motion for Leave to Amend Answer to Allege a Counterclaim and Cross-claim, and to Serve Third Party Complaint – filed 11/05/2014 Vol. VIII - 977

Memorandum in Opposition to VP, Incorporated’s Motion to Dismiss Third Party Complaint or, in the Alternative, Motion for Leave to Amend Answer to Allege a Counterclaim and Cross-claim, and to Serve Third Party Complaint – filed 11/05/2014 Vol. VIII - 982

Third Party Defendant Idaho Club Homeowner’s Association, Inc.’s Motion and Memorandum to Dismiss Claim Asserted by Third Party Plaintiff JV, LLC – filed 11/07/2014..... Vol. VIII - 996

Third Party Defendant Panhandle Management, Incorporated’s Motion and Memorandum to Dismiss Claims Asserted by Third Party Plaintiff JV, LLC – filed 11/07/2014..... Vol. VIII - 1006

Affidavit of Toby McLaughlin in Support of Third Party Defendant Panhandle Management Incorporated’s Motion to Dismiss Claim Asserted by Third Party Plaintiff JV, LLC – filed 11/07/2014 Vol. IX - 1015

Affidavit of Toby McLaughlin in Support of Third Party Defendant Idaho Club Homeowner’s Association Inc.’s Motion to Dismiss Claim Asserted by Third Party Plaintiff JV, LLC – filed 11/07/2014 Vol. IX - 1100

Defendant VP, Incorporated’s Request for Extension of Time to Respond to Valiant Idaho, LLC’s Motion for Leave to Amend Answer to Allege a Counterclaim and Cross-claim, and to Serve Third Party – filed 11/12/2014.... Vol. X - 1153

VP, Incorporated’s Reply on Motion to Dismiss Third Party Complaint and Response to Motion to Amend Pleadings – filed 11/14/2014..... Vol. X - 1156

Order Granting Valiant Idaho, LLC Leave to Serve its Third Party Complaint – filed 11/19/2014 Vol. X - 1160

Order Granting Valiant Idaho, LLC Leave to Amend Answer to Allege a Counterclaim and Cross-Claim – filed 11/19/2014 Vol. X - 1164

Order Substituting Valiant Idaho, LLC in Place of Pensco Trust Co. as the Real Party in Interest – filed 11/19/2014 Vol. X - 1168

Order Substituting Valiant Idaho, LLC in Place of Mortgage Fund '08 LLC as the Real Party in Interest – filed 11/19/2014 Vol. X - 1171

Order Denying VP, Incorporated’s Motion to Dismiss Third Party Complaint – filed 11/19/2014 Vol. X - 1174

Stipulation to Entry of Judgment Against Pend Oreille Bonner Development, LLC – filed 11/19/2014 Vol. X - 1178

Stipulation to Entry of Judgment Against Charles W. Reeves and Anna B. Reeves – filed 11/19/2014..... Vol. X - 1200

Stipulation to Entry of Judgment Against Pend Oreille Bonner Development Holdings, Inc. – filed 11/19/2014 Vol. X - 1221

Complaint for Judicial Foreclosure – filed 11/19/2014 Vol. X - 1242

Order Settling Trial and Pretrial Order – filed 11/20/2014 Vol. X - 1270

Order on Stipulation to Entry of Judgment Against Pend Oreille Bonner Development Holdings, Inc. – filed 11/20/2014 Vol. XI - 1276

Order on Stipulation to Entry of Judgment Against Pend Oreille Bonner Development, LLC – filed 11/20/2014 Vol. XI - 1296

Order on Stipulation to Entry of Judgment Against Charles W. Reeves and Ann B. Reeves – filed 11/20/2014 ... Vol. XI - 1317

Valiant Idaho, LLC's Motion for Leave to Amend Third Party Complaint to Join an Additional Party – filed 11/24/2014
..... Vol. XI - 1337

Memorandum in Support of Valiant Idaho, LLC's Motion for Leave to Amend Third Party Complaint to Join an Additional Party – filed 11/24/2014 Vol. XI - 1371

Cross-defendant, VP, Incorporated's Request for Extension of Time to Answer or Otherwise Plead to Valiant, LLC's Amended Answer to Allege a Counter-Claim and Cross-Claim and to Serve Third Party – filed 12/01/2014 Vol. XI - 1377

Order Granting Cross-defendant, VP, Incorporated's Request for Extension of Time to Answer or Otherwise Plead to Valiant, LLC's Amended Answer to Allege a Counter-Claim and Cross-Claim and to Serve Third Party – filed 12/03/2014 Vol. XI - 1379

Valiant Idaho, LLC's Motion for Entry of Default Against Counter-Defendant Genesis Golf Builders, Inc. – filed 12/08/2014
..... Vol. XI - 1382

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Counter-Defendant Genesis Golf Builders, Inc. – filed 12/08/2014 Vol. XI - 1387

Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Amy Korengut – filed 12/08/2014 Vol. XI - 1394

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Amy Korengut – filed 12/08/2014 Vol. XI - 1399

Affidavit of Non-Military Service in Support of Motion for Entry of Default of Amy Korengut – filed 12/08/2014 Vol. XI - 1409

Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Independent Mortgage Ltd. Co. – filed 12/08/2014 Vol. XII - 1414

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Independent Mortgage Ltd. Co. – filed 12/08/2014 Vol. XII - 1419

Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant C.E. Kramer Crane & Contracting, Inc. – filed 12/08/2014 Vol. XII - 1429

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant C.E. Kramer Crane & Contracting, Inc. – filed 12/08/2014 Vol. XII - 1434

Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Netta Source, LLC – filed 12/08/2014 Vol. XII - 1444

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Netta Source, LLC – filed 12/08/2014 Vol. XII - 1449

Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Montaheno Investments, LLC – filed 12/08/2014 Vol. XII - 1459

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Montaheno Investments, LLC – filed 12/08/2014 Vol. XII - 1464

Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Russ Capital Group, LLC – filed 12/08/2014	Vol. XII - 1474
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Russ Capital Group, LLC – filed 12/08/2014	Vol. XII - 1479
Valiant Idaho, LLC's Notice of Intent to Take Default – filed 12/08/2014	Vol. XII - 1489
Order for Entry of Default Against Amy Korengut – filed 12/10/2014.....	Vol. XII - 1495
Clerk's Entry of Default Against Amy Korengut – filed 12/10/2014.....	Vol. XII - 1498
Order for Entry of Default Against Montaheno Investments, LLC – filed 12/10/2014	Vol. XII - 1501
Clerk's Entry of Default Against Montaheno Investments, LLC – filed 12/10/2014	Vol. XII - 1504
Order for Entry of Default Against Genesis Golf Builders, Inc. – filed 12/10/2014	Vol. XII - 1507
Clerk's Entry of Default Against Genesis Golf Builders, Inc. – filed 12/10/2014	Vol. XII - 1511
Order for Entry of Default Against C.E. Kramer Crane & Contracting, Inc. – filed 12/10/2014	Vol. XII - 1515
Clerk's Entry of Default Against C.E. Kramer Crane & Contracting, Inc. – filed 12/10/2014	Vol. XII - 1518
Order of Entry of Default Against Russ Capital Group, LLC – filed 12/10/2014	Vol. XII - 1521
Clerk's Entry of Default Against Russ Capital Group, LLC – filed 12/10/2014.....	Vol. XII - 1524
Order for Entry of Default Against Netta Source, LLC – filed 12/10/2014	Vol. XII - 1527
Clerk's Entry of Default Against Netta Source, LLC – filed 12/10/2014	Vol. XII - 1530
VP, Incorporated's Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third-party Complaint for Judicial Foreclosure – filed 12/11/2014	Vol. XII - 1533
Valiant Idaho, LLC's Reply to: (1) JV LLC's Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third-party Complaint for Judicial Foreclosure; and (2) JV LLC's Cross-claim and Third Party Complaint – filed 12/15/2014.....	Vol. XII - 1541
Stipulation to Entry of Judgment Against First American Title Company of Idaho – filed 12/17/2014	Vol. XIII - 1555
Order on Stipulation to Entry of Judgment Against First American Title Company of Idaho – filed 12/17/2014	Vol. XIII - 1576
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Timberline Investments, LLC – filed 12/22/2014	Vol. XIII - 1596
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Timberline Investments, LLC – filed 12/22/2014.....	Vol. XIII - 1601
Stipulation to Entry of Judgment Against Dan S. Jacobson; Sage Holdings, LLC; and Steven G. Lazar – filed 01/02/2015	Vol. XIII - 1611
Order for Entry of Default Against Independent Mortgage Ltd. Co. – filed 01/06/2015	Vol. XIII - 1633
Clerk's Entry of Default Against Independent Mortgage Ltd. Co. – filed 01/06/2015	Vol. XIII - 1636

Order for Entry of Default Against Timberline Investments, LLC – filed 01/06/2015	Vol. XIII - 1639
Clerk’s Entry of Default Against Timberline Investments, LLC – filed 01/06/2015	Vol. XIII - 1642
Order on Stipulation to Entry of Judgment Against Dan S. Jacobson, Sage Holdings LLC and Steven G. Lazar – filed 01/06/2015	Vol. XIII - 1645
Stipulation for Settlement and Dismissal of JV, LLC’s Third Party Complaint Against Idaho Club Homeowner’s Association, Inc. – filed 01/09/2015	Vol. XIII - 1666
Stipulation to Entry of Judgment Against Idaho Club Homeowner’s Association, Inc. – filed 01/12/2015	Vol. XIII - 1673
Judgment (Dismissal of JV, LLC’s Third Party Complaint Against Idaho Club Homeowner’s Association, Inc.) – filed 01/15/2015	Vol. XIV - 1694
Order on Stipulation to Entry of Judgment Against Idaho Club Homeowner’s Association, Inc. – filed 01/15/2015	Vol. XIV - 1700
Valiant Idaho, LLC’s Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 01/20/2015	Vol. XIV - 1720
Memorandum in Support of Valiant Idaho, LLC’s Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 01/20/2015	Vol. XIV - 1725
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC’s Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 01/20/2015	Vol. XV - 1747
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC’s Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated (Continued) – filed 01/20/2015	Vol. XVI - 1884
Affidavit of Charles W. Reeves – filed 01/20/2015	Vol. XVII - 1912
Affidavit of Charles W. Reeves (Continued) – filed 01/20/2015	Vol. XVIII - 2039
Notice of Hearing on Valiant Idaho, LLC’s Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 01/20/2015	Vol. XVIII - 2070
JV, LLC’s Memorandum in Opposition to Valiant Idaho, LLC’s Motion for Summary Judgment – filed 02/02/2015	Vol. XIX - 2076
JV, LLC’s Memorandum in Opposition to Valiant Idaho, LLC’s Motion for Summary Judgment (Continued) – filed 02/02/2015	Vol. XX - 2210
JV’s Affidavit of James W. Berry Opposing Valiant’s Motion for Summary Judgment – filed 02/02/2015...	Vol. XX - 2323
JV, LLC’s Motion to Vacate Valiant’s Hearing Date of February 18, 2015 on its Motion for Summary Judgment, Request for Continuance and Request for Hearing on Short Notice – filed 02/02/2015.....	Vol. XX - 2331
Valiant Idaho, LLC’s Motion for Entry of Default Against Third Party Defendant Bar K, Inc. – filed 02/02/2015	Vol. XX - 2337
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC’s Motion for Entry of Default Against Third Party Defendant Bar K, Inc. – filed 02/02/2015	Vol. XXI - 2342
Order for Entry of Default Against Bar K, Inc. – filed 02/03/2015	Vol. XXI - 2353
Clerk’s Entry of Default Against Bar K, Inc. – filed 02/03/2015	Vol. XXI - 2356

Defendants North Idaho Resorts, LLC and VP Incorporated's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 02/04/2015	Vol. XXI - 2359
Request for Judicial Notice – filed 02/04/2015	Vol. XXI - 2372
Declaration of Richard Villelli in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC and VP, Incorporated – filed 02/04/2015	Vol. XXI - 2392
Stipulation to Entry of Judgment Against Mountain West Bank – filed 02/04/2015	Vol. XXI - 2452
Order on Stipulation to Entry of Judgment Against Mountain West Bank – filed 02/06/2015	Vol. XXII - 2473
Amended Notice of Hearing on Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC and VP, Incorporated – filed 02/13/2015	Vol. XXII - 2493
Judgment (Pucci Construction, Inc.) – filed 02/18/2015	Vol. XXII - 2499
Judgment (ACI Northwest, Inc.) – filed 02/18/2015	Vol. XXII - 2502
JV, LLC's First Supplemental Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 02/27/2015	Vol. XXII - 2505
Defendants North Idaho Resorts, LLC and VP, Incorporated's Motion for Enlargement of Time to File Answers and Responses to Discovery Requests Propounded by Valiant Idaho, LLC – filed 03/02/2015	Vol. XXII - 2516
Memorandum in Reply to JV, LLC's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 03/11/2015.....	Vol. XXII - 2519
Supplemental Declaration of Jeff R. Sykes in Support of Memorandum in Reply to JV, LLC's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 03/11/2015.....	Vol. XXII - 2528
Memorandum in Reply to North Idaho Resorts, LLC and VP, Incorporated's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 03/11/2015	Vol. XXII - 2547
Order Granting Defendants North Idaho Resorts, LLC and VP, Incorporated's Motion for Enlargement of Time to File Answers and Responses to Discovery Requests Propounded by Valiant Idaho, LLC – filed 03/12/2015	Vol. XXII - 2557
Memorandum Decision & Order Granting Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 04/14/2015	Vol. XXII - 2560
JV, LLC's Motion to Alter, Amend and to Reconsider the Court's Memorandum Decision and Order Filed 04/14/2015 and Request for Oral Argument Time/Date for a Hearing; Not Yet to be Set – filed 04/28/2015	Vol. XXII - 2579
Motion for Reconsideration and Clarification – filed 04/29/2015	Vol. XXII - 2596
Defendants North Idaho Resorts, LLC and VP, Incorporated's Motion for Enlargement of Time to File Memorandum in Support of Motion for Reconsideration and Clarification – filed 05/11/2015	Vol. XXII - 2598
Valiant Idaho, LLC's Motion for Entry of Final Judgment – filed 05/20/2015.....	Vol. XXII - 2600
Memorandum in Support of Valiant Idaho, LLC's Motion for Entry of Final Judgment – filed 05/20/2015 ...	Vol. XXII - 2605
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Entry of Final Judgment – filed 05/20/2015	Vol. XXIII - 2612

Declaration of C. Dean Shafer in Support of Valiant Idaho, LLC's Motion for Entry of Final Judgment – filed 05/20/2015
Vol. XXIII - 2627

Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendants Frederick J. Grant and Christine Grant –
filed 05/22/2015..... Vol. XXIV - 2749

Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendants
Frederick J. Grant and Christine Grant – filed 05/22/2015..... Vol. I - 2751

Declaration of Pamela Lemieux in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party
Defendants Frederick J. Grant and Christine Grant – filed 05/22/2015..... Vol. XXIV - 2763

Defendants North Idaho Resorts, LLC and VP Incorporated's Second Motion for Enlargement of Time to File Memorandum
in Support of Motion for Reconsideration and Clarification – filed 05/26/2015 Vol. XXIV - 2771

Order for Entry of Default Against Third Party Defendants Frederick J. Grant and Christine Grant – filed 05/29/2015 Vol.
XXIV - 2773

Clerk's Entry of Default Against Third Party Defendants Frederick J. Grant and Christine Grant – filed 05/29/2015 Vol.
XXIV - 2777

Renewed Motion for Reconsideration and Clarification – filed 06/16/2015 Vol. XXIV - 2781

Memorandum in Support of Renewed Motion for Reconsideration and Clarification – filed 06/16/2015 Vol. XXIV - 2783

Memorandum Decision and Order Granting Motion for Entry of Final Judgment – filed 06/23/2015 Vol. XXIV - 2791

Defendants North Idaho Resorts, LLC and VP, Incorporated's Motion for Enlargement of Time to File Reply to Plaintiff's
Opposition to North Idaho Resorts, LLC and VP, Inc.'s Renewed Motion for Reconsideration and Clarification – filed
07/06/2015 Vol. XXIV - 2799

Memorandum in Opposition to North Idaho Resorts, LLC and VP, Inc.'s Renewed Motion for Reconsideration and
Clarification – filed 07/06/2015 Vol. XXIV - 2804

Memorandum in Opposition to JV, LLC's Motion to Alter, Amend and to Reconsider the Court's Memorandum Decision and
Order Filed 04/14/2015 – filed 07/06/2015 Vol. XXIV - 2820

Reply Memorandum in Support of Renewed Motion for Reconsideration and Clarification – filed 07/07/2015 ... Vol. XXIV -
2837

Objection to Proposed Final Judgment – filed 07/07/2015 Vol. XXIV - 2844

JV, LLC's Objection to Entry of Final Judgment – as Drafted by Valiant; and Request for a Hearing – filed 07/07/2015 Vol.
XXIV - 2847

Memorandum Decision and Order re: 1) JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated's Motions to Reconsider
2) Valiant's Request for Entry of Proposed Final Judgment and Decree of Foreclosure and Sale – filed 07/21/2015 Vol.
XXIV - 2856

Valiant Idaho, LLC's Motion for an Order of Sale of Real Property – filed 07/22/2015 Vol. XXV - 2880

Memorandum in Support of Valiant Idaho, LLC's Motion for an Order of Sale of Real Property – filed 07/22/2015 Vol. XXV
- 2912

Declaration of C. Dean Shafer in Support of Valiant Idaho, LLC's Motion for an Order of Sale of Real Property – filed
07/22/2015 Vol. XXV - 2926

Declaration of Charles W. Reeves in Support of Valiant Idaho, LLC's Motion for an Order of Sale of Real Property – filed 07/22/2015	Vol. XXV - 2959
JV, LLC's Motion to Alter, Amend, and Reconsider the Court's Memorandum Decision and Order re: JV, LLC's Motions to Reconsider, and JV, LLC's Motion for Partial Summary Judgment for Affirmative Relief Concerning JV, LLC's Redemption Deed and as to Valiant's Redemption Deed; and Request for Hearing – filed 07/30/2015	Vol. XXV - 2967
Objection to Motion for an Order of Sale of Real Property – filed 08/04/2015	Vol. XXV - 2981
Declaration of Richard Villelli in Opposition to Valiant Idaho, LLC's Motion for Order of Sale – filed 08/04/2015	Vol. XXVI - 2987
Decree of Foreclosure – filed 08/05/2015	Vol. XXVI - 3075
Judgment – filed 08/05/2015	Vol. XXVI - 3082
JV, LLC's Defendants Trial Exhibit – filed 08/11/2015	Vol. XXVI - 3088
JV, LLC's Motion to Reconsider, Alter, and Amend the Judgment [Rule 11 (b) and Rule 52 (b)]; and Request for Hearing – filed 08/18/2015	Vol. XXVI - 3095
North Idaho Resorts, LLC and VP, Inc.'s Motion to Reconsider and Motion to Alter and Amend Judgment – filed 08/19/2015	Vol. XXVII - 3114
North Idaho Resorts, LLC and VP, Inc.'s Memorandum in Support of Motion to Reconsider and Motion to Alter and Amend Judgment – filed 08/19/2015	Vol. XXVII - 3116
Affidavit of Susan P. Weeks in Support of North Idaho Resorts, LLC and VP, Inc.'s Motion to Reconsider and Motion to Alter and Amend Judgment – filed 08/19/2015	Vol. XXVII - 3133
Valiant Idaho, LLC's Motion to Amend Decree of Foreclosure – filed 08/19/2015	Vol. XXVII - 3240
Memorandum in Support of Valiant Idaho, LLC's Motion to Amend Decree of Foreclosure – filed 08/19/2015	Vol. XXVII - 3244
Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVII - 3249
Memorandum in Support of Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVIII - 3253
Declaration of Chad M. Nicholson in Support of Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVIII - 3276
Declaration of Charles W. Reeves in Support of Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVIII - 3280
Declaration of C. Dean Shafer in Support of Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVIII - 3301
Notice of Hearing on Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVIII - 3329
Notice of Special Appearance – filed 08/21/2015	Vol. XXVIII - 3334
VP Incorporated's Answer to JV, LLC's Cross-Claim – filed 08/21/2015	Vol. XXVIII - 3337

Stipulation for Settlement and for Judgment as Between Defendant VP, Inc. and North Idaho Resorts and the Defendant JV, LLC – filed 08/24/2015	Vol. XXVIII - 3340
Memorandum in Opposition to JV, LLC’s Motion to Alter, Amend and to Reconsider filed 08/18/2015 – filed 08/25/2015	Vol. XXVIII - 3367
Memorandum in Opposition to JV, LLC’s Motion to Alter, Amend and to Reconsider the Court’s Memorandum Decision and Order dated July 21, 2015 – filed 08/26/2015	Vol. XXVIII - 3376
JV’s Supplemental Motion to Alter, Amend, Set Aside the Judgment, Based on Valiant’s Motions to Change the Order of Sale and Change the Decree of Foreclosure Pursuant to Rules 11 (b); 52 (b) and Rule 60 and Notice of Hearing – filed 08/26/2015	Vol. XXIX - 3386
Affidavit of James Berry on Behalf of JV, LLC – filed 08/26/2015	Vol. XXIX - 3401
North Idaho Resorts, LLC and VP, Inc.’s Memorandum in Opposition to Valiant Idaho’s Motion to Amend Degree of Foreclosure and Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/26/2015	Vol. XXIX - 3413
Declaration of Richard Vilelli in Opposition to Valiant Idaho, LLC’s Motion to Alter, Amend and/or Reconsider the Order of Sale – filed 08/26/2015	Vol. XXIX - 3424
Errata to Declaration of Richard Vilelli in Opposition to Valiant Idaho, LLC’s Motion to Alter, Amend and/or Reconsider the Order of Sale – filed 08/27/2015	Vol. XXIX - 3487
JV’s Reply to Valiant’s Memorandum in Opposition to JV’s Motion filed on 07/21/2015, and Motions to Strike – filed 08/31/2015	Vol. XXIX - 3499
Order Setting Trial and Pretrial Order – filed 09/03/2015	Vol. XXX - 3521
Memorandum Decision and Order Granting in Part Reconsideration of the July 21, 2015 Memorandum Decision & Order – filed 09/04/2015	Vol. XXX - 3527
JV, LLC’s Request for Clerk’s Minutes and Reporter’s Typed Transcript of Entire Proceeding Including the District Court’s Remarks and Rulings in Open Court on September 2, 2015 – filed 09/08/2015	Vol. XXX - 3533
Valiant Idaho, LLC’s Objection to JV, LLC’s Proposed Judgment Submitted 09/10/2015 (As Between Defendants JV, LLC and North Idaho Resorts, LLC/VP Incorporated) – filed 09/16/2015	Vol. XXX - 3538
Notice re: Proposed Judgment (as Between Defendant VP, Inc. and North Idaho Resorts and the Defendant JV, LLC) – filed 09/17/2015	Vol. XXX - 3545
Order Vacating Decree of Foreclosure Entered on August 5, 2015 – filed 09/17/2015	Vol. XXX - 3549
Order Vacating Judgment Entered on August 5, 2015 – filed 09/17/2015	Vol. XXX - 3552
Subpoena Duces Tecum to First American Title Company – filed 09/18/2015	Vol. XXX - 3555
Second Subpoena Duces Tecum to First American Title Company – filed 09/18/2015	Vol. XXX - 3620
Valiant Idaho, LLC’s Third Motion for Summary Judgment – filed 09/25/2015	Vol. XXX - 3623
Memorandum in Support of Valiant Idaho, LLC’s Third Motion for Summary Judgment – filed 09/25/2015	Vol. XXXI - 3627
Declaration of Barney Ng in Support of Valiant Idaho, LLC’s Third Motion for Summary Judgment – filed 09/25/2015	Vol. XXXI - 3658

Valiant Idaho, LLC's Objections and Opposition to North Idaho Resorts, LLC and VP, Incorporated's Motion to Reconsider and Motion to Alter and Amend Judgment – filed 10/01/2015	Vol. XXXI - 3721
Affidavit of Service (Sandpoint Title Insurance) – filed 10/05/2015	Vol. XXXI - 3727
Affidavit of Service (First American Title) – filed 10/05/2015	Vol. XXXI - 3729
Affidavit of Service (Second on First American Title) – filed 10/05/2015	Vol. XXXI - 3731
Valiant Idaho, LLC's Motion to Strike Inadmissible Evidence – filed 10/09/2015	Vol. XXXI - 3733
Memorandum in Support of Valiant Idaho, LLC's Motion to Strike Inadmissible Evidence – filed 10/09/2015	Vol. XXXI - 3737
Defendants North Idaho Resorts, LLC and VP, Incorporated's Motion for Enlargement of Time to File Reply to Plaintiff's Opposition to North Idaho Resorts, LLC and VP, Inc.'s Renewed Motion for Reconsideration and Clarification – filed 10/13/2015	Vol. XXXI - 3746
JV, LLC's Objection and Memorandum in Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment and JV, LLC's Motion to Strike Valiant's Third Motion for Summary Judgment and Notice of Hearing for October 23, 2015 at 1:30 p.m. – filed 10/13/2015	Vol. XXXII - 3748
Affidavit of James Berry on Behalf of JV, LLC in Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment – filed 10/13/2015	Vol. XXXII - 3778
Declaration of Susan P. Weeks in Opposition to Valiant's Third Motion for Summary Judgment – filed 10/13/2015	Vol. XXXII - 3791
Defendants North Idaho Resorts, LLC and VP Incorporated's Memorandum in Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment – filed 10/13/2015.....	Vol. XXXII - 3810
Defendants North Idaho Resorts and VP, Incorporated's Motion for Judicial Notice of Barney Ng – filed 10/13/2015	Vol. XXXII - 3823
Declaration of Richard Vilelli in Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 10/14/2015	Vol. XXXII - 3828
Motion to Strike Memoranda and Declarations/Affidavits in Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment or, in the Alternative, Motion for Extension of Time to File Reply Memoranda – filed 10/16/2015	Vol. XXXII - 3864
Declaration of Chad M. Nicholson dated October 16, 2015 – filed 10/16/2015.....	Vol. XXXII - 3870
Defendants North Idaho Resorts, LLC and VP, Incorporated's Memorandum in Opposition to Valiant Idaho, LLC's Motion to Strike Inadmissible Evidence – filed 10/16/2015	Vol. XXXII - 3879
JV, LLC's Response to Valiant's Motion to Strike Inadmissible Evidence – filed 10/19/2015	Vol. XXXIII - 3884
Memorandum in Reply to Defendant JV, LLC's Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment – filed 10/20/2015	Vol. XXXIII - 3892
Memorandum in Opposition to Defendant JV, LLC's Motion to Vacate Valiant's Hearing on October 23, 2015 – filed 10/20/2015	Vol. XXXIII - 3900
Declaration of Barney Ng in Support of Valiant Idaho, LLC's Reply to North Idaho Resorts, LLC's and VP, Incorporated's Opposition to Valiant, Idaho, LLC's Third Motion for Summary Judgment – filed 10/20/2015	Vol. XXXIII - 3906

Motion to Shorten Time to Have Heard Valiant Idaho, LLC's Second Motion to Strike Inadmissible Evidence – filed 10/20/2015	Vol. XXXIII - 3911
Declaration of Chad M. Nicholson dated October 20, 2015 – filed 10/20/2015.....	Vol. XXXIII - 3914
Memorandum in Reply to North Idaho Resorts, Inc. and VP, Incorporated's Opposition to Valiant, Idaho, LLC's Third Motion for Summary Judgment – filed 10/20/2015.....	Vol. XXXIII - 3924
Valiant Idaho, LLC's Second Motion to Strike Inadmissible Evidence – filed 10/20/2015	Vol. XXXIII - 3940
Memorandum in Support of Valiant Idaho, LLC's Second Motion to Strike Inadmissible Evidence – filed 10/20/2015	Vol. XXXIII - 3945
Amended Notice of Trial – filed 10/21/2015.....	Vol. XXXIII - 3953
Reply to JV, LLC's Response to Valiant Idaho, LLC's Motion to Strike Inadmissible Evidence – filed 10/21/2015..	Vol. XXXIII - 3955
Reply to Defendants North Idaho Resorts, LLC's and VP, Incorporated's Memorandum in Opposition to Valiant Idaho, LLC's Motion to Strike Inadmissible Evidence – filed 10/21/2015	Vol. XXXIII - 3962
JV, LLC's Response to Valiant's Most Recent "Filings" and JV, LLC's Objection Thereto – filed 10/21/2015	Vol. XXXIII - 3972
North Idaho Resorts, LLC and VP, Inc.'s Reply Memorandum in Support of Motion to Reconsider and Motion to Alter and Amend Judgment – filed 10/22/2015.....	Vol. XXXIII - 3982
Motion for Enlargement of Time to File North Idaho Resorts, LLC and VP, Inc.'s Reply Memorandum in Support of Motion to Reconsider and Motion to Alter and Amend Judgment – filed 10/22/2015	Vol. XXXIII - 3986
Errata to Declaration of Susan P. Weeks in Opposition to Valiant's Third Motion for Summary Judgment – filed 10/22/2015	Vol. XXXIII - 3988
Defendants North Idaho Resorts, LLC and VP, Incorporated's Memorandum in Opposition to Valiant Idaho, LLC's Second Motion to Strike Inadmissible Evidence – filed 10/22/2015	Vol. XXXIII - 3990
Defendants North Idaho Resorts, LLC and VP, Incorporated's Motion to Strike the Declarations of Barney Ng and Chad M. Nicholson – filed 10/22/2015	Vol. XXXIII - 3995
Defendants North Idaho Resorts, LLC and VP, Incorporated's Memorandum in Support of Motion to Strike the Declarations of Barney Ng and Chad M. Nicholson – filed 10/22/2015	Vol. XXXIII - 3997
Memorandum Decision & Order re: Motions Heard on October 23, 2015 – filed 10/30/2015	Vol. XXXIII - 4000
VP, Inc.'s Expert Witness Disclosure – filed 11/27/2015	Vol. XXXIV - 4020
VP, Inc.'s Lay Witness Disclosure – filed 11/27/2015.....	Vol. XXXIV - 4024
VP, Inc.'s Supplemental Expert Witness Disclosure – filed 12/04/2015	Vol. XXXIV - 4027
Valiant Idaho, LLC's Motion <i>In Limine</i> re: North Idaho Resorts, LLC and VP, Inc. – filed 12/15/2015	Vol. XXXIV - 4032
Valiant Idaho, LLC's Motion <i>In Limine</i> re: JV, LLC – filed 12/15/2015.....	Vol. XXXIV - 4034
Memorandum in Support of Valiant Idaho, LLC's Motion <i>In Limine</i> re: North Idaho Resorts, LLC and VP, Inc. – filed 12/15/2015	Vol. XXXIV - 4036

Memorandum in Support of Valiant Idaho, LLC's Motion <i>In Limine</i> re: North Idaho Resorts, LLC and VP, Inc.(Continued) – filed 12/15/2015	Vol. XXXV - 4036
Memorandum in Support of Valiant Idaho, LLC's Motion <i>In Limine</i> re: JV, LLC – filed 12/15/2015.....	Vol. XXXV - 4051
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motions <i>In Limine</i> – filed 12/15/2015	Vol. XXXV - 4057
JV, LLC's Amended Exhibit List and Documents – filed 12/22/2015	Vol. XXXV - 4205
VP, Inc.'s and North Idaho Resorts, LLC's Response to Valiant's Motion <i>In Limine</i> – filed 12/22/2015	Vol. XXXV - 4221
JV, LLC's Objection to Valiant's Motion <i>In Limine</i> – filed 12/23/2015	Vol. XXXV - 4233
Reply Memorandum in Support of Valiant Idaho, LLC's Motion <i>In Limine</i> re: North Idaho Resorts, LLC and VP, Inc. – filed 12/28/2015	Vol. XXXV - 4243
Reply Memorandum in Support of Valiant Idaho, LLC's Motion <i>In Limine</i> re: JV, LLC – filed 12/28/2015	Vol. XXXV - 4253
Declaration of Chad M. Nicholson in Support of Valiant Idaho, LLC's Reply Memoranda re: Motions <i>In Limine</i> – filed 12/28/2015	Vol. XXXV - 4258
Order re: Valiant Idaho LLC's Motions <i>In Limine</i> – filed 12/29/2015	Vol. XXXV - 4266
VP, Inc.'s Amended Supplemental Expert Witness Disclosure – filed 01/08/2016	Vol. XXXV - 4269
VP, Inc.'s Amended Supplemental Expert Witness Disclosure – filed 01/11/2016	Vol. XXXV - 4273
VP, Inc.'s Exhibit List – filed 01/14/2016	Vol. XXXVI - 4278
Valiant Idaho, LLC's Identification of Trial Exhibits – filed 01/14/2016	Vol. XXXVI - 4286
Valiant Idaho, LLC's Identification of Trial Witnesses – filed 01/14/2016	Vol. XXXVI - 4294
VP, Inc.'s Amended Exhibit List – filed 01/15/2016.....	Vol. XXXVI - 4298
Valiant Idaho, LLC's Trial Brief – filed 01/21/2016	Vol. XXXVI - 4306
JV, LLC's Trial Memorandum – filed 01/22/2016	Vol. XXXVI - 4316
JV, LLC's Second Amended Exhibit List and Documents – filed 01/22/2016	Vol. XXXVI - 4363
Valiant Idaho, LLC's Trial Brief – filed 01/25/2016	Vol. XXXVI - 4394
JV, LLC's Third Amended Exhibit List and Documents – filed 01/26/2016	Vol. XXXVI - 4404
VP, Inc.'s Motion to Amend Answer to Assert an Affirmative Defense – filed 01/27/2016	Vol. XXXVII - 4413
JV, LLC's Fourth Amended Exhibit List and Documents – filed 03/11/2016	Vol. XXXVII - 4418
Valiant Idaho, LLC's Closing Argument – filed 03/14/2016	Vol. XXXVII - 4444
Declaration of William Haberman in Support of Valiant Idaho, LLC's Closing Argument – filed 03/14/2016	Vol. XXXVII - 4471
JV, LLC's Motion to Strike the Declaration of William Haberman – filed 04/18/2016.....	Vol. XXXVII - 4476

VP Inc.'s Motion to Strike the Declaration of William Haberman – filed 04/21/2016	Vol. XXXVII - 4482
Memorandum in Support of VP, Inc.'s Motion to Strike the Declaration of William Haberman – filed 04/21/2016 .	Vol. XXXVII - 4484
Order Denying Motions to Strike – filed 04/27/2016	Vol. XXXVII - 4487
JV, LLC's Post Trial Memorandum and Argument – filed 05/12/2016	Vol. XXXVII - 4489
VP's Closing Argument – filed 05/12/2016	Vol. XXXVII - 4535
Valiant Idaho, LLC's Response and Rebuttal to VP, Inc.'s Closing Argument – filed 05/26/2016	Vol. XXXVIII - 4551
Valiant Idaho, LLC's Response and Objections to JV, LLC's Post-trial Memorandum and Argument – filed 05/26/2016	Vol. XXXVII - 4574
Memorandum Decision and Order re: Court Trial held on January 28 and 29, and March 16 and 17, 2016 – filed 05/27/2016	Vol. XXXVII - 4589
Judgment – filed 06/22/2016	Vol. XXXVII - 4619
Judgment (Continued) – filed 06/22/2016	Vol. XXXIX - 4693
Judgment (Continued) – filed 06/22/2016	Vol. XL - 4806
Decree of Foreclosure – filed 06/22/2016	Vol. XL - 4910
Decree of Foreclosure (Continued) – filed 06/22/2016	Vol. XLI - 4940
Valiant Idaho, LLC's Motion for an Order of Sale of Real Property – filed 06/22/2016	Vol. XLI - 4985
Memorandum in Support of Valiant Idaho, LLC's Motion for Order of Sale of Real Property – filed 06/22/2016	Vol. XLI - 4997
Objection to Valiant Idaho's Second Motion for an Order of Sale of Real Property – filed 06/29/2016	Vol. XLI - 5015
Valiant Idaho, LLC's Memorandum of Costs and Attorney's Fees – filed 07/06/2016	Vol. XLI - 5019
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Memorandum of Costs and Attorney's Fees – filed 07/06/2016	Vol. XLII - 5058
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Memorandum of Costs and Attorney's Fees – filed 07/06/2016	Vol. XLIII - 5190
Order Requiring Submissions – filed 07/14/2016.....	Vol. XLIII - 5264
Order Vacating Judgment – filed 07/14/2016	Vol. XLIII - 5266
Order Vacating Decree of Foreclosure entered on June 22, 2016 – filed 07/14/2016	Vol. XLIII - 5268
Order re: Sale of Real Property – filed 07/14/2016	Vol. XLIII - 5270
JV, LLC's Proposed Judgment and Decree of Foreclosure and JV, LLC's Request for Additional Time of at Least 14 Days – filed 07/15/2016.....	Vol. XLIII - 5274
Order re: Proposed Judgment and Proposed Decree of Foreclosure – filed 07/13/2016	Vol. XLIII - 5303

JV, LLC's Objection and Motion to Disallow Valiant's Memorandum of Fees and Costs – filed 07/18/2016	Vol. XLIV - 5306
Decree of Foreclosure – filed 07/20/2016.....	Vol. XLIV - 5317
Decree of Foreclosure (Continued) – filed 07/20/2016	Vol. XLV - 5413
VP, Inc.'s Opposition to Valiant Idaho's Memorandum of Costs and Attorney Fees – filed 07/20/2016	Vol. XLV - 5503
JV, LLC's Motion to Alter, Amend and Reconsider re: 1. Memorandum Decision and Order 2. Judgment 3. Decree of Foreclosure 4. Order of Sale, and JV, LLC's Memorandum in Support and Request for Hearing – filed 08/02/2016	Vol. XLV - 5521
Order Denying JV, LLC's Request for Oral Argument – filed 08/03/2016.....	Vol. XLV - 5540
VP, Inc.'s Motion for a New Trial – filed 08/03/2016.....	Vol. XLV - 5542
VP, Inc.'s Motion for New Trial – filed 08/03/2016	Vol. XLV - 5544
Memorandum in Support of VP, Inc.'s Motion for New Trial – filed 08/03/2016.....	Vol. XLV - 5546
Declaration of Weeks in Support of VP, Inc.'s Motion for New Trial – filed 08/03/2016.....	Vol. XLVI - 5550
VP, Inc.'s Motion to Alter, Amend, and Reconsider the Decree of Foreclosure and Judgment – filed 08/03/2016	Vol. XLVI - 5553
Memorandum in Support of VP, Inc.'s Motion to Alter, Amend, and Reconsider the Decree of Foreclosure and Judgment – filed 08/04/2016.....	Vol. XLVI - 5555
Order Denying VP, Inc.'s Request for Oral Argument on Motion to Alter, Amend and Reconsider – filed 08/04/2016	Vol. XLVI - 5575
Valiant Idaho, LLC's Memorandum in Opposition to VP, Inc.'s Motion for a New Trial – filed 08/10/2016	Vol. XLVI - 5577
Valiant Idaho, LLC's Memorandum in Opposition to JV, LLC's Motion to Alter, Amend, and Reconsider re: (1) Memorandum Decision and Order; (2) Judgment; (3) Decree of Foreclosure; and (4) Order of Sale – filed 08/10/2016	Vol. XLVI - 5584
Declaration of Richard Stacey in Support of Valiant Idaho, LLC's Memorandum Responses to VP, Inc.'s and JV, LLC's Objections and Motions to Disallow Memorandum of Costs and Attorney's Fees – filed 08/10/2016 ..	Vol. XLVI - 5591
Valiant Idaho, LLC's Memorandum in Opposition to VP, Inc.'s Motion to Alter, Amend and Reconsider the Decree of Foreclosure and Judgment – filed 08/10/2016.....	Vol. XLVI - 5673
Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 08/10/2016	Vol. XLVI - 5682
Declaration of Richard Stacey in Support of Valiant Idaho, LLC's Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 08/10/2016	Vol. XLVII - 5685
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Inc.'s Motion for a New Trial – filed 08/10/2016	Vol. XLVII - 5714
Valiant Idaho, LLC's Memorandum in Opposition to JV, LLC's Objection and Motion to Disallow Memorandum of Costs and Attorney's Fees – filed 08/11/2016.....	Vol. XLVII - 5728
Valiant Idaho, LLC's Memorandum in Response to VP, Inc.'s Objection and Motion to Disallow Memorandum of Costs and Attorney's Fees – filed 08/11/2016.....	Vol. XLVII - 5746

Valiant Idaho, LLC's Memorandum in Support of Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 08/11/2016	Vol. XLVII - 5770
Reply Memorandum to Valiant's Opposition to Motion for New Trial – filed 08/15/2016	Vol. XLVII - 5787
Memorandum Decision and Order Denying JV, LLC's and VP, Incorporated's Motions to Alter, Amend and Reconsider – filed 08/16/2016	Vol. XLVII - 5793
Memorandum Decision and Order Denying JV, LLC's and VP, Incorporated's Motions to Alter, Amend and Reconsider (Continued) – filed 08/16/2016	Vol. XLVIII - 5815
Memorandum Decision Order Awarding Costs and Attorney's Fees to Valiant Idaho, LLC – filed 08/22/2016	Vol. XLVIII - 5829
Judgment re: Costs and Attorneys' Fees – filed 08/22/2016	Vol. XLVIII - 5844
JV, LLC's Response, Objection and Opposition to Plaintiff's Motion for Sanctions – filed 08/24/2016	Vol. XLVIII - 5847
Declaration of Daniel M. Keyes in Support of VP and NIR's Opposition to Valiant Idaho's Motion for Sanctions – filed 08/24/2016	Vol. XLVIII - 5868
Defendant VP, Inc.'s and NIR, LLC's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Sanctions – filed 08/24/2016	Vol. XLVIII - 5886
Memorandum Decision Order Denying VP, Inc.'s Motion for New Trial – filed 08/25/2016	Vol. XLVIII - 5906
JV, LLC's Correction to its Response, Objection and Opposition to Plaintiff's Motion for Sanctions – filed 08/25/2016	Vol. XLVIII - 5920
Memorandum Decision Order Denying Valiant Idaho, LLC's Motion for Sanctions – filed 08/29/2016	Vol. XLVIII - 5925
Notice of Appeal (NIR) – filed 09/09/2016	Vol. IL - 5941
Notice of Appeal (NIR) (Continued) – filed 09/09/2016	Vol. L - 6041
Notice of Appeal by JV, LLC – filed 09/20/2016	Vol. LI - 6137
Notice of Appeal by JV, LLC (Continued) – filed 09/20/2016	Vol. LII - 6267
Writ of Execution – filed 09/21/2016	Vol. LII - 6318
Writ of Execution (Continued) – filed 09/21/2016	Vol. LIII - 6396
Sheriff's Service on Writ of Execution – filed 09/21/2016	Vol. LIII - 6507
Notice of Levy Under Writ of Execution – filed 09/21/2016	Vol. LIII - 6508
Notice of Sheriff's Sale – filed 09/21/2016	Vol. LIV - 6531
Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/21/2016	Vol. LIV - 6562
Memorandum in Support of Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/21/2016	Vol. LIV - 6566
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/21/2016	Vol. LIV - 6573

Notice of Denial of Oral Argument for Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/23/2016	Vol. LIV - 6578
Valiant Idaho, LLC's Request for Additional Transcript and Record on Appeal – filed 09/23/2016	Vol. LIV - 6581
JV, LLC's Objection to Valiant's Motion for Relief from Automatic Stay and Memorandum in Support – filed 09/26/2016	Vol. LIV - 6589
VP, Inc. and NIR, LLC's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/28/2016	Vol. LIV - 6597
Memorandum in Reply to: (1) JV, LLC's Objection; and (2) VP, Inc. and North Idaho Resorts, LLC's Opposition to Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/29/2016	Vol. LIV - 6603
Application and Declaration of Richard L. Stacey for Writ of Execution – filed 10/05/2016	Vol. LIV - 6608
Writ of Execution – filed 10/05/2016	Vol. LIV - 6611
Writ of Execution (Continued) – filed 10/05/2016	Vol. LV - 6667
Writ of Execution (Continued) – filed 10/05/2016	Vol. LVI - 6801
Application and Declaration of Richard L. Stacey for Writ of Execution Against North Idaho Resorts, LLC – filed 10/06/2016	Vol. LVI - 6804
Writ of Execution Against North Idaho Resorts, LLC – filed 10/06/2016	Vol. LVI - 6806
Application and Declaration of Richard L. Stacey for Writ of Execution Against JV, LLC – filed 10/06/2016	Vol. LVI - 6812
Writ of Execution Against JV, LLC – filed 10/06/2016	Vol. LVI - 6814
Application and Declaration of Richard L. Stacey for Writ of Execution Against VP, Incorporated – filed 10/06/2016	Vol. LVI - 6820
Writ of Execution Against VP, Incorporated – filed 10/06/2016	Vol. LVI - 6822
Notice of Appeal (VP, Inc.) – filed 10/06/2016	Vol. LVI - 6828
Notice of Appeal (VP, Inc.) (Continued) – filed 10/06/2016	Vol. LVII - 6932
Notice of Amended Appeal (NIR, LLC) – filed 10/06/2016	Vol. LVII - 7031
Notice of Amended Appeal (NIR, LLC) (Continued) – filed 10/06/2016	Vol. LVIII - 7071
Notice of Amended Appeal (NIR, LLC) (Continued) – filed 10/06/2016	Vol. LIX - 7212
Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 10/07/2016	Vol. LIX - 7230
Valiant Idaho, LLC's Request for Additional Transcript and Record on Appeal – filed 10/07/2016	Vol. LIX - 7238
Application and Declaration of Richard L. Stacey for Writ of Execution Against JV, LLC for Boundary County – filed 10/13/2016	Vol. LIX - 7253
Writ of Execution Against JV, LLC for Boundary County – filed 10/13/2016	Vol. LIX - 7255

Application and Declaration of Richard L. Stacey for Writ of Execution Against North Idaho Resorts, LLC for Boundary County – filed 10/13/2016	Vol. LIX - 7258
Writ of Execution Against North Idaho Resorts, LLC for Boundary County – filed 10/13/2016	Vol. LIX - 7260
Application and Declaration of Richard L. Stacey for Writ of Execution Against VP, Incorporated for Boundary County – filed 10/13/2016	Vol. LIX - 7263
Writ of Execution Against VP, Incorporated for Boundary County – filed 10/13/2016.....	Vol. LIX - 7265
Valiant Idaho, LLC’s Request for Additional Transcript and Record on Appeal – filed 10/20/2016	Vol. LIX - 7268
Valiant Idaho, LLC’s Amended Request for Additional Transcript and Record on Appeal – filed 10/20/2016	Vol. I - 7279
Notice of Levy (268811) – filed 10/31/2016	Vol. LIX - 7283
Writ of Execution Against VP, Incorporated for Boundary County (268811) – filed 10/31/2016.....	Vol. LIX - 7285
Notice of Sheriff’s Sale (268812) – filed 10/31/2016.....	Vol. LIX - 7288
Notice of Levy (268813) – filed 10/31/2016	Vol. LIX - 7291
Writ of Execution Against North Idaho Resorts, LLC for Boundary County (268813) – filed 10/31/2016	Vol. LIX - 7294
Notice of Sheriff’s Sale (268814) – filed 10/31/2016.....	Vol. LIX - 7297
Notice of Levy (268815) – filed 10/31/2016	Vol. LIX - 7300
Writ of Execution Against JV, LLC for Boundary County (268815) – filed 10/31/2016	Vol. LIX - 7303
Notice of Sheriff’s Sale (268816) – filed 10/31/2016.....	Vol. LIX - 7306
Cash Bond posted by JV, LLC \$21,154.60 – posted 11/02/2016	Vol. LIX - 7309
JV, LLC’s Motion and Application for Stay of Execution Upon Posting a Cash Deposit by JV, LLC [IAR 13 (b) 15] – filed 11/02/2016	Vol. LIX - 7311
JV, LLC’s Third Party Claim (Idaho Code 11-203) – filed 11/02/2016.....	Vol. LX - 7341
Notice of Hearing – filed 11/03/2016	Vol. LX - 7357
Valiant Idaho, LLC’s Motion Contesting JV, LLC’s Third Party Claim; and Opposition to JV, LLC’s Motion for Stay of Execution – filed 11/03/2016.....	Vol. LX - 7361
Memorandum in Support of Valiant Idaho, LLC’s Motion Contesting JV, LLC’s Third Party Claim; and Opposition to JV, LLC’s Motion for Stay of Execution – filed 11/03/2016.....	Vol. LX - 7364
Motion to Shorten Time to Have Heard Valiant Idaho, LLC’s (1) Motion Contesting JV, LLC’s Third Party Claim; and Opposition to JV, LLC’s Motion for Stay of Execution; and (2) Motion for Sanctions under IC 12-123 and IRCP 11 – filed 11/03/2016	Vol. LX - 7369
Order Shortening Time to Have Heard Valiant Idaho, LLC’s (1) Motion Contesting JV, LLC’s Third Party Claim; and Opposition to JV, LLC’s Motion for Stay of Execution; and (2) Motion for Sanctions under IC 12-123 and IRCP 11 – filed 11/03/2016	Vol. LX - 7372
Valiant Idaho, LLC’s Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 11/03/2016	Vol. LX - 7375

Valiant Idaho, LLC's Memorandum in Support of Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 11/03/2016	Vol. LX - 7378
Supplemental Memorandum in Support of Valiant Idaho, LLC's Motion Contesting JV, LLC's Third Party Claim; and Opposition to JV, LLC's Motion for Stay of Execution – filed 11/04/2016	Vol. LX - 7387
Declaration of Sally Mitchell in Support of Supplemental Memorandum Supporting Valiant Idaho, LLC's Motion Contesting JV, LLC's Third Party Claim; and Opposition to JV, LLC's Motion for Stay of Execution – filed 11/04/2016	Vol. LX - 7392
Order re: JV, LLC's Third Party Claim and Motion for Stay of Execution – filed 11/04/2016	Vol. LX - 7399
Memorandum Decision Order Granting Valiant Idaho, LLC's Motion for Sanctions – filed 11/14/2016	Vol. LX - 7402
Sheriff's Certificate on Return of Service, Writ of Execution (NIR) – filed 11/18/2016	Vol. LX - 7411
Writ of Execution Against North Idaho Resorts, LLC for Boundary County – filed 11/18/2016	Vol. LX - 7413
Sheriff's Certificate on Return of Service, Writ of Execution (VP, Inc.)– filed 11/18/2016	Vol. LX - 7424
Writ of Execution Against VP, Incorporated for Boundary County – filed 11/18/2016	Vol. LX - 7426
Withdrawal of Application for Stay - filed 11/22/2016	Vol. LX - 7436
Valiant Idaho, LLC's Memorandum of Costs and Attorneys' Fees Against JV, LLC – filed 11/25/2016	Vol. LX - 7438
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Memorandum of Costs and Attorneys' Fees Against JV, LLC – filed 11/25/2016	Vol. LX - 7442
JV's Objection, and Motion to Disallow Valiant's Memorandum of Attorney Costs and Fees – filed 12/02/2016	Vol. LX - 7447
Order Imposing Rule 11 Sanctions – filed 12/06/2016	Vol. LX - 7458
Judgment re: Rule 11 Sanctions – filed 12/06/2016	Vol. LX - 7462
Writ of Execution – filed 12/22/2016	Vol. LXI - 7464
Writ of Execution (Continued) – filed 12/22/2016	Vol. LXII - 7594
Notice of Levy Under Writ of Execution – filed 12/22/2016	Vol. LXII - 7657
Sheriff's Return on Sale – filed 12/22/2016	Vol. LXII - 7680
Sheriff's Return on Writ of Execution – filed 12/22/2016	Vol. LXII - 7714
Notice of Sheriff's Sale – filed 12/22/2016	Vol. LXIII - 7715
Sheriff's Certificate of Sale (Idaho Club – Parcel 1) – filed 12/22/2016	Vol. LXII - 7747
Sheriff's Certificate of Sale (Idaho Club – Parcel 2) – filed 12/22/2016	Vol. LXII - 7750
Sheriff's Certificate of Sale (Idaho Club – Parcel 5) – filed 12/22/2016	Vol. LXII - 7754
Sheriff's Certificate of Sale (Idaho Club – Parcel 8) – filed 12/22/2016	Vol. LXII - 7761
Sheriff's Certificate of Sale (Idaho Club – Parcel 9) – filed 12/22/2016	Vol. LXII - 7764

Sheriff's Certificate of Sale (Idaho Club – Parcel 157) – filed 12/22/2016 Vol. LXVI - 8208

Sheriff's Certificate of Sale (Idaho Club – Parcel 158) – filed 12/22/2016 Vol. LXVI - 8211

Sheriff's Certificate of Sale (Idaho Club – Parcel 159) – filed 12/22/2016 Vol. LXVI - 8214

Sheriff's Certificate of Sale (Idaho Club – Parcel 163) – filed 12/22/2016 Vol. LXVI - 8219

Sheriff's Certificate of Sale (Idaho Club – Parcel 177) – filed 12/22/2016 Vol. LXVI - 8223

Application and Declaration of Richard L. Stacey for Writ of Execution Against JV, LLC – filed 01/09/2017 Vol. I - 8228

Writ of Execution Against JV, LLC – filed 01/09/2017 Vol. LXVI - 8232

Amended Notice of Appeal by JV, LLC IAR 17 (m), Request for Additional Clerk's Transcripts, and Request for Additional Court Reporter's Transcript – filed 01/13/2017 Vol. LXVI - 8235

Valiant Idaho, LLC's Amended Request for Additional Transcript and Record on Appeal – filed 01/30/2017 Vol. LXVII - 8254

Writ of Execution Against JV, LLC for Boundary County – filed 01/30/2017 Vol. LXVII - 8262

Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – filed 02/08/2017 Vol. LXVII - 8268

Memorandum in Support of Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – filed 02/08/2017 Vol. LXVII - 8271

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – filed 02/08/2017 Vol. LXVII - 8279

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – filed 02/08/2017 Vol. LXVIII - 8385

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – filed 02/08/2017 Vol. LXIX - 8507

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – filed 02/08/2017 Vol. LXX - 8634

JV, LLC's Motion and Application for Stay of Execution Upon Posting a Cash Deposit by JV, LLC [IAR 13 (b) 15] – filed 02/14/2017 Vol. LXX - 8709

Errata to JV, LLC's Motion and Application for Stay of Execution Upon Posting a Cash Deposit by JV, LLC [IAR 13 (b) 15] – filed 02/15/2017 Vol. LXX - 8737

Valiant Idaho, LLC's Notice of Non-Objection to JV, LLC's Motion and Application for Stay of Execution Upon Posting a Cash Deposit, and Errata Thereto – filed 02/16/2017 Vol. LXX - 8743

VP, Inc.'s Memorandum in Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment – filed 02/17/2017 Vol. LXX - 8746

Declaration of Richard Villelli in Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment – filed 02/17/2017 Vol. LXX - 8756

Declaration of Richard Villelli in Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment (Continued) – filed
 02/17/2017 Vol. LXXI - 8770

Declaration of Daniel Keyes in Support of Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment – filed
 02/17/2017 Vol. LXXI - 8801

Order re: JV, LLC's Motion and Application for Stay of Execution Upon Posting a Cash Deposit – filed 02/21/2017 Vol.
 LXXI - 8822

Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10)
 and 13 (b)(13) – filed 02/22/2017 Vol. LXXI - 8827

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's
 Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – Faxed copy filed 02/22/2017..... Vol. LXXI - 8841

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's
 Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – Original filed 02/23/2017..... Vol. LXXI - 8845

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's
 Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – Original filed 02/23/2017..... Vol. LXXII -
 8908

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's
 Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – Original filed 02/23/2017..... Vol. LXXIII
 - 9044

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's
 Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – Original filed 02/23/2017..... Vol. LXXIV
 - 9180

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's
 Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – Original filed 02/23/2017..... Vol. LXXV -
 9318

Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10)
 and 13 (b)(13) – filed 02/23/2017 Vol. LXXV - 9328

Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/06/2017 Vol.
 LXXV - 9341

Writ of Assistance – filed 03/06/2017 Vol. LXXV - 9361

Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application for Stay of Enforcement of Order Granting
 Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/07/2017 Vol. LXXV - 9386

Memorandum in Support of Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application for Stay of
 Enforcement of Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/07/2017 Vol. LXXV - 9388

Declaration of Richard Villelli in Support of Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application
 for Stay of Enforcement of Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/07/2017 . Vol.
 LXXV - 9394

Valiant Idaho, LLC's Motion to Clarify Court's Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion to
 Enforce Judgment – filed 03/20/2017 Vol. LXXV - 9399

Memorandum in Support of Valiant Idaho, LLC's Motion to Clarify Court's Memorandum Decision and Order Granting
 Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/20/2017 Vol. LXXV - 9402

Notice of Hearing on Valiant Idaho, LLC's Motion to Clarify Court's Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/20/2017 Vol. LXXV - 9409

Order Requesting Response Brief from Valiant Idaho, LLC – filed 03/27/2017 Vol. LXXV - 9413

Valiant Idaho, LLC's Notice of Hearing on VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, etc. – filed 03/28/2017 Vol. LXXV - 9415

Valiant Idaho, LLC's Application for an Extension to Respond to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 03/28/2017 Vol. LXXV - 9418

Order on Valiant Idaho, LLC's Application for an Extension to Respond to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2 – filed 03/28/2017 Vol. LXXV - 9421

VP, Inc.'s Memorandum in Opposition to Valiant Idaho, LLC's Motion to Clarify Court's Memorandum Decision and Order and Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/29/2017 Vol. LXXV - 9424

Valiant Idaho, LLC's Memorandum in Reply to VP, Incorporated's Opposition to Motion to Clarify Court's Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 04/03/2017 Vol. LXXV - 9436

Sheriff's Certificate on Return of Service, Writ of Execution – filed 04/06/2017 Vol. LXXV - 9446

Writ of Execution Against JV, LLC – filed 04/06/2017 Vol. LXXVI - 9448

Notice to Counsel – filed 04/06/2017 Vol. LXXVI - 9453

Declaration of William Haberman in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 04/11/2017 Vol. LXXVI - 9455

Declaration of William Haberman in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 04/11/2017 Vol. LXXVII - 9573

Declaration of Steven B. Cordes, P.E., in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 04/11/2017 Vol. LXXVII - 9593

Writ of Assistance – filed 04/11/2017 Vol. LXXVII - 9635

Declaration of Jason Davis, Bonner County Deputy Sheriff – filed 04/11/2017 Vol. LXXVII - 9662

Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 04/12/2017 Vol. LXXVII - 9665

Valiant Idaho, LLC's Motion for a Temporary Restraining Order and Preliminary Injunction Against VP, Incorporated – filed 04/13/2017 Vol. LXXVII - 9683

Valiant Idaho, LLC's Memorandum in Support of Motion for a Temporary Restraining Order and Preliminary Injunction Against VP, Incorporated – filed 04/13/2017 Vol. LXXVII - 9686

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for a Temporary Restraining Order and Preliminary Injunction Against VP, Incorporated – filed 04/13/2017 Vol. LXXVII - 9696

Declaration of William Haberman in Support of Valiant Idaho, LLC's Motion for a Temporary Restraining Order and Preliminary Injunction Against VP, Incorporated – filed 04/13/2017 Vol. LXXVII - 9703

Order on Valiant Idaho, LLC's Motion for a Temporary Restraining Order Against VP, Incorporated – filed 04/13/2017 Vol. LXXVII - 9707

Valiant Idaho, LLC's Notice of Depost – filed 04/13/2017..... Vol. LXXVIII - 9711

Motion to Dissolve Temporary Restraining Order – filed 04/13/2017 Vol. LXXVIII - 9714

Memorandum in Support of Motion to Dissolve Temporary Restraining Order – filed 04/14/2017. Vol. LXXVIII - 9716

Motion to Enlarge Time to Respond to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/17/2017 Vol. LXXVIII - 9733

Declaration of Chad M. Nicholson in Support of Valiant Idaho, LLC's Motion to Enlarge Time to Respond to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/17/2017..... Vol. LXXVIII - 9736

Order Granting Motion to Enlarge Time to Respond to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/17/2017 Vol. LXXVIII - 9742

Reply Memorandum in Support of Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application for Stay of Enforcement of Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 04/17/2017 Vol. LXXVIII - 9745

Declaration of Richard Vilelli in Support of Reply Memorandum in Support of Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application for Stay of Enforcement of Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 04/18/2017 Vol. LXXVIII - 9758

Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/18/2017..... Vol. LXXVIII - 9790

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/18/2017 Vol. LXXVIII - 9802

Declaration of William Haberman in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/18/2017 Vol. LXXVIII - 9815

Order Extending the Temporary Restraining Order Against VP, Incorporated – filed 04/20/2017... Vol. LXXVIII - 9819

Corrected Certificate of Mailing – filed 04/21/2017..... Vol. LXXVIII - 9823

Certificate of Mailing – filed 04/21/2017 Vol. LXXVIII - 9824

Objection to Lodged Record and Objection to Certificate of Mailing of Clerk's Record – filed 04/25/2017 Vol. LXXVIII - 9825

Notice of Hearing on North Idaho Resorts, LLC and VP, Inc.'s Objection to Lodged Record and Objection to Certificate of Mailing of Clerk's Record – filed 04/26/2017 Vol. LXXVIII - 9836

Notice of Filing Proposed Order – filed 04/26/2017 Vol. LXXVIII - 9838

Objection to Lodged Record and Objection to Certificate of Mailing of Clerk's Record – filed 04/26/2017 Vol. LXXIX - 9844

Order on Valiant Idaho, LLC's Motion for an Injunction Against VP, Incorporated – filed 04/26/2017 Vol. LXXIX - 9853

Memorandum Decision re: Valiant Idaho, LLC's Motion to Clarify – filed 04/27/2017 Vol. LXXIX - 9861

Order Granting Injunction – filed 04/28/2017	Vol. LXXIX - 9871
Order Granting Appellants VP, Incorporated’s and North Idaho Resorts, LLC’s Objections to Lodged Record and Objections to Certificate of Mailing – filed 05/01/2017	Vol. LXXIX - 9879
Valiant Idaho, LLC’s Notice of Objection to the Consolidated Clerk’s Record on Appeal – filed 05/02/2017	Vol. LXXIX - 9883
Order Granting Respondent Valiant Idaho, LLC’s Objection to the Consolidated Clerk’s Record on Appeal – filed 05/03/2017	Vol. LXXIX - 9900
Order Partially Vacating the Court’s May 1, 2017 Order Granting NIR’s and VP’s Objection to Lodged Record – filed 05/03/2017	Vol. LXXIX - 9904
JV, LLC’s Objection to Clerk’s Record and motion to Correct and Make Additions to Clerk’s Record – filed 05/04/2017	Vol. LXXIX - 9907
Order Granting Appellant JV, LLC’s Objection to Clerk’s Record and Motion to Make Additions to Clerk’s Record – filed 05/05/2017	Vol. LXXIX - 9928
Amended Notice of Appeal – filed 05/25/2017	Vol. LXXIX - 9931
Clerk’s Certificate of Record – dated XX/XX/2017	Vol. LXXIX - 9947
Clerk’s Certificate of Exhibits – dated 04/28/2017	Vol. LXXIX - 9948
Clerk’s Certificate of Service – dated 04/28/2017	Vol. LXXIX - 9955

INDEX

Acceptance of Service by VP, Incorporated of Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure – filed 10/03/2014	Vol. VII - 908
ACI Northwest, Inc.'s Responsive Pleading to Valiant Idaho, LLC's Counterclaim, Cross-Claim, and Third-Party Complaint for Judicial Foreclosure – filed 09/29/2014	Vol. VII - 904
Acknowledgment of Service of Summons and Complaint (North Idaho Resorts, LLC) – filed 04/07/2010	Vol. II - 199
Acknowledgment of Service of Summons and Complaint (VP Inc.) – filed 04/07/2010	Vol. I - 197
Administrative Order – filed 09/27/2011	Vol. II - 267
Affidavit of Charles Reeves in Support of R.E. Loans, LLC's Motions for Summary Judgment – filed 04/29/2014	Vol. V - 551
Affidavit of Charles W. Reeves – filed 01/20/2015	Vol. XVII - 1912
Affidavit of Charles W. Reeves (Continued) – filed 01/20/2015	Vol. XVIII - 2039
Affidavit of Farley Dakan in Support of R.E. Loans, LLC's Motions for Summary Judgment – filed 04/29/2014.	Vol. IV - 532
Affidavit of James Berry on Behalf of JV, LLC – filed 08/26/2015	Vol. XXIX - 3401
Affidavit of James Berry on Behalf of JV, LLC in Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment – filed 10/13/2015	Vol. XXXII - 3778
Affidavit of Non-Military Service in Support of Motion for Entry of Default of Amy Korengut – filed 12/08/2014 ..	Vol. XI - 1409
Affidavit of Richard L. Stacey in Support of R.E. Loans, LLC's Motion to Lift Automatic Stay – filed 06/26/2013 ..	Vol. III - 343
Affidavit of Richard L. Stacey in Support of R.E. Loans, LLC's Motion for Entry of Default (Genesis Golf Builders) – filed 08/12/2013	Vol. III - 365
Affidavit of Service – filed 03/11/2011	Vol. II - 244
Affidavit of Service – filed 10/20/2014	Vol. VIII - 965
Affidavit of Service (First American Title) – filed 10/05/2015	Vol. XXXI - 3729
Affidavit of Service (Sandpoint Title Insurance) – filed 10/05/2015	Vol. XXXI - 3727
Affidavit of Service (Second on First American Title) – filed 10/05/2015	Vol. XXXI - 3731
Affidavit of Stanley J. Tharp in Support of Defendant Wells Fargo's Motion to Dismiss with Prejudice – filed 01/23/2012	Vol. II - 302
Affidavit of Susan P. Weeks in Support of North Idaho Resorts, LLC's Motion for Entry of Default (Genesis Golf Builders) – filed 10/25/2013	Vol. III - 412

Affidavit of Susan P. Weeks in Support of North Idaho Resorts, LLC and VP, Inc.'s Motion to Reconsider and Motion to Alter and Amend Judgment – filed 08/19/2015	Vol. XXVII - 3133
Affidavit of Toby McLaughlin in Support of Third Party Defendant Panhandle Management Incorporated's Motion to Dismiss Claim Asserted by Third Party Plaintiff JV, LLC – filed 11/07/2014	Vol. IX - 1015
Affidavit of Toby McLaughlin in Support of Third Party Defendant Idaho Club Homeowner's Association Inc.'s Motion to Dismiss Claim Asserted by Third Party Plaintiff JV, LLC – filed 11/07/2014	Vol. IX - 1100
Amended Notice of Appeal – filed 05/25/2017	Vol. LXXIX - 9931
Amended Notice of Appeal by JV, LLC IAR 17 (m), Request for Additional Clerk's Transcripts, and Request for Additional Court Reporter's Transcript – filed 01/13/2017	Vol. LXVI - 8235
Amended Notice of Hearing on Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC and VP, Incorporated – filed 02/13/2015	Vol. XXII - 2493
Amended Notice of Trial – filed 10/21/2015	Vol. XXXIII - 3953
Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure – filed 09/15/2014	Vol. VII - 844
Answer, Counterclaims, Cross-claims and Third Party Complaint of Defendant ACI Northwest, Inc. – filed 08/09/2010	Vol. II - 204
Application and Declaration of Richard L. Stacey for Writ of Execution – filed 10/05/2016	Vol. LIV - 6608
Application and Declaration of Richard L. Stacey for Writ of Execution Against North Idaho Resorts, LLC – filed 10/06/2016	Vol. LVI - 6804
Application and Declaration of Richard L. Stacey for Writ of Execution Against JV, LLC – filed 10/06/2016	Vol. LVI - 6812
Application and Declaration of Richard L. Stacey for Writ of Execution Against VP, Incorporated – filed 10/06/2016	Vol. LVI - 6820
Application and Declaration of Richard L. Stacey for Writ of Execution Against JV, LLC for Boundary County – filed 10/13/2016	Vol. LIX - 7253
Application and Declaration of Richard L. Stacey for Writ of Execution Against North Idaho Resorts, LLC for Boundary County – filed 10/13/2016	Vol. LIX - 7258
Application and Declaration of Richard L. Stacey for Writ of Execution Against VP, Incorporated for Boundary County – filed 10/13/2016	Vol. LIX - 7263
Application and Declaration of Richard L. Stacey for Writ of Execution Against JV, LLC – filed 01/09/2017	Vol. I - 8228
Assignment of District Court Cases – filed 11/15/2011	Vol. II - 295
Cash Bond posted by JV, LLC \$21,154.60 – posted 11/02/2016	Vol. LIX - 7309
Certificate of Mailing – filed 04/21/2017	Vol. LXXVIII - 9824
Clerk's Certificate of Exhibits – dated 04/28/2017	Vol. LXXIX - 9948
Clerk's Certificate of Record – dated XX/XX/2017	Vol. LXXIX - 9947

Clerk's Certificate of Service – dated 04/28/2017	Vol. LXXIX - 9955
Clerk's Entry of Default (Genesis Golf Builders) – filed 08/15/2013	Vol. III - 389
Clerk's Entry of Default (Genesis Golf Builders) – filed 11/01/2013	Vol. III - 433
Clerk's Entry of Default (Genesis Golf Builders, Inc.) – filed 08/29/2013	Vol. III - 397
Clerk's Entry of Default Against Amy Korengut – filed 12/10/2014	Vol. XII - 1498
Clerk's Entry of Default Against Bar K, Inc. – filed 02/03/2015	Vol. XXI - 2356
Clerk's Entry of Default Against C.E. Kramer Crane & Contracting, Inc. – filed 12/10/2014	Vol. XII - 1518
Clerk's Entry of Default Against Cross-defendant T-O Engineers, Inc. – filed 09/26/2014	Vol. VII - 900
Clerk's Entry of Default Against Genesis Golf Builders, Inc. – filed 12/10/2014	Vol. XII - 1511
Clerk's Entry of Default Against Independent Mortgage Ltd. Co. – filed 01/06/2015	Vol. XIII - 1636
Clerk's Entry of Default Against Montaheno Investments, LLC – filed 12/10/2014	Vol. XII - 1504
Clerk's Entry of Default Against Netta Source, LLC – filed 12/10/2014	Vol. XII - 1530
Clerk's Entry of Default Against Russ Capital Group, LLC – filed 12/10/2014	Vol. XII - 1524
Clerk's Entry of Default Against Third Party Defendant Pend Oreille Bonner Development Holdings, Inc. – filed 10/22/2014	Vol. VIII - 973
Clerk's Entry of Default Against Third Party Defendants Frederick J. Grant and Christine Grant – filed 05/29/2015	Vol. XXIV - 2777
Clerk's Entry of Default Against Timberline Investments, LLC – filed 01/06/2015	Vol. XIII - 1642
Clerk's Record on Appeal.....	Vol. I - 2
Complaint – filed 10/13/2009	Vol. I - 172
Complaint for Judicial Foreclosure – filed 11/19/2014	Vol. X - 1242
Corrected Certificate of Mailing – filed 04/21/2017.....	Vol. LXXVIII - 9823
Cross-defendant, VP, Incorporated's Request for Extension of Time to Answer or Otherwise Plead to Valiant, LLC's Amended Answer to Allege a Counter-Claim and Cross-Claim and to Serve Third Party – filed 12/01/2014	Vol. XI - 1377
Declaration of Barney Ng in Support of Valiant Idaho, LLC's Reply to North Idaho Resorts, LLC's and VP, Incorporated's Opposition to Valiant, Idaho, LLC's Third Motion for Summary Judgment – filed 10/20/2015	Vol. XXXIII - 3906
Declaration of Barney Ng in Support of Valiant Idaho, LLC's Third Motion for Summary Judgment – filed 09/25/2015	Vol. XXXI - 3658
Declaration of C. Dean Shafer in Support of Valiant Idaho, LLC's Motion for Entry of Final Judgment – filed 05/20/2015	Vol. XXIII - 2627

Declaration of C. Dean Shafer in Support of Valiant Idaho, LLC's Motion for an Order of Sale of Real Property – filed 07/22/2015	Vol. XXV - 2926
Declaration of C. Dean Shafer in Support of Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVIII - 3301
Declaration of Chad M. Nicholson dated October 16, 2015 – filed 10/16/2015.....	Vol. XXXII - 3870
Declaration of Chad M. Nicholson dated October 20, 2015 – filed 10/20/2015.....	Vol. XXXIII - 3914
Declaration of Chad M. Nicholson in Support of R.E. Loans, LLC's Motion for Summary Judgment Against Cross-claimant ACI Northwest, Inc. – filed 04/29/2014.....	Vol. IV - 451
Declaration of Chad M. Nicholson in Support of Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVIII - 3276
Declaration of Chad M. Nicholson in Support of Valiant Idaho, LLC's Reply Memoranda re: Motions <i>In Limine</i> – filed 12/28/2015	Vol. XXXV - 4258
Declaration of Chad M. Nicholson in Support of Valiant Idaho, LLC's Motion to Enlarge Time to Respond to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/17/2017.....	Vol. LXXVIII - 9736
Declaration of Charles W. Reeves in Support of Valiant Idaho, LLC's Motion for an Order of Sale of Real Property – filed 07/22/2015.....	Vol. XXV - 2959
Declaration of Charles W. Reeves in Support of Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVIII - 3280
Declaration of Daniel Keyes in Support of Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment – filed 02/17/2017	Vol. LXXI - 8801
Declaration of Daniel M. Keyes in Support of VP and NIR's Opposition to Valiant Idaho's Motion for Sanctions – filed 08/24/2016	Vol. XLVIII - 5868
Declaration of Jason Davis, Bonner County Deputy Sheriff – filed 04/11/2017.....	Vol. LXXVII - 9662
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Cross-defendant T-O Engineers, Inc. – filed 09/26/2014	Vol. VII - 884
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Pend Oreille Bonner Development Holdings, Inc. – filed 10/03/2014.....	Vol. VIII - 918
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 01/20/2015	Vol. XV - 1747
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated (Continued) – filed 01/20/2015.....	Vol. XVI - 1884
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Bar K, Inc. – filed 02/02/2015.....	Vol. XXI - 2342
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Entry of Final Judgment – filed 05/20/2015	Vol. XXIII - 2612
Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendants Frederick J. Grant and Christine Grant – filed 05/22/2015.....	Vol. I - 2751

Declaration of Jeff R. Sykes in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Inc.'s Motion for a New Trial – filed 08/10/2016..... Vol. XLVII - 5714

Declaration of Pamela Lemieux in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendants Frederick J. Grant and Christine Grant – filed 05/22/2015..... Vol. XXIV - 2763

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – Faxed copy filed 02/22/2017..... Vol. LXXI - 8841

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – Original filed 02/23/2017..... Vol. LXXI - 8845

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – Original filed 02/23/2017..... Vol. LXXII - 8908

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – Original filed 02/23/2017..... Vol. LXXIII - 9044

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – Original filed 02/23/2017..... Vol. LXXIV - 9180

Declaration of Richard L. Stacey in Support of Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – Original filed 02/23/2017..... Vol. LXXV - 9318

Declaration of Richard L. Stacey in Support of Motion to Substitute Valiant, Idaho LLC in Place of R.E. Loans, LLC as the Real Party in Interest – filed 07/21/2014 Vol. V - 674

Declaration of Richard L. Stacey in Support of Motion to Substitute Valiant Idaho, LLC in Place of Wells Fargo Capital Finance, LLC as the Real Party in Interest – filed 08/18/2014 Vol. VI - 674

Declaration of Richard L. Stacey in Support of Motion to Substitute Valiant Idaho, LLC in Place of Mortgage Fund '08 LLC as the Real Party in Interest – filed 10/06/2014 Vol. VIII - 933

Declaration of Richard L. Stacey in Support of Motion to Substitute Valiant Idaho, LLC in Place of Pensco Trust Co. as the Real Party in Interest – filed 10/06/2014 Vol. VIII - 946

Declaration of Richard L. Stacey in Support of R.E. Loans, LLC's Motion for Summary Judgment Against Cross-claimant R.C. Worst & Company, Inc. – filed 04/29/2014 Vol. IV - 498

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Counter-Defendant Genesis Golf Builders, Inc. – filed 12/08/2014 Vol. XI - 1387

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Amy Korengut – filed 12/08/2014 Vol. XI - 1399

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Independent Mortgage Ltd. Co. – filed 12/08/2014 Vol. XII - 1419

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant C.E. Kramer Crane & Contracting, Inc. – filed 12/08/2014 Vol. XII - 1434

Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Netta Source, LLC – filed 12/08/2014	Vol. XII - 1449
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Montaheno Investments, LLC – filed 12/08/2014	Vol. XII - 1464
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Russ Capital Group, LLC – filed 12/08/2014	Vol. XII - 1479
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Timberline Investments, LLC – filed 12/22/2014	Vol. XIII - 1601
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motions <i>In Limine</i> – filed 12/15/2015	Vol. XXXV - 4057
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Memorandum of Costs and Attorney's Fees – filed 07/06/2016	Vol. XLII - 5058
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Memorandum of Costs and Attorney's Fees – filed 07/06/2016	Vol. XLIII - 5190
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/21/2016	Vol. LIV - 6573
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Memorandum of Costs and Attorneys' Fees Against JV, LLC – filed 11/25/2016.....	Vol. LX - 7442
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – filed 02/08/2017	Vol. LXVII - 8279
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – filed 02/08/2017	Vol. LXVIII - 8385
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – filed 02/08/2017	Vol. LXIX - 8507
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) (Continued) – filed 02/08/2017	Vol. LXX - 8634
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Motion for a Temporary Restraining Order and Preliminary Injunction Against VP, Incorporated – filed 04/13/2017	Vol. LXXVII - 9696
Declaration of Richard L. Stacey in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/18/2017.....	Vol. LXXVIII - 9802
Declaration of Richard Stacey in Support of Valiant Idaho, LLC's Memorandum Responses to VP, Inc.'s and JV, LLC's Objections and Motions to Disallow Memorandum of Costs and Attorney's Fees – filed 08/10/2016 ..	Vol. XLVI - 5591
Declaration of Richard Stacey in Support of Valiant Idaho, LLC's Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 08/10/2016	Vol. XLVII - 5685
Declaration of Richard Villelli in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC and VP, Incorporated – filed 02/04/2015	Vol. XXI - 2392
Declaration of Richard Villelli in Opposition to Valiant Idaho, LLC's Motion for Order of Sale – filed 08/04/2015..	Vol. XXVI - 2987

Declaration of Richard Vilelli in Opposition to Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale – filed 08/26/2015 Vol. XXIX - 3424

Declaration of Richard Vilelli in Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 10/14/2015 Vol. XXXII - 3828

Declaration of Richard Vilelli in Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment – filed 02/17/2017 .. Vol. LXX - 8756

Declaration of Richard Vilelli in Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment (Continued) – filed 02/17/2017 Vol. LXXI - 8770

Declaration of Richard Vilelli in Support of Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application for Stay of Enforcement of Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/07/2017 Vol. LXXV - 9394

Declaration of Richard Vilelli in Support of Reply Memorandum in Support of Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application for Stay of Enforcement of Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 04/18/2017 Vol. LXXXVIII - 9758

Declaration of Sally Mitchell in Support of Supplemental Memorandum Supporting Valiant Idaho, LLC's Motion Contesting JV, LLC's Third Party Claim; and Opposition to JV, LLC's Motion for Stay of Execution – filed 11/04/2016 Vol. LX - 7392

Declaration of Steven B. Cordes, P.E., in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 04/11/2017 Vol. LXXXVII - 9593

Declaration of Susan P. Weeks in Opposition to Valiant's Third Motion for Summary Judgment – filed 10/13/2015 Vol. XXXII - 3791

Declaration of Weeks in Support of VP, Inc.'s Motion for New Trial – filed 08/03/2016..... Vol. XLVI - 5550

Declaration of William Haberman in Support of Valiant Idaho, LLC's Closing Argument – filed 03/14/2016 Vol. XXXVII - 4471

Declaration of William Haberman in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 04/11/2017 Vol. LXXXVI - 9455

Declaration of William Haberman in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 04/11/2017 Vol. LXXXVII - 9573

Declaration of William Haberman in Support of Valiant Idaho, LLC's Motion for a Temporary Restraining Order and Preliminary Injunction Against VP, Incorporated – filed 04/13/2017 Vol. LXXXVII - 9703

Declaration of William Haberman in Support of Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/18/2017..... Vol. LXXXVIII - 9815

Decree of Foreclosure – filed 06/22/2016 Vol. XL - 4910

Decree of Foreclosure – filed 07/20/2016..... Vol. XLIV - 5317

Decree of Foreclosure – filed 08/05/2015 Vol. XXVI - 3075

Decree of Foreclosure (Continued) – filed 06/22/2016 Vol. XLI - 4940

Decree of Foreclosure (Continued) – filed 07/20/2016	Vol. XLV - 5413
Default Judgment (Genesis Golf Builders) – filed 08/15/2013	Vol. III - 383
Default Judgment (Genesis Golf Builders) – filed 08/29/2013	Vol. III - 402
Default Judgment (Genesis Golf Builders) – filed 11/01/2013	Vol. III - 428
Defendant North Idaho Resorts, LLC’s Motion to Substitute Valiant Idaho, LLC in Place of Wells Fargo Capital Finance, LLC as the Real Party in Interest – filed 09/04/2014	Vol. VI - 771
Defendant VP, Inc.’s and NIR, LLC’s Memorandum in Opposition to Valiant Idaho, LLC’s Motion for Sanctions – filed 08/24/2016	Vol. XLVIII - 5886
Defendant VP, Incorporated’s Request for Extension of Time to Respond to Valiant Idaho, LLC’s Motion for Leave to Amend Answer to Allege a Counterclaim and Cross-claim, and to Serve Third Party – filed 11/12/2014....	Vol. X - 1153
Defendants North Idaho Resorts and VP, Incorporated’s Motion for Judicial Notice of Barney Ng – filed 10/13/2015	Vol. XXXII - 3823
Defendants North Idaho Resorts, LLC and VP Incorporated’s Memorandum in Opposition to Valiant Idaho, LLC’s Motion for Summary Judgment – filed 02/04/2015	Vol. XXI - 2359
Defendants North Idaho Resorts, LLC and VP Incorporated’s Memorandum in Opposition to Valiant Idaho, LLC’s Third Motion for Summary Judgment – filed 10/13/2015	Vol. XXXII - 3810
Defendants North Idaho Resorts, LLC and VP Incorporated’s Second Motion for Enlargement of Time to File Memorandum in Support of Motion for Reconsideration and Clarification – filed 05/26/2015	Vol. XXIV - 2771
Defendants North Idaho Resorts, LLC and VP, Incorporated’s Memorandum in Opposition to Valiant Idaho, LLC’s Motion to Strike Inadmissible Evidence – filed 10/16/2015	Vol. XXXII - 3879
Defendants North Idaho Resorts, LLC and VP, Incorporated’s Memorandum in Opposition to Valiant Idaho, LLC’s Second Motion to Strike Inadmissible Evidence – filed 10/22/2015	Vol. XXXIII - 3990
Defendants North Idaho Resorts, LLC and VP, Incorporated’s Memorandum in Support of Motion to Strike the Declarations of Barney Ng and Chad M. Nicholson – filed 10/22/2015	Vol. XXXIII - 3997
Defendants North Idaho Resorts, LLC and VP, Incorporated’s Motion for Enlargement of Time to File Answers and Responses to Discovery Requests Propounded by Valiant Idaho, LLC – filed 03/02/2015	Vol. XXII - 2516
Defendants North Idaho Resorts, LLC and VP, Incorporated’s Motion for Enlargement of Time to File Memorandum in Support of Motion for Reconsideration and Clarification – filed 05/11/2015	Vol. XXII - 2598
Defendants North Idaho Resorts, LLC and VP, Incorporated’s Motion for Enlargement of Time to File Reply to Plaintiff’s Opposition to North Idaho Resorts, LLC and VP, Inc.’s Renewed Motion for Reconsideration and Clarification – filed 07/06/2015	Vol. XXIV - 2799
Defendants North Idaho Resorts, LLC and VP, Incorporated’s Motion for Enlargement of Time to File Reply to Plaintiff’s Opposition to North Idaho Resorts, LLC and VP, Inc.’s Renewed Motion for Reconsideration and Clarification – filed 10/13/2015	Vol. XXXI - 3746
Defendants North Idaho Resorts, LLC and VP, Incorporated’s Motion to Strike the Declarations of Barney Ng and Chad M. Nicholson – filed 10/22/2015	Vol. XXXIII - 3995
Errata to Declaration of Richard Vilelli in Opposition to Valiant Idaho, LLC’s Motion to Alter, Amend and/or Reconsider the Order of Sale – filed 08/27/2015	Vol. XXIX - 3487

Errata to Declaration of Susan P. Weeks in Opposition to Valiant's Third Motion for Summary Judgment – filed 10/22/2015	Vol. XXXIII - 3988
Errata to JV, LLC's Motion and Application for Stay of Execution Upon Posting a Cash Deposit by JV, LLC [IAR 13 (b) 15] – filed 02/15/2017	Vol. LXX - 8737
Findings re: R.E. Loans, LLC's Motions for Summary Judgment Against ACI Northwest, Inc. – filed 07/21/2014 . Vol. V - 647	
Index	Vol. I - 34
Judgment – filed 06/22/2016	Vol. XXXVII - 4619
Judgment – filed 07/21/2014	Vol. V - 653
Judgment – filed 08/05/2015	Vol. XXVI - 3082
Judgment (ACI Northwest, Inc.) – filed 02/18/2015	Vol. XXII - 2502
Judgment (Continued) – filed 06/22/2016	Vol. XL - 4806
Judgment (Continued) – filed 06/22/2016	Vol. XXXIX - 4693
Judgment (Dismissal of JV, LLC's Third Party Complaint Against Idaho Club Homeowner's Association, Inc.) – filed 01/15/2015	Vol. XIV - 1694
Judgment (Pucci Construction, Inc.) – filed 02/18/2015	Vol. XXII - 2499
Judgment re: Costs and Attorneys' Fees – filed 08/22/2016	Vol. XLVIII - 5844
Judgment re: Rule 11 Sanctions – filed 12/06/2016	Vol. LX - 7462
JV, LLC's Amended Exhibit List and Documents – filed 12/22/2015	Vol. XXXV - 4205
JV, LLC's Correction to its Response, Objection and Opposition to Plaintiff's Motion for Sanctions – filed 08/25/2016	Vol. XLVIII - 5920
JV, LLC's Defendants Trial Exhibit – filed 08/11/2015	Vol. XXVI - 3088
JV, LLC's First Supplemental Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 02/27/2015	Vol. XXII - 2505
JV, LLC's Fourth Amended Exhibit List and Documents – filed 03/11/2016	Vol. XXXVII - 4418
JV, LLC's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 02/02/2015	Vol. XIX - 2076
JV, LLC's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment (Continued) – filed 02/02/2015	Vol. XX - 2210
JV, LLC's Motion and Application for Stay of Execution Upon Posting a Cash Deposit by JV, LLC [IAR 13 (b) 15] – filed 11/02/2016.....	Vol. LIX - 7311
JV, LLC's Motion and Application for Stay of Execution Upon Posting a Cash Deposit by JV, LLC [IAR 13 (b) 15] – filed 02/14/2017	Vol. LXX - 8709

JV, LLC's Motion to Alter, Amend and Reconsider re: 1. Memorandum Decision and Order 2. Judgment 3. Decree of Foreclosure 4. Order of Sale, and JV, LLC's Memorandum in Support and Request for Hearing – filed 08/02/2016 Vol. XLV - 5521

JV, LLC's Motion to Alter, Amend and to Reconsider the Court's Memorandum Decision and Order Filed 04/14/2015 and Request for Oral Argument Time/Date for a Hearing; Not Yet to be Set – filed 04/28/2015 Vol. XXII - 2579

JV, LLC's Motion to Alter, Amend, and Reconsider the Court's Memorandum Decision and Order re: JV, LLC's Motions to Reconsider, and JV, LLC's Motion for Partial Summary Judgment for Affirmative Relief Concerning JV, LLC's Redemption Deed and as to Valiant's Redemption Deed; and Request for Hearing – filed 07/30/2015 Vol. XXV - 2967

JV, LLC's Motion to Reconsider, Alter, and Amend the Judgment [Rule 11 (b) and Rule 52 (b)]; and Request for Hearing – filed 08/18/2015 Vol. XXVI - 3095

JV, LLC's Motion to Strike the Declaration of William Haberman – filed 04/18/2016..... Vol. XXXVII - 4476

JV, LLC's Motion to Vacate Valiant's Hearing Date of February 18, 2015 on its Motion for Summary Judgment, Request for Continuance and Request for Hearing on Short Notice – filed 02/02/2015 Vol. XX - 2331

JV, LLC's Objection and Memorandum in Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment and JV, LLC's Motion to Strike Valiant's Third Motion for Summary Judgment and Notice of Hearing for October 23, 2015 at 1:30 p.m. – filed 10/13/2015..... Vol. XXXII - 3748

JV, LLC's Objection and Motion to Disallow Valiant's Memorandum of Fees and Costs – filed 07/18/2016 Vol. XLIV - 5306

JV, LLC's Objection to Clerk's Record and motion to Correct and Make Additions to Clerk's Record – filed 05/04/2017 Vol. LXXIX - 9907

JV, LLC's Objection to Entry of Final Judgment – as Drafted by Valiant; and Request for a Hearing – filed 07/07/2015 Vol. XXIV - 2847

JV, LLC's Objection to Valiant's Motion for Relief from Automatic Stay and Memorandum in Support – filed 09/26/2016 Vol. LIV - 6589

JV, LLC's Objection to Valiant's Motion *In Limine* – filed 12/23/2015 Vol. XXXV - 4233

JV, LLC's Post Trial Memorandum and Argument – filed 05/12/2016 Vol. XXXVII - 4489

JV, LLC's Proposed Judgment and Decree of Foreclosure and JV, LLC's Request for Additional Time of at Least 14 Days – filed 07/15/2016..... Vol. XLIII - 5274

JV, LLC's Request for Clerk's Minutes and Reporter's Typed Transcript of Entire Proceeding Including the District Court's Remarks and Rulings in Open Court on September 2, 2015 – filed 09/08/2015 Vol. XXX - 3533

JV, LLC's Response to Valiant's Most Recent "Filings" and JV, LLC's Objection Thereto – filed 10/21/2015 Vol. XXXIII - 3972

JV, LLC's Response to Valiant's Motion to Strike Inadmissible Evidence – filed 10/19/2015 Vol. XXXIII - 3884

JV, LLC's Response, Objection and Opposition to Plaintiff's Motion for Sanctions – filed 08/24/2016 Vol. XLVIII - 5847

JV, LLC's Second Amended Exhibit List and Documents – filed 01/22/2016 Vol. XXXVI - 4363

JV, LLC's Special Appearance Contesting Jurisdiction; and JV, LLC's Answer to Complaint; and JV, LLC's Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure; and JV, LLC's Cross-claim; and JV, LLC's Third Party Complaint – filed 09/15/2014 Vol. VII - 784

JV, LLC's Third Amended Exhibit List and Documents – filed 01/26/2016 Vol. XXXVI - 4404

JV, LLC's Third Party Claim (Idaho Code 11-203) – filed 11/02/2016..... Vol. LX - 7341

JV, LLC's Trial Memorandum – filed 01/22/2016 Vol. XXXVI - 4316

JV's Affidavit of James W. Berry Opposing Valiant's Motion for Summary Judgment – filed 02/02/2015...Vol. XX - 2323

JV's Objection, and Motion to Disallow Valiant's Memorandum of Attorney Costs and Fees – filed 12/02/2016 Vol. LX - 7447

JV's Reply to Valiant's Memorandum in Opposition to JV's Motion filed on 07/21/2015, and Motions to Strike – filed 08/31/2015 Vol. XXIX - 3499

JV's Supplemental Motion to Alter, Amend, Set Aside the Judgment, Based on Valiant's Motions to Change the Order of Sale and Change the Decree of Foreclosure Pursuant to Rules 11 (b); 52 (b) and Rule 60 and Notice of Hearing – filed 08/26/2015..... Vol. XXIX - 3386

Memorandum Decision & Order Granting Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 04/14/2015 Vol. XXII - 2560

Memorandum Decision & Order re: Motions Heard on October 23, 2015 – filed 10/30/2015 Vol. XXXIII - 4000

Memorandum Decision and Order Denying JV, LLC's and VP, Incorporated's Motions to Alter, Amend and Reconsider – filed 08/16/2016 Vol. XLVII - 5793

Memorandum Decision and Order Denying JV, LLC's and VP, Incorporated's Motions to Alter, Amend and Reconsider (Continued) – filed 08/16/2016 Vol. XLVIII - 5815

Memorandum Decision and Order Granting in Part Reconsideration of the July 21, 2015 Memorandum Decision & Order – filed 09/04/2015..... Vol. XXX - 3527

Memorandum Decision and Order Granting Motion for Entry of Final Judgment – filed 06/23/2015 Vol. XXIV - 2791

Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 10/07/2016 Vol. LIX - 7230

Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/06/2017 Vol. LXXV - 9341

Memorandum Decision and Order re: 1) JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated's Motions to Reconsider 2) Valiant's Request for Entry of Proposed Final Judgment and Decree of Foreclosure and Sale – filed 07/21/2015 Vol. XXIV - 2856

Memorandum Decision and Order re: Court Trial held on January 28 and 29, and March 16 and 17, 2016 – filed 05/27/2016 Vol. XXXVII - 4589

Memorandum Decision Order Awarding Costs and Attorney's Fees to Valiant Idaho, LLC – filed 08/22/2016 Vol. XLVIII - 5829

Memorandum Decision Order Denying Valiant Idaho, LLC's Motion for Sanctions – filed 08/29/2016..... Vol. XLVIII - 5925

Memorandum Decision Order Denying VP, Inc.'s Motion for New Trial – filed 08/25/2016..... Vol. XLVIII - 5906

Memorandum Decision Order Granting Valiant Idaho, LLC's Motion for Sanctions – filed 11/14/2016 . Vol. LX - 7402

Memorandum Decision re: Valiant Idaho, LLC's Motion to Clarify – filed 04/27/2017 Vol. LXXIX - 9861

Memorandum in Opposition to Defendant JV, LLC's Motion to Vacate Valiant's Hearing on October 23, 2015 – filed 10/20/2015 Vol. XXXIII - 3900

Memorandum in Opposition to JV, LLC's Motion to Alter, Amend and to Reconsider the Court's Memorandum Decision and Order Filed 04/14/2015 – filed 07/06/2015 Vol. XXIV - 2820

Memorandum in Opposition to JV, LLC's Motion to Alter, Amend and to Reconsider filed 08/18/2015 – filed 08/25/2015 Vol. XXVIII - 3367

Memorandum in Opposition to JV, LLC's Motion to Alter, Amend and to Reconsider the Court's Memorandum Decision and Order dated July 21, 2015 – filed 08/26/2015 Vol. XXVIII - 3376

Memorandum in Opposition to North Idaho Resorts, LLC and VP, Inc.'s Renewed Motion for Reconsideration and Clarification – filed 07/06/2015..... Vol. XXIV - 2804

Memorandum in Opposition to VP, Incorporated's Motion to Dismiss Third Party Complaint or, in the Alternative, Motion for Leave to Amend Answer to Allege a Counterclaim and Cross-claim, and to Serve Third Party Complaint – filed 11/05/2014 Vol. VIII - 982

Memorandum in Reply to Defendant JV, LLC's Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment – filed 10/20/2015 Vol. XXXIII - 3892

Memorandum in Reply to JV, LLC's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 03/11/2015 Vol. XXII - 2519

Memorandum in Reply to North Idaho Resorts, Inc. and VP, Incorporated's Opposition to Valiant, Idaho, LLC's Third Motion for Summary Judgment – filed 10/20/2015..... Vol. XXXIII - 3924

Memorandum in Reply to North Idaho Resorts, LLC and VP, Incorporated's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 03/11/2015 Vol. XXII - 2547

Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – filed 02/22/2017 Vol. LXXI - 8827

Memorandum in Reply to VP, Inc.'s Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – filed 02/23/2017 Vol. LXXV - 9328

Memorandum in Reply to: (1) JV, LLC's Objection; and (2) VP, Inc. and North Idaho Resorts, LLC's Opposition to Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/29/2016 Vol. LIV - 6603

Memorandum in Support of Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application for Stay of Enforcement of Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/07/2017 Vol. LXXV - 9388

Memorandum in Support of Motion to Dissolve Temporary Restraining Order – filed 04/14/2017. Vol. LXXVIII - 9716

Memorandum in Support of R.E. Loans, LLC's Motion to Lift Automatic Stay (Mortgage Fund '08 LLC) – filed 06/26/2013 Vol. III - 339

Memorandum in Support of Renewed Motion for Reconsideration and Clarification – filed 06/16/2015..... Vol. XXIV - 2783

Memorandum in Support of Valiant Idaho, LLC’s Motion Contesting JV, LLC’s Third Party Claim; and Opposition to JV, LLC’s Motion for Stay of Execution – filed 11/03/2016 Vol. LX - 7364

Memorandum in Support of Valiant Idaho, LLC’s Motion for an Order of Sale of Real Property – filed 07/22/2015 Vol. XXV - 2912

Memorandum in Support of Valiant Idaho, LLC’s Motion for Entry of Final Judgment – filed 05/20/2015 ... Vol. XXII - 2605

Memorandum in Support of Valiant Idaho, LLC’s Motion for Leave to Amend Third Party Complaint to Join an Additional Party – filed 11/24/2014 Vol. XI - 1371

Memorandum in Support of Valiant Idaho, LLC’s Motion for Order of Sale of Real Property – filed 06/22/2016 Vol. XLI - 4997

Memorandum in Support of Valiant Idaho, LLC’s Motion for Relief from Automatic Stay – filed 09/21/2016 Vol. LIV - 6566

Memorandum in Support of Valiant Idaho, LLC’s Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 01/20/2015 Vol. XIV - 1725

Memorandum in Support of Valiant Idaho, LLC’s Motion *In Limine* re: North Idaho Resorts, LLC and VP, Inc. – filed 12/15/2015 Vol. XXXIV - 4036

Memorandum in Support of Valiant Idaho, LLC’s Motion *In Limine* re: North Idaho Resorts, LLC and VP, Inc.(Continued) – filed 12/15/2015..... Vol. XXXV - 4036

Memorandum in Support of Valiant Idaho, LLC’s Motion *In Limine* re: JV, LLC – filed 12/15/2015..... Vol. XXXV - 4051

Memorandum in Support of Valiant Idaho, LLC’s Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015 Vol. XXVIII - 3253

Memorandum in Support of Valiant Idaho, LLC’s Motion to Amend Decree of Foreclosure – filed 08/19/2015 Vol. XXVII - 3244

Memorandum in Support of Valiant Idaho, LLC’s Motion to Clarify Court’s Memorandum Decision and Order Granting Valiant Idaho, LLC’s Motion to Enforce Judgment – filed 03/20/2017 Vol. LXXV - 9402

Memorandum in Support of Valiant Idaho, LLC’s Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – filed 02/08/2017 Vol. LXVII - 8271

Memorandum in Support of Valiant Idaho, LLC’s Motion to Strike Inadmissible Evidence – filed 10/09/2015 Vol. XXXI - 3737

Memorandum in Support of Valiant Idaho, LLC’s Second Motion to Strike Inadmissible Evidence – filed 10/20/2015 Vol. XXXIII - 3945

Memorandum in Support of Valiant Idaho, LLC’s Third Motion for Summary Judgment – filed 09/25/2015 Vol. XXXI - 3627

Memorandum in Support of VP, Inc.’s Motion for New Trial – filed 08/03/2016..... Vol. XLV - 5546

Memorandum in Support of VP, Inc.'s Motion to Alter, Amend, and Reconsider the Decree of Foreclosure and Judgment – filed 08/04/2016 Vol. XLVI - 5555

Memorandum in Support of VP, Inc.'s Motion to Strike the Declaration of William Haberman – filed 04/21/2016 . Vol. XXXVII - 4484

Motion for Enlargement of Time to File North Idaho Resorts, LLC and VP, Inc.'s Reply Memorandum in Support of Motion to Reconsider and Motion to Alter and Amend Judgment – filed 10/22/2015 Vol. XXXIII - 3986

Motion for Leave to Amend Answer to Allege a Counterclaim and Cross-claim, and to Serve Third Party Complaint – filed 11/05/2014 Vol. VIII - 977

Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application for Stay of Enforcement of Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/07/2017 Vol. LXXV - 9386

Motion for Reconsideration and Clarification – filed 04/29/2015 Vol. XXII - 2596

Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 08/10/2016 Vol. XLVI - 5682

Motion to Dissolve Temporary Restraining Order – filed 04/13/2017 Vol. LXXVIII - 9714

Motion to Enlarge Time to Respond to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/17/2017 Vol. LXXVIII - 9733

Motion to Shorten Time to Have Heard Valiant Idaho, LLC's (1) Motion Contesting JV, LLC's Third Party Claim; and Opposition to JV, LLC's Motion for Stay of Execution; and (2) Motion for Sanctions under IC 12-123 and IRCP 11 – filed 11/03/2016 Vol. LX - 7369

Motion to Shorten Time to Have Heard Valiant Idaho, LLC's Second Motion to Strike Inadmissible Evidence – filed 10/20/2015 Vol. XXXIII - 3911

Motion to Strike Memoranda and Declarations/Affidavits in Opposition to Valiant Idaho, LLC's Third Motion for Summary Judgment or, in the Alternative, Motion for Extension of Time to File Reply Memoranda – filed 10/16/2015 Vol. XXXII - 3864

Motion to Substitute Valiant Idaho, LLC in Place of Mortgage Fund '08 LLC as the Real Party in Interest – filed 10/06/2014 Vol. VIII - 928

Motion to Substitute Valiant Idaho, LLC in Place of Pensco Trust Co, as the Real Party in Interest – filed 10/06/2014 Vol. VIII - 941

Motion to Substitute Valiant Idaho, LLC in Place of R.E. Loans, LLC as the Real Party in Interest – filed 07/21/2014 Vol. V - 656

Motion to Substitute Valiant Idaho, LLC in Place of Wells Fargo Capital Finance, LLC as the Real Party in Interest – filed 08/18/2014 Vol. V - 670

North Idaho Resorts, LLC and VP, Inc.'s Memorandum in Opposition to Valiant Idaho's Motion to Amend Degree of Foreclosure and Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/26/2015 . Vol. XXIX - 3413

North Idaho Resorts, LLC and VP, Inc.'s Memorandum in Support of Motion to Reconsider and Motion to Alter and Amend Judgment – filed 08/19/2015 Vol. XXVII - 3116

North Idaho Resorts, LLC and VP, Inc.'s Motion to Reconsider and Motion to Alter and Amend Judgment – filed 08/19/2015 Vol. XXVII - 3114

North Idaho Resorts, LLC and VP, Inc.'s Reply Memorandum in Support of Motion to Reconsider and Motion to Alter and Amend Judgment – filed 10/22/2015	Vol. XXXIII - 3982
North Idaho Resorts, LLC's Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure – filed 09/19/2014	Vol. VII - 860
North Idaho Resorts, LLC's Motion for Entry of Default (Genesis Golf Builders) – filed 10/25/2013	Vol. III - 407
Notice of Amended Appeal (NIR, LLC) – filed 10/06/2016	Vol. LVII - 7031
Notice of Amended Appeal (NIR, LLC) (Continued) – filed 10/06/2016	Vol. LVIII - 7071
Notice of Amended Appeal (NIR, LLC) (Continued) – filed 10/06/2016	Vol. LIX - 7212
Notice of Appeal (NIR) – filed 09/09/2016	Vol. II - 5941
Notice of Appeal (NIR) (Continued) – filed 09/09/2016	Vol. L - 6041
Notice of Appeal (VP, Inc.) – filed 10/06/2016	Vol. LVI - 6828
Notice of Appeal (VP, Inc.) (Continued) – filed 10/06/2016	Vol. LVII - 6932
Notice of Appeal by JV, LLC – filed 09/20/2016.....	Vol. LI - 6137
Notice of Appeal by JV, LLC (Continued) – filed 09/20/2016	Vol. LII - 6267
Notice of Appearance – filed 09/29/2011	Vol. II - 290
Notice of Appearance – filed 10/14/2010	Vol. II - 233
Notice of Change of Firm Affiliation – filed 07/18/2014.....	Vol. V - 643
Notice of Denial of Oral Argument for Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/23/2016	Vol. LIV - 6578
Notice of Filing Proposed Order – filed 04/26/2017	Vol. LXXVIII - 9838
Notice of Hearing – filed 11/03/2016	Vol. LX - 7357
Notice of Hearing on North Idaho Resorts, LLC and VP, Inc.'s Objection to Lodged Record and Objection to Certificate of Mailing of Clerk's Record – filed 04/26/2017	Vol. LXXVIII - 9836
Notice of Hearing on Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 01/20/2015	Vol. XVIII - 2070
Notice of Hearing on Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015	Vol. XXVIII - 3329
Notice of Hearing on Valiant Idaho, LLC's Motion to Clarify Court's Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/20/2017	Vol. LXXV - 9409
Notice of Levy (268811) – filed 10/31/2016	Vol. LIX - 7283
Notice of Levy (268813) – filed 10/31/2016	Vol. LIX - 7291
Notice of Levy (268815) – filed 10/31/2016	Vol. LIX - 7300

Notice of Levy Under Writ of Execution – filed 09/21/2016	Vol. LIII - 6508
Notice of Levy Under Writ of Execution – filed 12/22/2016	Vol. LXII - 7657
Notice of Sheriff's Sale – filed 09/21/2016	Vol. LIV - 6531
Notice of Sheriff's Sale – filed 12/22/2016	Vol. LXIII - 7715
Notice of Sheriff's Sale (268812) – filed 10/31/2016.....	Vol. LIX - 7288
Notice of Sheriff's Sale (268814) – filed 10/31/2016.....	Vol. LIX - 7297
Notice of Sheriff's Sale (268816) – filed 10/31/2016.....	Vol. LIX - 7306
Notice of Special Appearance – filed 08/21/2015	Vol. XXVIII - 3334
Notice re: Proposed Judgment (as Between Defendant VP, Inc. and North Idaho Resorts and the Defendant JV, LLC) – filed 09/17/2015.....	Vol. XXX - 3545
Notice to Counsel – filed 04/06/2017	Vol. LXXVI - 9453
Objection to Lodged Record and Objection to Certificate of Mailing of Clerk's Record – filed 04/25/2017.....	Vol. LXXVIII - 9825
Objection to Lodged Record and Objection to Certificate of Mailing of Clerk's Record – filed 04/26/2017	Vol. LXXIX - 9844
Objection to Motion for an Order of Sale of Real Property – filed 08/04/2015	Vol. XXV - 2981
Objection to Proposed Final Judgment – filed 07/07/2015	Vol. XXIV - 2844
Objection to Valiant Idaho's Second Motion for an Order of Sale of Real Property – filed 06/29/2016	Vol. XLI - 5015
Order Denying JV, LLC's Request for Oral Argument – filed 08/03/2016.....	Vol. XLV - 5540
Order Denying Motions to Strike – filed 04/27/2016	Vol. XXXVII - 4487
Order Denying VP, Inc.'s Request for Oral Argument on Motion to Alter, Amend and Reconsider – filed 08/04/2016	Vol. XLVI - 5575
Order Denying VP, Incorporated's Motion to Dismiss Third Party Complaint – filed 11/19/2014	Vol. X - 1174
Order Dismissing all Claims with Prejudice against Interstate Concrete and Asphalt Company – filed 09/13/2012	Vol. II - 330
Order Dismissing R.C. Worst & Company, and All Claims, Counterclaims, and Cross Claims thereof Pursuant to Oral Offer of Resolution Advanced to the Court on May 28, 2014 – filed 06/02/2014.....	Vol. V - 636
Order Extending the Temporary Restraining Order Against VP, Incorporated – filed 04/20/2017...	Vol. LXXVIII - 9819
Order for Entry of Default (Genesis Golf Builders) – filed 08/15/2013	Vol. III - 386
Order for Entry of Default (Genesis Golf Builders) – filed 11/01/2013	Vol. III - 423
Order for Entry of Default (Genesis Golf Builders, Inc.) – filed 08/29/2013	Vol. III - 392

Order for Entry of Default Against Amy Korengut – filed 12/10/2014.....	Vol. XII - 1495
Order for Entry of Default Against Bar K, Inc. – filed 02/03/2015	Vol. XXI - 2353
Order for Entry of Default Against C.E. Kramer Crane & Contracting, Inc. – filed 12/10/2014	Vol. XII - 1515
Order for Entry of Default Against Cross-defendant T-O Engineers, Inc. – filed 09/26/2014	Vol. VII - 896
Order for Entry of Default Against Genesis Golf Builders, Inc. – filed 12/10/2014	Vol. XII - 1507
Order for Entry of Default Against Independent Mortgage Ltd. Co. – filed 01/06/2015	Vol. XIII - 1633
Order for Entry of Default Against Montaheno Investments, LLC – filed 12/10/2014	Vol. XII - 1501
Order for Entry of Default Against Netta Source, LLC – filed 12/10/2014	Vol. XII - 1527
Order for Entry of Default Against Third Party Defendant Pend Oreille Bonner Development Holdings, Inc. – filed 10/21/2014	Vol. VIII - 969
Order for Entry of Default Against Third Party Defendants Frederick J. Grant and Christine Grant – filed 05/29/2015 ... Vol. XXIV - 2773	
Order for Entry of Default Against Timberline Investments, LLC – filed 01/06/2015	Vol. XIII - 1639
Order Granting Appellant JV, LLC’s Objection to Clerk’s Record and Motion to Make Additions to Clerk’s Record – filed 05/05/2017	Vol. LXXIX - 9928
Order Granting Appellants VP, Incorporated’s and North Idaho Resorts, LLC’s Objections to Lodged Record and Objections to Certificate of Mailing – filed 05/01/2017	Vol. LXXIX - 9879
Order Granting Cross-defendant, VP, Incorporated’s Request for Extension of Time to Answer or Otherwise Plead to Valiant, LLC’s Amended Answer to Allege a Counter-Claim and Cross-Claim and to Serve Third Party – filed 12/03/2014	Vol. XI - 1379
Order Granting Defendant Wells Fargo’s Motion to Dismiss with Prejudice – filed 03/16/2012	Vol. II - 312
Order Granting Defendants North Idaho Resorts, LLC and VP, Incorporated’s Motion for Enlargement of Time to File Answers and Responses to Discovery Requests Propounded by Valiant Idaho, LLC – filed 03/12/2015	Vol. XXII - 2557
Order Granting Injunction – filed 04/28/2017	Vol. LXXIX - 9871
Order Granting Leave for Withdrawal of Attorney – filed 05/18/2011	Vol. II - 260
Order Granting Motion to Enlarge Time to Respond to VP, Incorporated’s Motion to Dissolve Temporary Restraining Order – filed 04/17/2017	Vol. LXXVIII - 9742
Order Granting R.E. Loans, LLC’s Motion to Lift Automatic Stay (Mortgage Fund '08 LLC) – filed 08/12/2013	Vol. III - 374
Order Granting R.E. Loans, LLC’s Request to Lift Automatic Stay – filed 08/24/2012.....	Vol. II - 325
Order Granting Respondent Valiant Idaho, LLC’s Objection to the Consolidated Clerk’s Record on Appeal – filed 05/03/2017	Vol. LXXIX - 9900
Order Granting Valiant Idaho, LLC Leave to Amend Answer to Allege a Counterclaim and Cross-Claim – filed 11/19/2014	Vol. X - 1164

Order Granting Valiant Idaho, LLC Leave to Serve its Third Party Complaint – filed 11/19/2014 Vol. X - 1160

Order Imposing Rule 11 Sanctions – filed 12/06/2016.....Vol. LX - 7458

Order of Entry of Default Against Russ Capital Group, LLC – filed 12/10/2014..... Vol. XII - 1521

Order of Reassignment – filed 10/09/2014 Vol. VIII - 963

Order on Stipulation to Entry of Judgment Against Charles W. Reeves and Ann B. Reeves – filed 11/20/2014 ... Vol. XI - 1317

Order on Stipulation to Entry of Judgment Against Dan S. Jacobson, Sage Holdings LLC and Steven G. Lazar – filed 01/06/2015 Vol. XIII - 1645

Order on Stipulation to Entry of Judgment Against First American Title Company of Idaho – filed 12/17/2014 Vol. XIII - 1576

Order on Stipulation to Entry of Judgment Against Idaho Club Homeowner’s Association, Inc. – filed 01/15/2015 . Vol. XIV - 1700

Order on Stipulation to Entry of Judgment Against Mountain West Bank – filed 02/06/2015 Vol. XXII - 2473

Order on Stipulation to Entry of Judgment Against Pend Oreille Bonner Development Holdings, Inc. – filed 11/20/2014 Vol. XI - 1276

Order on Stipulation to Entry of Judgment Against Pend Oreille Bonner Development, LLC – filed 11/20/2014 Vol. XI - 1296

Order on Valiant Idaho, LLC’s Application for an Extension to Respond to VP, Incorporated’s Motion for Order Allowing Use and Access of Parcels 1 and 2 – filed 03/28/2017 Vol. LXXV - 9421

Order on Valiant Idaho, LLC’s Motion for a Temporary Restraining Order Against VP, Incorporated – filed 04/13/2017 Vol. LXXVII - 9707

Order on Valiant Idaho, LLC’s Motion for an Injunction Against VP, Incorporated – filed 04/26/2017..... Vol. LXXIX - 9853

Order Partially Vacating the Court’s May 1, 2017 Order Granting NIR’s and VP’s Objection to Lodged Record – filed 05/03/2017 Vol. LXXIX - 9904

Order re: JV, LLC’s Motion and Application for Stay of Execution Upon Posting a Cash Deposit – filed 02/21/2017 Vol. LXXI - 8822

Order re: JV, LLC’s Third Party Claim and Motion for Stay of Execution – filed 11/04/2016 Vol. LX - 7399

Order re: Proposed Judgment and Proposed Decree of Foreclosure – filed 07/18/2016 Vol. XLIII - 5303

Order re: Sale of Real Property – filed 07/14/2016 Vol. XLIII - 5270

Order re: Valiant Idaho LLC’s Motions *In Limine* – filed 12/29/2015 Vol. XXXV - 4266

Order Regarding Disqualification of Judge – filed 10/06/2014..... Vol. VIII - 953

Order Requesting Response Brief from Valiant Idaho, LLC – filed 03/27/2017 Vol. LXXV - 9413

Order Requiring Submissions – filed 07/14/2016..... Vol. XLIII - 5264

Order Setting Trial and Pretrial Order – filed 09/03/2015	Vol. XXX - 3521
Order Settling Trial and Pretrial Order – filed 11/20/2014	Vol. X - 1270
Order Shortening Time to Have Heard Valiant Idaho, LLC’s (1) Motion Contesting JV, LLC’s Third Party Claim; and Opposition to JV, LLC’s Motion for Stay of Execution; and (2) Motion for Sanctions under IC 12-123 and IRCP 11 – filed 11/03/2016	Vol. LX - 7372
Order Substituting Valiant Idaho, LLC in Place of Mortgage Fund ’08 LLC as the Real Party in Interest – filed 11/19/2014	Vol. X - 1171
Order Substituting Valiant Idaho, LLC in Place of Pensco Trust Co. as the Real Party in Interest – filed 11/19/2014	Vol. X - 1168
Order Substituting Valiant Idaho, LLC in Place of R.E. Loans, LLC as the Real Party in Interest – filed 08/07/2014	Vol. V - 667
Order Substituting Valiant Idaho, LLC in Place of Wells Fargo Capital Finance, LLC as the Real Party in Interest – filed 09/12/2014	Vol. VI - 781
Order Vacating Decree of Foreclosure Entered on August 5, 2015 – filed 09/17/2015	Vol. XXX - 3549
Order Vacating Decree of Foreclosure entered on June 22, 2016 – filed 07/14/2016	Vol. XLIII - 5268
Order Vacating Judgment – filed 07/14/2016	Vol. XLIII - 5266
Order Vacating Judgment Entered on August 5, 2015 – filed 09/17/2015	Vol. XXX - 3552
R.C. Worst & Company, Inc.’s Motion for Entry of Default (Genesis Golf Builders) – filed 08/14/2013	Vol. III - 378
R.E. Loans, LLC’s Answer to Complaint – filed 04/21/2011.....	Vol. II - 245
R.E. Loans, LLC’s Memorandum in Support of its Motion for Summary Judgment Against Cross-claimant ACI Northwest, Inc. – filed 04/29/2014	Vol. III - 441
R.E. Loans, LLC’s Memorandum in Support of its Motion for Summary Judgment Against Cross-claimant R.C. Worst & Company, Inc. – filed 04/29/2014	Vol. IV - 491
R.E. Loans, LLC’s Motion for Entry of Default (Genesis Golf Builders) – filed 08/12/2013.....	Vol. III - 362
R.E. Loans, LLC’s Motion for Summary Judgment Against Cross-Claimant ACI Northwest, Inc. – filed 04/29/2014	Vol. III - 438
R.E. Loans, LLC’s Motion for Summary Judgment Against Cross-Claimant R.C. Worst & Company, Inc. – filed 04/29/2014	Vol. IV - 488
R.E. Loans, LLC’s Motion to Lift Automatic Stay (Mortgage Fund ’08 LLC) – filed 06/26/2013	Vol. II - 336
R.E. Loans, LLC’s Request to Lift the Automatic Stay – filed 06/28/2012	Vol. II - 317
Renewed Motion for Reconsideration and Clarification – filed 06/16/2015	Vol. XXIV - 2781
Reply by R.E. Loans, LLC to Cross-claim by ACI Northwest, Inc. – filed 02/04/2011.....	Vol. II - 237
Reply Memorandum in Support of Motion for Order Allowing Use and Access of Parcels 1 and 2 and Application for Stay of Enforcement of Order Granting Valiant Idaho, LLC’s Motion to Enforce Judgment – filed 04/17/2017	Vol.

Reply Memorandum in Support of Renewed Motion for Reconsideration and Clarification – filed 07/07/2015	Vol. XXIV - 2837
Reply Memorandum in Support of Valiant Idaho, LLC’s Motion <i>In Limine</i> re: North Idaho Resorts, LLC and VP, Inc. – filed 12/28/2015.....	Vol. XXXV - 4243
Reply Memorandum in Support of Valiant Idaho, LLC’s Motion <i>In Limine</i> re: JV, LLC – filed 12/28/2015.....	Vol. XXXV - 4253
Reply Memorandum to Valiant’s Opposition to Motion for New Trial – filed 08/15/2016.....	Vol. XLVII - 5787
Reply to Defendants North Idaho Resorts, LLC’s and VP, Incorporated’s Memorandum in Opposition to Valiant Idaho, LLC’s Motion to Strike Inadmissible Evidence – filed 10/21/2015	Vol. XXXIII - 3962
Reply to JV, LLC’s Response to Valiant Idaho, LLC’s Motion to Strike Inadmissible Evidence – filed 10/21/2015..	Vol. XXXIII - 3955
Request for Judicial Notice – filed 02/04/2015	Vol. XXI - 2372
ROA Report for Case CV2009-1810 – printed May 10, 2017.....	Vol. I - 65
Second Subpoena Duces Tecum to First American Title Company – filed 09/18/2015.....	Vol. XXX - 3620
Sheriff’s Certificate of Sale (Idaho Club – Parcel 1) – filed 12/22/2016	Vol. LXII - 7747
Sheriff’s Certificate of Sale (Idaho Club – Parcel 10) – filed 12/22/2016	Vol. LXII - 7767
Sheriff’s Certificate of Sale (Idaho Club – Parcel 100) – filed 12/22/2016	Vol. LXV - 8039
Sheriff’s Certificate of Sale (Idaho Club – Parcel 101) – filed 12/22/2016	Vol. LXV - 8042
Sheriff’s Certificate of Sale (Idaho Club – Parcel 102) – filed 12/22/2016	Vol. LXV - 8045
Sheriff’s Certificate of Sale (Idaho Club – Parcel 103) – filed 12/22/2016	Vol. LXV - 8048
Sheriff’s Certificate of Sale (Idaho Club – Parcel 104) – filed 12/22/2016	Vol. LXV - 8051
Sheriff’s Certificate of Sale (Idaho Club – Parcel 105) – filed 12/22/2016	Vol. LXV - 8054
Sheriff’s Certificate of Sale (Idaho Club – Parcel 106) – filed 12/22/2016	Vol. LXV - 8057
Sheriff’s Certificate of Sale (Idaho Club – Parcel 107) – filed 12/22/2016	Vol. LXV - 8060
Sheriff’s Certificate of Sale (Idaho Club – Parcel 108) – filed 12/22/2016	Vol. LXV - 8063
Sheriff’s Certificate of Sale (Idaho Club – Parcel 109) – filed 12/22/2016	Vol. LXV - 8066
Sheriff’s Certificate of Sale (Idaho Club – Parcel 11) – filed 12/22/2016	Vol. LXII - 7770
Sheriff’s Certificate of Sale (Idaho Club – Parcel 110) – filed 12/22/2016	Vol. LXV - 8069
Sheriff’s Certificate of Sale (Idaho Club – Parcel 111) – filed 12/22/2016	Vol. LXV - 8072
Sheriff’s Certificate of Sale (Idaho Club – Parcel 112) – filed 12/22/2016	Vol. LXV - 8075
Sheriff’s Certificate of Sale (Idaho Club – Parcel 113) – filed 12/22/2016	Vol. LXV - 8078

Sheriff's Certificate of Sale (Idaho Club – Parcel 114) – filed 12/22/2016	Vol. LXV - 8081
Sheriff's Certificate of Sale (Idaho Club – Parcel 115) – filed 12/22/2016	Vol. LXV - 8084
Sheriff's Certificate of Sale (Idaho Club – Parcel 116) – filed 12/22/2016	Vol. LXV - 8087
Sheriff's Certificate of Sale (Idaho Club – Parcel 117) – filed 12/22/2016	Vol. LXV - 8090
Sheriff's Certificate of Sale (Idaho Club – Parcel 118) – filed 12/22/2016	Vol. LXV - 8093
Sheriff's Certificate of Sale (Idaho Club – Parcel 119) – filed 12/22/2016	Vol. LXV - 8097
Sheriff's Certificate of Sale (Idaho Club – Parcel 12) – filed 12/22/2016	Vol. LXII - 7773
Sheriff's Certificate of Sale (Idaho Club – Parcel 120) – filed 12/22/2016	Vol. LXV - 8100
Sheriff's Certificate of Sale (Idaho Club – Parcel 122) – filed 12/22/2016	Vol. LXV - 8103
Sheriff's Certificate of Sale (Idaho Club – Parcel 123) – filed 12/22/2016	Vol. LXV - 8106
Sheriff's Certificate of Sale (Idaho Club – Parcel 124) – filed 12/22/2016	Vol. LXV - 8109
Sheriff's Certificate of Sale (Idaho Club – Parcel 125) – filed 12/22/2016	Vol. LXV - 8112
Sheriff's Certificate of Sale (Idaho Club – Parcel 126) – filed 12/22/2016	Vol. LXV - 8115
Sheriff's Certificate of Sale (Idaho Club – Parcel 127) – filed 12/22/2016	Vol. LXV - 8118
Sheriff's Certificate of Sale (Idaho Club – Parcel 128) – filed 12/22/2016	Vol. LXV - 8121
Sheriff's Certificate of Sale (Idaho Club – Parcel 129) – filed 12/22/2016	Vol. LXVI - 8124
Sheriff's Certificate of Sale (Idaho Club – Parcel 13) – filed 12/22/2016	Vol. LXII - 7776
Sheriff's Certificate of Sale (Idaho Club – Parcel 130) – filed 12/22/2016	Vol. LXVI - 8127
Sheriff's Certificate of Sale (Idaho Club – Parcel 131) – filed 12/22/2016	Vol. LXVI - 8130
Sheriff's Certificate of Sale (Idaho Club – Parcel 132) – filed 12/22/2016	Vol. LXVI - 8133
Sheriff's Certificate of Sale (Idaho Club – Parcel 133) – filed 12/22/2016	Vol. LXVI - 8136
Sheriff's Certificate of Sale (Idaho Club – Parcel 134) – filed 12/22/2016	Vol. LXVI - 8139
Sheriff's Certificate of Sale (Idaho Club – Parcel 135) – filed 12/22/2016	Vol. LXVI - 8142
Sheriff's Certificate of Sale (Idaho Club – Parcel 136) – filed 12/22/2016	Vol. LXVI - 8145
Sheriff's Certificate of Sale (Idaho Club – Parcel 137) – filed 12/22/2016	Vol. LXVI - 8148
Sheriff's Certificate of Sale (Idaho Club – Parcel 138) – filed 12/22/2016	Vol. LXVI - 8151
Sheriff's Certificate of Sale (Idaho Club – Parcel 139) – filed 12/22/2016	Vol. LXVI - 8154
Sheriff's Certificate of Sale (Idaho Club – Parcel 14) – filed 12/22/2016	Vol. LXII - 7779

Sheriff's Certificate of Sale (Idaho Club – Parcel 141) – filed 12/22/2016	Vol. LXVI - 8160
Sheriff's Certificate of Sale (Idaho Club – Parcel 142) – filed 12/22/2016	Vol. LXVI - 8163
Sheriff's Certificate of Sale (Idaho Club – Parcel 143) – filed 12/22/2016	Vol. LXVI - 8166
Sheriff's Certificate of Sale (Idaho Club – Parcel 144) – filed 12/22/2016	Vol. LXVI - 8169
Sheriff's Certificate of Sale (Idaho Club – Parcel 145) – filed 12/22/2016	Vol. LXVI - 8172
Sheriff's Certificate of Sale (Idaho Club – Parcel 146) – filed 12/22/2016	Vol. LXVI - 8175
Sheriff's Certificate of Sale (Idaho Club – Parcel 147) – filed 12/22/2016	Vol. LXVI - 8178
Sheriff's Certificate of Sale (Idaho Club – Parcel 148) – filed 12/22/2016	Vol. LXVI - 8181
Sheriff's Certificate of Sale (Idaho Club – Parcel 149) – filed 12/22/2016	Vol. LXVI - 8184
Sheriff's Certificate of Sale (Idaho Club – Parcel 15) – filed 12/22/2016	Vol. LXII - 7782
Sheriff's Certificate of Sale (Idaho Club – Parcel 150) – filed 12/22/2016	Vol. LXVI - 8187
Sheriff's Certificate of Sale (Idaho Club – Parcel 151) – filed 12/22/2016	Vol. LXVI - 8190
Sheriff's Certificate of Sale (Idaho Club – Parcel 152) – filed 12/22/2016	Vol. LXVI - 8193
Sheriff's Certificate of Sale (Idaho Club – Parcel 153) – filed 12/22/2016	Vol. LXVI - 8196
Sheriff's Certificate of Sale (Idaho Club – Parcel 154) – filed 12/22/2016	Vol. LXVI - 8199
Sheriff's Certificate of Sale (Idaho Club – Parcel 155) – filed 12/22/2016	Vol. LXVI - 8202
Sheriff's Certificate of Sale (Idaho Club – Parcel 156) – filed 12/22/2016	Vol. LXVI - 8205
Sheriff's Certificate of Sale (Idaho Club – Parcel 157) – filed 12/22/2016	Vol. LXVI - 8208
Sheriff's Certificate of Sale (Idaho Club – Parcel 158) – filed 12/22/2016	Vol. LXVI - 8211
Sheriff's Certificate of Sale (Idaho Club – Parcel 159) – filed 12/22/2016	Vol. LXVI - 8214
Sheriff's Certificate of Sale (Idaho Club – Parcel 16) – filed 12/22/2016	Vol. LXII - 7785
Sheriff's Certificate of Sale (Idaho Club – Parcel 163) – filed 12/22/2016	Vol. LXVI - 8219
Sheriff's Certificate of Sale (Idaho Club – Parcel 17) – filed 12/22/2016	Vol. LXII - 7788
Sheriff's Certificate of Sale (Idaho Club – Parcel 177) – filed 12/22/2016	Vol. LXVI - 8223
Sheriff's Certificate of Sale (Idaho Club – Parcel 19) – filed 12/22/2016	Vol. LXII - 7791
Sheriff's Certificate of Sale (Idaho Club – Parcel 2) – filed 12/22/2016	Vol. LXII - 7750
Sheriff's Certificate of Sale (Idaho Club – Parcel 20) – filed 12/22/2016	Vol. LXII - 7795
Sheriff's Certificate of Sale (Idaho Club – Parcel 21) – filed 12/22/2016	Vol. LXI - 7798

Sheriff's Certificate of Sale (Idaho Club – Parcel 23) – filed 12/22/2016	Vol. LXII - 7804
Sheriff's Certificate of Sale (Idaho Club – Parcel 24) – filed 12/22/2016	Vol. LXII - 7807
Sheriff's Certificate of Sale (Idaho Club – Parcel 25) – filed 12/22/2016	Vol. LXII - 7810
Sheriff's Certificate of Sale (Idaho Club – Parcel 26) – filed 12/22/2016	Vol. LXII - 7813
Sheriff's Certificate of Sale (Idaho Club – Parcel 27) – filed 12/22/2016	Vol. LXII - 7816
Sheriff's Certificate of Sale (Idaho Club – Parcel 28) – filed 12/22/2016	Vol. LXII - 7819
Sheriff's Certificate of Sale (Idaho Club – Parcel 29) – filed 12/22/2016	Vol. LXII - 7822
Sheriff's Certificate of Sale (Idaho Club – Parcel 30) – filed 12/22/2016	Vol. LXII - 7825
Sheriff's Certificate of Sale (Idaho Club – Parcel 31) – filed 12/22/2016	Vol. LXII - 7828
Sheriff's Certificate of Sale (Idaho Club – Parcel 32) – filed 12/22/2016	Vol. LXII - 7831
Sheriff's Certificate of Sale (Idaho Club – Parcel 33) – filed 12/22/2016	Vol. LXII - 7834
Sheriff's Certificate of Sale (Idaho Club – Parcel 34) – filed 12/22/2016	Vol. LXII - 7837
Sheriff's Certificate of Sale (Idaho Club – Parcel 35) – filed 12/22/2016	Vol. LXII - 7840
Sheriff's Certificate of Sale (Idaho Club – Parcel 36) – filed 12/22/2016	Vol. LXII - 7843
Sheriff's Certificate of Sale (Idaho Club – Parcel 37) – filed 12/22/2016	Vol. LXII - 7846
Sheriff's Certificate of Sale (Idaho Club – Parcel 38) – filed 12/22/2016	Vol. LXII - 7849
Sheriff's Certificate of Sale (Idaho Club – Parcel 39) – filed 12/22/2016	Vol. LXIV - 7852
Sheriff's Certificate of Sale (Idaho Club – Parcel 40) – filed 12/22/2016	Vol. LXIV - 7855
Sheriff's Certificate of Sale (Idaho Club – Parcel 41) – filed 12/22/2016	Vol. LXIV - 7858
Sheriff's Certificate of Sale (Idaho Club – Parcel 42) – filed 12/22/2016	Vol. LXIV - 7861
Sheriff's Certificate of Sale (Idaho Club – Parcel 43) – filed 12/22/2016	Vol. LXIV - 7864
Sheriff's Certificate of Sale (Idaho Club – Parcel 44) – filed 12/22/2016	Vol. LXIV - 7867
Sheriff's Certificate of Sale (Idaho Club – Parcel 45) – filed 12/22/2016	Vol. LXIV - 7870
Sheriff's Certificate of Sale (Idaho Club – Parcel 46) – filed 12/22/2016	Vol. LXIV - 7873
Sheriff's Certificate of Sale (Idaho Club – Parcel 47) – filed 12/22/2016	Vol. LXIV - 7876
Sheriff's Certificate of Sale (Idaho Club – Parcel 48) – filed 12/22/2016	Vol. LXIV - 7879
Sheriff's Certificate of Sale (Idaho Club – Parcel 49) – filed 12/22/2016	Vol. LXIV - 7881
Sheriff's Certificate of Sale (Idaho Club – Parcel 5) – filed 12/22/2016	Vol. LXI - 7754

Sheriff's Certificate of Sale (Idaho Club – Parcel 8) – filed 12/22/2016	Vol. LXII - 7761
Sheriff's Certificate of Sale (Idaho Club – Parcel 80) – filed 12/22/2016	Vol. LXIV - 7978
Sheriff's Certificate of Sale (Idaho Club – Parcel 81) – filed 12/22/2016	Vol. LXIV - 7981
Sheriff's Certificate of Sale (Idaho Club – Parcel 82) – filed 12/22/2016	Vol. LXIV - 7984
Sheriff's Certificate of Sale (Idaho Club – Parcel 83) – filed 12/22/2016	Vol. LXV - 7987
Sheriff's Certificate of Sale (Idaho Club – Parcel 84) – filed 12/22/2016	Vol. LXV - 7990
Sheriff's Certificate of Sale (Idaho Club – Parcel 85) – filed 12/22/2016	Vol. LXV - 7993
Sheriff's Certificate of Sale (Idaho Club – Parcel 86) – filed 12/22/2016	Vol. LXV - 7996
Sheriff's Certificate of Sale (Idaho Club – Parcel 87) – filed 12/22/2016	Vol. LXV - 7999
Sheriff's Certificate of Sale (Idaho Club – Parcel 88) – filed 12/22/2016	Vol. LXV - 8002
Sheriff's Certificate of Sale (Idaho Club – Parcel 89) – filed 12/22/2016	Vol. LXV - 8005
Sheriff's Certificate of Sale (Idaho Club – Parcel 9) – filed 12/22/2016	Vol. LXII - 7764
Sheriff's Certificate of Sale (Idaho Club – Parcel 90) – filed 12/22/2016	Vol. LXV - 8008
Sheriff's Certificate of Sale (Idaho Club – Parcel 91) – filed 12/22/2016	Vol. LXV - 8011
Sheriff's Certificate of Sale (Idaho Club – Parcel 92) – filed 12/22/2016	Vol. LXV - 8014
Sheriff's Certificate of Sale (Idaho Club – Parcel 93) – filed 12/22/2016	Vol. LXV - 8017
Sheriff's Certificate of Sale (Idaho Club – Parcel 94) – filed 12/22/2016	Vol. LXV - 8020
Sheriff's Certificate of Sale (Idaho Club – Parcel 95) – filed 12/22/2016	Vol. LXV - 8023
Sheriff's Certificate of Sale (Idaho Club – Parcel 96) – filed 12/22/2016	Vol. LXV - 8027
Sheriff's Certificate of Sale (Idaho Club – Parcel 97) – filed 12/22/2016	Vol. LXV - 8030
Sheriff's Certificate of Sale (Idaho Club – Parcel 98) – filed 12/22/2016	Vol. LXV - 8033
Sheriff's Certificate of Sale (Idaho Club – Parcel 99) – filed 12/22/2016	Vol. LXV - 8036
Sheriff's Certificate on Return of Service, Writ of Execution – filed 04/06/2017	Vol. LXXV - 9446
Sheriff's Certificate on Return of Service, Writ of Execution (NIR) – filed 11/18/2016	Vol. LX - 7411
Sheriff's Certificate on Return of Service, Writ of Execution (VP, Inc.)– filed 11/18/2016	Vol. LX - 7424
Sheriff's Return on Sale – filed 12/22/2016	Vol. LXII - 7680
Sheriff's Return on Writ of Execution – filed 12/22/2016	Vol. LXII - 7714
Sheriff's Service on Writ of Execution – filed 09/21/2016	Vol. LIII - 6507

Special Appearance on Behalf of Defendant Pensco Trust Co., Custodian FBO Barney Ng – filed 05/24/2010	. Vol. II - 201
Stay Order (Mortgage Fund '08, LLC) – filed 09/29/2011	..... Vol. II - 284
Stay Order (R.E. Loans, LLC) – filed 09/29/2011	..... Vol. II - 275
Stipulation for Settlement and Dismissal of JV, LLC's Third Party Complaint Against Idaho Club Homeowner's Association, Inc. – filed 01/09/2015	..... Vol. XIII - 1666
Stipulation for Settlement and for Judgment as Between Defendant VP, Inc. and North Idaho Resorts and the Defendant JV, LLC – filed 08/24/2015	..... Vol. XXVIII - 3340
Stipulation to Entry of Judgment Against Charles W. Reeves and Anna B. Reeves – filed 11/19/2014	..... Vol. X - 1200
Stipulation to Entry of Judgment Against Dan S. Jacobson; Sage Holdings, LLC; and Steven G. Lazar – filed 01/02/2015	..... Vol. XIII - 1611
Stipulation to Entry of Judgment Against First American Title Company of Idaho – filed 12/17/2014	..... Vol. XIII - 1555
Stipulation to Entry of Judgment Against Idaho Club Homeowner's Association, Inc. – filed 01/12/2015	Vol. XIII - 1673
Stipulation to Entry of Judgment Against Mountain West Bank – filed 02/04/2015	..... Vol. XXI - 2452
Stipulation to Entry of Judgment Against Pend Oreille Bonner Development, LLC – filed 11/19/2014	..... Vol. X - 1178
Stipulation to Entry of Judgment Against Pend Oreille Bonner Development Holdings, Inc. – filed 11/19/2014	. Vol. X - 1221
Subpoena Duces Tecum to First American Tile Company – filed 09/18/2015	..... Vol. XXX - 3555
Substitution of Counsel – filed 08/29/2011	..... Vol. II - 264
Summons on Third Party Complaint brought by Third Party Plaintiff Valiant Idaho, LLC [Pend Oreille Bonner Development Holdings, Inc.] – filed 09/03/2014	..... Vol. VI - 768
Supplemental Declaration of Jeff R. Sykes in Support of Memorandum in Reply to JV, LLC's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Summary Judgment – filed 03/11/2015	..... Vol. XXII - 2528
Supplemental Memorandum in Support of Valiant Idaho, LLC's Motion Contesting JV, LLC's Third Party Claim; and Opposition to JV, LLC's Motion for Stay of Execution – filed 11/04/2016	..... Vol. LX - 7387
Supreme Court Order re: 44583 - Consolidating Appeal nos. 44583, 44584 and 44585 – filed 11/04/2016	....Vol. I - 166
Supreme Court Order re: 44584 - Consolidating Appeal nos. 44583, 44584 and 44585 – filed 11/04/2016	....Vol. I - 168
Supreme Court Order re: 44585 - Consolidating Appeal nos. 44583, 44584 and 44585 – filed 11/04/2016	....Vol. I - 170
Table of Contents	..... Vol. I - 3
Third Party Defendant Idaho Club Homeowner's Association, Inc.'s Motion and Memorandum to Dismiss Claim Asserted by Third Party Plaintiff JV, LLC – filed 11/07/2014	..... Vol. VIII - 996
Third Party Defendant Panhandle Management, Incorporated's Motion and Memorandum to Dismiss Claims Asserted by Third Party Plaintiff JV, LLC – filed 11/07/2014	..... Vol. VIII - 1006

Title Page	Vol I - 1
Valiant Idaho, LLC's Amended Request for Additional Transcript and Record on Appeal – filed 10/20/2016	Vol I - 7279
Valiant Idaho, LLC's Amended Request for Additional Transcript and Record on Appeal – filed 01/30/2017	Vol. LXVII - 8254
Valiant Idaho, LLC's Application for an Extension to Respond to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 03/28/2017	Vol. LXXV - 9418
Valiant Idaho, LLC's Closing Argument – filed 03/14/2016	Vol. XXXVII - 4444
Valiant Idaho, LLC's Counterclaim, Cross-claim and Third Party Complaint for Judicial Foreclosure – filed 08/19/2014	Vol. VI - 739
Valiant Idaho, LLC's Identification of Trial Exhibits – filed 01/14/2016	Vol. XXXVI - 4286
Valiant Idaho, LLC's Identification of Trial Witnesses – filed 01/14/2016	Vol. XXXVI - 4294
Valiant Idaho, LLC's Memorandum in Opposition to JV, LLC's Motion to Alter, Amend, and Reconsider re: (1) Memorandum Decision and Order; (2) Judgment; (3) Decree of Foreclosure; and (4) Order of Sale – filed 08/10/2016 ..	Vol. XLVI - 5584
Valiant Idaho, LLC's Memorandum in Opposition to JV, LLC's Objection and Motion to Disallow Memorandum of Costs and Attorney's Fees – filed 08/11/2016	Vol. XLVII - 5728
Valiant Idaho, LLC's Memorandum in Opposition to VP, Inc.'s Motion for a New Trial – filed 08/10/2016	Vol. XLVI - 5577
Valiant Idaho, LLC's Memorandum in Opposition to VP, Inc.'s Motion to Alter, Amend and Reconsider the Decree of Foreclosure and Judgment – filed 08/10/2016	Vol. XLVI - 5673
Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, and Application for Stay of Enforcement of Order Granting Motion to Enforce Judgment – filed 04/12/2017	Vol. LXXVII - 9665
Valiant Idaho, LLC's Memorandum in Opposition to VP, Incorporated's Motion to Dissolve Temporary Restraining Order – filed 04/18/2017	Vol. LXXVIII - 9790
Valiant Idaho, LLC's Memorandum in Reply to VP, Incorporated's Opposition to Motion to Clarify Court's Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 04/03/2017	Vol. LXXV - 9436
Valiant Idaho, LLC's Memorandum in Response to VP, Inc.'s Objection and Motion to Disallow Memorandum of Costs and Attorney's Fees – filed 08/11/2016	Vol. XLVII - 5746
Valiant Idaho, LLC's Memorandum in Support of Motion for a Temporary Restraining Order and Preliminary Injunction Against VP, Incorporated – filed 04/13/2017	Vol. LXXVII - 9686
Valiant Idaho, LLC's Memorandum in Support of Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 08/11/2016	Vol. XLVII - 5770
Valiant Idaho, LLC's Memorandum in Support of Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 11/03/2016	Vol. LX - 7378

Valiant Idaho, LLC's Memorandum of Costs and Attorney's Fees – filed 07/06/2016	Vol. XLI - 5019
Valiant Idaho, LLC's Memorandum of Costs and Attorneys' Fees Against JV, LLC – filed 11/25/2016...	Vol. LX - 7438
Valiant Idaho, LLC's Motion Contesting JV, LLC's Third Party Claim; and Opposition to JV, LLC's Motion for Stay of Execution – filed 11/03/2016.....	Vol. LX - 7361
Valiant Idaho, LLC's Motion for a Temporary Restraining Order and Preliminary Injunction Against VP, Incorporated – filed 04/13/2017.....	Vol. LXXVII - 9683
Valiant Idaho, LLC's Motion for an Order of Sale of Real Property – filed 07/22/2015	Vol. XXV - 2880
Valiant Idaho, LLC's Motion for an Order of Sale of Real Property – filed 06/22/2016	Vol. XLI - 4985
Valiant Idaho, LLC's Motion for Entry of Default Against Counter-Defendant Genesis Golf Builders, Inc. – filed 12/08/2014	Vol. XI - 1382
Valiant Idaho, LLC's Motion for Entry of Default Against Cross-defendant T-O Engineers, Inc. – filed 09/26/2014. Vol. VII - 879	
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Pend Oreille Bonner Development Holdings, Inc. – filed 10/03/2014	Vol. VII - 913
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Amy Korengut – filed 12/08/2014	Vol. XI - 1394
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Independent Mortgage Ltd. Co. – filed 12/08/2014.....	Vol. XII - 1414
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant C.E. Kramer Crane & Contracting, Inc. – filed 12/08/2014	Vol. XII - 1429
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Netta Source, LLC – filed 12/08/2014	Vol. XII - 1444
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Montaheno Investments, LLC – filed 12/08/2014	Vol. XII - 1459
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Rass Capital Group, LLC – filed 12/08/2014.....	Vol. XII - 1474
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Timberline Investments, LLC – filed 12/22/2014	Vol. XIII - 1596
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendant Bar K, Inc. – filed 02/02/2015.....	Vol. XX - 2337
Valiant Idaho, LLC's Motion for Entry of Default Against Third Party Defendants Frederick J. Grant and Christine Grant – filed 05/22/2015.....	Vol. XXIV - 2749
Valiant Idaho, LLC's Motion for Entry of Final Judgment – filed 05/20/2015.....	Vol. XXII - 2600
Valiant Idaho, LLC's Motion for Leave to Amend Third Party Complaint to Join an Additional Party – filed 11/24/2014	Vol. XI - 1337
Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/21/2016	Vol. LIV - 6562

Valiant Idaho, LLC's Motion for Sanctions Under IC 12-123 and IRCP 11 – filed 11/03/2016 Vol. LX - 7375

Valiant Idaho, LLC's Motion for Summary Judgment Against JV, LLC; North Idaho Resorts, LLC; and VP, Incorporated – filed 01/20/2015 Vol. XIV - 1720

Valiant Idaho, LLC's Motion *In Limine* re: JV, LLC – filed 12/15/2015..... Vol. XXXIV - 4034

Valiant Idaho, LLC's Motion *In Limine* re: North Idaho Resorts, LLC and VP, Inc. – filed 12/15/2015 Vol. XXXIV - 4032

Valiant Idaho, LLC's Motion to Alter, Amend and/or Reconsider the Order of Sale of Real Property – filed 08/19/2015 Vol. XXVII - 3249

Valiant Idaho, LLC's Motion to Amend Decree of Foreclosure – filed 08/19/2015 Vol. XXVII - 3240

Valiant Idaho, LLC's Motion to Clarify Court's Memorandum Decision and Order Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/20/2017 Vol. LXXV - 9399

Valiant Idaho, LLC's Motion to Enforce Judgment Under IAR 13 (b)(10) and 13 (b)(13) – filed 02/08/2017 Vol. LXVII - 8268

Valiant Idaho, LLC's Motion to Strike Inadmissible Evidence – filed 10/09/2015 Vol. XXXI - 3733

Valiant Idaho, LLC's Notice of Depost – filed 04/13/2017..... Vol. LXXVIII - 9711

Valiant Idaho, LLC's Notice of Hearing on VP, Incorporated's Motion for Order Allowing Use and Access of Parcels 1 and 2, etc. – filed 03/28/2017 Vol. LXXV - 9415

Valiant Idaho, LLC's Notice of Intent to Take Default – filed 09/10/2014 Vol. VI - 776

Valiant Idaho, LLC's Notice of Intent to Take Default – filed 09/25/2014 Vol. VII - 874

Valiant Idaho, LLC's Notice of Intent to Take Default – filed 10/03/2014 Vol. VII - 911

Valiant Idaho, LLC's Notice of Intent to Take Default – filed 12/08/2014 Vol. XII - 1489

Valiant Idaho, LLC's Notice of Non-Objection to JV, LLC's Motion and Application for Stay of Execution Upon Posting a Cash Deposit, and Errata Thereto – filed 02/16/2017 Vol. LXX - 8743

Valiant Idaho, LLC's Notice of Objection to the Consolidated Clerk's Record on Appeal – filed 05/02/2017..... Vol. LXXIX - 9883

Valiant Idaho, LLC's Objection to JV, LLC's Proposed Judgment Submitted 09/10/2015 (As Between Defendants JV, LLC and North Idaho Resorts, LLC/VP Incorporated) – filed 09/16/2015 Vol. XXX - 3538

Valiant Idaho, LLC's Objections and Opposition to North Idaho Resorts, LLC and VP, Incorporated's Motion to Reconsider and Motion to Alter and Amend Judgment – filed 10/01/2015 Vol. XXXI - 3721

Valiant Idaho, LLC's Reply to: (1) JV LLC's Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third-party Complaint for Judicial Foreclosure; and (2) JV LLC's Cross-claim and Third Party Complaint – filed 12/15/2014 Vol. XII - 1541

Valiant Idaho, LLC's Request for Additional Transcript and Record on Appeal – filed 09/23/2016 Vol. LIV - 6581


Valiant Idaho, LLC's Request for Additional Transcript and Record on Appeal – filed 10/07/2016 Vol. LIX - 7238

Valiant Idaho, LLC's Request for Additional Transcript and Record on Appeal – filed 10/20/2016 Vol. LIX - 7268

Valiant Idaho, LLC's Response and Objections to JV, LLC's Post-trial Memorandum and Argument – filed 05/26/2016	Vol. XXXVII - 4574
Valiant Idaho, LLC's Response and Rebuttal to VP, Inc.'s Closing Argument – filed 05/26/2016	Vol. XXXVIII - 4551
Valiant Idaho, LLC's Second Motion to Strike Inadmissible Evidence – filed 10/20/2015	Vol. XXXIII - 3940
Valiant Idaho, LLC's Third Motion for Summary Judgment – filed 09/25/2015	Vol. XXX - 3623
Valiant Idaho, LLC's Trial Brief – filed 01/21/2016	Vol. XXXVI - 4306
Valiant Idaho, LLC's Trial Brief – filed 01/25/2016	Vol. XXXVI - 4394
VP Inc.'s Motion to Strike the Declaration of William Haberman – filed 04/21/2016	Vol. XXXVII - 4482
VP Incorporated's Answer to JV, LLC's Cross-Claim – filed 08/21/2015	Vol. XXVIII - 3337
VP, Inc. and NIR, LLC's Memorandum in Opposition to Valiant Idaho, LLC's Motion for Relief from Automatic Stay – filed 09/28/2016	Vol. LIV - 6597
VP, Inc.'s Amended Exhibit List – filed 01/15/2016	Vol. XXXVI - 4298
VP, Inc.'s Amended Supplemental Expert Witness Disclosure – filed 01/08/2016	Vol. XXXV - 4269
VP, Inc.'s Amended Supplemental Expert Witness Disclosure – filed 01/11/2016	Vol. XXXV - 4273
VP, Inc.'s and North Idaho Resorts, LLC's Response to Valiant's Motion <i>In Limine</i> – filed 12/22/2015	Vol. XXXV - 4221
VP, Inc.'s Exhibit List – filed 01/14/2016	Vol. XXXVI - 4278
VP, Inc.'s Expert Witness Disclosure – filed 11/27/2015	Vol. XXXIV - 4020
VP, Inc.'s Lay Witness Disclosure – filed 11/27/2015	Vol. XXXIV - 4024
VP, Inc.'s Memorandum in Opposition to Valiant Idaho, LLC's Motion to Enforce Judgment – filed 02/17/2017	Vol. LXX - 8746
VP, Inc.'s Memorandum in Opposition to Valiant Idaho, LLC's Motion to Clarify Court's Memorandum Decision and Order and Granting Valiant Idaho, LLC's Motion to Enforce Judgment – filed 03/29/2017	Vol. LXXV - 9424
VP, Inc.'s Motion for a New Trial – filed 08/03/2016	Vol. XLV - 5542
VP, Inc.'s Motion for New Trial – filed 08/03/2016	Vol. XLV - 5544
VP, Inc.'s Motion to Alter, Amend, and Reconsider the Decree of Foreclosure and Judgment – filed 08/03/2016	Vol. XLVI - 5553
VP, Inc.'s Motion to Amend Answer to Assert an Affirmative Defense – filed 01/27/2016	Vol. XXXVII - 4413
VP, Inc.'s Opposition to Valiant Idaho's Memorandum of Costs and Attorney Fees – filed 07/20/2016	Vol. XLV - 5503
VP, Inc.'s Supplemental Expert Witness Disclosure – filed 12/04/2015	Vol. XXXIV - 4027
VP Incorporated's Answer to Valiant Idaho, LLC's Counterclaim, Cross-claim and Third-party Complaint for Judicial	

VP, Incorporated's Motion to Dismiss Third Party Complaint – filed 10/06/2014	Vol. VIII - 959
VP, Incorporated's Reply on Motion to Dismiss Third Party Complaint and Response to Motion to Amend Pleadings – filed 11/14/2014.....	Vol. X - 1156
VP's Closing Argument – filed 05/12/2016	Vol. XXXVII - 4535
Wells Fargo's Motion to Dismiss with Prejudice – filed 01/23/2012.....	Vol. II - 298
Withdrawal of Application for Stay - filed 11/22/2016	Vol. LX - 7436
Writ of Assistance – filed 03/06/2017	Vol. LXXV - 9361
Writ of Assistance – filed 04/11/2017	Vol. LXXVII - 9635
Writ of Execution – filed 09/21/2016	Vol. LII - 6318
Writ of Execution – filed 10/05/2016	Vol. LIV - 6611
Writ of Execution – filed 12/22/2016	Vol. LXI - 7464
Writ of Execution (Continued) – filed 09/21/2016	Vol. LIII - 6396
Writ of Execution (Continued) – filed 10/05/2016.....	Vol. LV - 6667
Writ of Execution (Continued) – filed 10/05/2016.....	Vol. LVI - 6801
Writ of Execution (Continued) – filed 12/22/2016	Vol. LXII - 7594
Writ of Execution Against JV, LLC – filed 01/09/2017.....	Vol. LXVI - 8232
Writ of Execution Against JV, LLC – filed 04/06/2017	Vol. LXXVI - 9448
Writ of Execution Against JV, LLC – filed 10/06/2016	Vol. LVI - 6814
Writ of Execution Against JV, LLC for Boundary County – filed 01/30/2017.....	Vol. LXVII - 8262
Writ of Execution Against JV, LLC for Boundary County – filed 10/13/2016	Vol. LIX - 7255
Writ of Execution Against JV, LLC for Boundary County (268815) – filed 10/31/2016	Vol. LIX - 7303
Writ of Execution Against North Idaho Resorts, LLC – filed 10/06/2016.....	Vol. LVI - 6806
Writ of Execution Against North Idaho Resorts, LLC for Boundary County – filed 10/13/2016	Vol. LIX - 7260
Writ of Execution Against North Idaho Resorts, LLC for Boundary County (268813) – filed 10/31/2016	Vol. LIX - 7294
Writ of Execution Against North Idaho Resorts, LLC for Boundary County – filed 11/18/2016.....	Vol. LX - 7413
Writ of Execution Against VP, Incorporated – filed 10/06/2016	Vol. LVI - 6822
Writ of Execution Against VP, Incorporated for Boundary County – filed 10/13/2016.....	Vol. LIX - 7265
Writ of Execution Against VP, Incorporated for Boundary County – filed 11/18/2016.....	Vol. LX - 7426

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RECEIVED
 DISTRICT COURT
 SANDPOINT, IDAHO
 SEP 15 10 51 AM '09


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;
 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

) Case No. CV-2009-1810
)
) JV L.L.L.'S SPECIAL
) APPEARANCE CONTESTING
) JURISDICTION; AND JV
) L.L.C.'S ANSWER TO
) COMPLAINT; AND JV
) L.L.C.'S ANSWER TO
) VALIANT IDAHO, LLC'S
) COUNTERCLAIM, CROSS-CLAIM
) AND THIRD PARTY COMPLAINT
) FOR JUDICIAL FORECLOSURE;
) AND JV L.L.C.'S CROSS-
) CLAIM; AND JV L.L.C.'S
) THIRD PARTY COMPLAINT
)
) Category: I(1)
) Fee: already paid
)
) Category: Counterclaim
) Fee: no fee
)
) Category: K(4) Cross-Claim
) Fee: \$14.00
)
) Category: K(3) Third
) Party Complaint
) Fee: \$14.00

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;)
NORTE 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)

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

Plaintiff,)

v.)

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

Defendants.)

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

VALIANT IDAHO, LLC, an Idaho)
limited liability company,)
)
Third Party)
Plaintiff,)

v.)

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

JV L.L.C., an Idaho limited liability company,)
)
 Defendant and)
 Cross-Claimant against all of)
 the Defendants and)
 Third Party Plaintiff,)
)
 v.)
)
 VALIANT IDAHO, LLC, an Idaho)
 limited liability company;)
 V.P., INC., an Idaho)
 corporation; RICHARD A.)
 VILLELLI, a married man; MARIE)
 VICTORIA VILLELLI, a married)
 woman; VILLELLI ENTERPRISES,)
 INC., a California corporation;)
 RICHARD A. VILLELLI, as TRUSTEE)
 OF THE RICHARD ANTHONY VILLELLI)
 AND MARIE VICTORIA VILLELLI)
 REVOCABLE TRUST; THE IDAHO CLUB)
 HOMEOWNERS ASSOCIATION, INC.,)
 an Idaho corporation; the)
 entity named in Attorney Toby)
 McLaughlin's Notice of Unpaid)
 Assessment as PANHANDLE)
 MANAGEMENT, INCORPORATED, an)
 Idaho corporation; and HOLMBERG)
 HOLDINGS, LLC, a California)
 limited liability company,)
)
 Third Party)
 Defendants.)
)

COMES NOW JV L.L.C., An Idaho limited liability company, by and through its attorney GARY A. FINNEY of Finney Finney & Finney, P.A., and specially appears, contesting jurisdiction, moving to strike and contesting all affirmative pleadings

against JV L.L.C. of any party of this action, and does hereby Answer and Counterclaim as to the Plaintiff's pleadings and does move to strike Valiant's Pleadings, and does Answer and Reply to Valiant's Counterclaim, and does Answer Valiant's Cross-Claim, and does Answer Valiant's Third Party Complaint, and JV L.L.C. does Cross-Claim against all of the Defendants, including Valiant. JV L.L.C. also files a Third Party Complaint against VALIANT IDAHO, LLC, an Idaho limited liability company, V.P., INC., an Idaho corporation, RICHARD A. VILLELLI, a married man, his spouse MARIE VICTORIA VILLELLI, a married woman, VILLELLI ENTERPRISES, INC., a California corporation, and RICHARD A. VILLELLI, as TRUSTEE OF THE RICHARD ANTHONY VILLELLI AND MARIE VICTORIA VILLELLI REVOCABLE TRUST, THE IDAHO CLUB HOMEOWNERS ASSOCIATION, INC., an Idaho corporation, the entity named in Attorney Toby McLaughlin's Notice of Unpaid Assessment as PANHANDLE MANAGEMENT, INCORPORATED, an Idaho corporation, and HOLMBERG HOLDINGS, LLC, a California limited liability company.

1. JV L.L.C. specially appears contesting jurisdiction and moves the Court to strike and dismiss the pleadings of Valiant Idaho, LLC based on the reasons and grounds set forth hereinafter. Valiant has never been named as a Party to this action, nor has Valiant properly Intervened in this action.

Valiant Idaho is not a party to this action and has no standing, no case or controversy, and no justiciable issues.

2. JV L.L.C. is an Idaho limited liability company.

3. JV L.L.C. denies the Complaint entirely and does Counterclaim against the Plaintiff based on the facts and law alleged herein by JV L.L.C.

4. Valiant's Counterclaim, Cross-Claim, and Third Party Complaint For Judicial Foreclosure only refers to the named Defendants as being Pend Oreille Bonner Development, LLC, a Nevada limited liability company, et al. Valiant does not name or disclose the actual named Defendants in this action. Valiant, not being a named Defendant in this action cannot assert a "Counterclaim" against the Plaintiff, and cannot assert a Cross-Claim against any Co-Defendants, and cannot assert a Third Party Complaint against any Third Party.

5. Valiant's pleading caption references "And Related Counter, Cross, and Third Party Actions Previously Filed Herein". The Court is moved to strike said portion of the caption as it is without fact or law, is too vague to respond to, and the name or identity of any such party(s) is not alleged or identified in the allegations of Valiant's "Pleading".

6. Valiant's entire caption does not identify or name JV L.L.C. as to its status as a party in this action.

In further answer and responses to Valiant's numerical paragraphs 1-84 and as to Valiant's Attorney Fees and Costs and as to Valiant's Prayer for Relief, JV L.L.C. alleges:

7. JV L.L.C. admits paragraph 1.
8. JV L.L.C. admits paragraph 2.
9. JV L.L.C. admits paragraph 3, except denies that "POBD" is a Cross-Defendant as to Valiant.
10. JV L.L.C. admits paragraph 4, except denies that "Jacobson" is a Cross-Defendant as to Valiant.
11. JV L.L.C. admits paragraph 5, except denies that "Sage" is a Cross-Defendant as to Valiant.
12. JV L.L.C. admits paragraph 6, except denies that "Lazar" is a Cross-Defendant as to Valiant.
13. JV L.L.C. admits paragraph 7, except denies that "VP Inc." is a Cross-Defendant as to Valiant.
14. JV L.L.C. admits paragraph 8, except denies that "JV" is a Cross-Defendant as to Valiant. Valiant is not a party to this action and has no Cross-Claim against JV L.L.C.
15. JV L.L.C. admits paragraph 9, except denies that "Sage" is a Cross-Defendant as to Valiant.
16. JV L.L.C. admits paragraph 10, except denies that "ACI" is a Cross-Defendant as to Valiant.
17. JV L.L.C. admits paragraph 11, except denies that

"NI Resorts" is a Cross-Defendant as to Valiant.

18. JV L.L.C. admits paragraph 12, except denies that "R.C. Worst" is a Cross-Defendant as to Valiant.

19. JV L.L.C. admits paragraph 13, except denies that "Pend Oreille Holdings" is a Third Party Defendant as to Valiant.

20. JV L.L.C. admits paragraph 14, except denies that "Bar K" is a Third Party Defendant as to Valiant.

21. JV L.L.C. admits paragraph 15, except denies that "Timberline" is a Third Party Defendant as to Valiant.

22. JV L.L.C. admits paragraph 16, except denies that "Korengut" is a Third Party Defendant as to Valiant.

23. JV L.L.C. admits paragraph 17, except denies that "HLT" is a Third Party Defendant as to Valiant.

24. JV L.L.C. admits paragraph 18, except denies that "Independent Mortgage" is a Third Party Defendant as to Valiant.

25. JV L.L.C. admits paragraph 19, except denies that "Panhandle" is a Third Party Defendant as to Valiant.

26. JV L.L.C. admits paragraph 20, except denies that "F. Grant" is a Third Party Defendant as to Valiant.

27. JV L.L.C. admits paragraph 21, except denies that "C. Grant" is a Third Party Defendant as to Valiant.

28. JV L.L.C. admits paragraph 22, except denies that

"Russ Capital" is a Third Party Defendant as to Valiant.

29. JV L.L.C. admits paragraph 23, except denies that "MWB" is a Third Party Defendant as to Valiant.

30. JV L.L.C. admits paragraph 24, except denies that "First American" is a Third Party Defendant as to Valiant.

31. JV L.L.C. admits paragraph 25, except denies that "Netta" is a Third Party Defendant as to Valiant.

32. JV L.L.C. admits paragraph 26, except denies that "Montaheno" is a Third Party Defendant as to Valiant.

33. JV L.L.C. admits paragraph 27, except denies that "Reeves" are a Third Party Defendant as to Valiant.

34. JV L.L.C. admits paragraph 28, except denies that "Kramer" is a Third Party Defendant as to Valiant.

35. JV L.L.C. denies paragraph 29.

36. JV L.L.C. denies paragraph 30.

37. JV L.L.C. denies paragraph 31.

38. JV L.L.C. alleges in response to paragraph 32, as to paragraph's 1-31, as previously stated.

39. JV L.L.C. admits paragraph 33, except JV denies that it claims any interest in the "Idaho Club Property" lying north of Highway 200 and disclaims any interest. JV's right, title, claim and interest is in and to only the portion of the Idaho Club Property lying South of the Highway 200, which interest of

JV is in and to the real estate which is generally referred to as "Moose Mountain".

40. JV L.L.C. is the original vendor of the Moose Mountain real estate and JV holds and owns the first priority recorded Mortgage on Moose Mountain, recorded October 24, 1995 as Instrument No. 474746, records of Bonner County, Idaho. JV has executed certain Partial Satisfactions of Mortgage to release individual platted Lots from its Mortgage as said Lots were sold and conveyed by "POBD" to third parties. JV makes no claim as to any Lot for which JV has executed a Partial Satisfaction of Mortgage, being approximately 60 platted Lots. A copy of said Mortgage and the legal description contained therein, attached as JV L.L.C. Exhibit B, less the platted Lots as stated as being partially released by JV from its Mortgage.

41. JV L.L.C. re-alleges its prior allegations as to paragraph 34, as previously stated, in response to Valiant's paragraphs 1 through 33. JV L.L.C. denies the Third Cause of Action except as specifically admitted.

42. JV L.L.C. admits paragraph 35 (R.E. Loans).

43. JV L.L.C. admits paragraph 36; however, the 2004 and the 2006 loans of R.E. Loans to POBD were paid, satisfied, and discharged of record, as R.E. Loans/Valiant have no indebtedness

interest, lien, mortgage or priority as to any POBD/R.E. Loans loans, and JV's interest is free and clear therefrom.

44. JV L.L.C. has no knowledge as to paragraph 37 as to the 2007 R.E. Loans Agreement as it does not appear as a recorded document and JV denies the same.

45. JV L.L.C. denies paragraph 38. JV alleges that R.E. Loans/Valiant does not have a 2007 R.E. Loans Mortgage that is superior to JV's Mortgage. JV alleges that the purported loan to R.E. was paid as declared in a July 2008 Borrower's Settlement Statement, file number 239217-S, First American Title Company as closing/settlement/disbursement agent, stating a purported Borrower Credit of \$22,270,000.00, in which POBD was Borrower, a copy of Borrower's Settlement Statement is attached hereto as JV L.L.C.'s Exhibit C. The Exhibit C was given to JV, but it appears false as the actual Borrower's Settlement Statement between POBD and MF08 contains different dollar amounts. The actual loan of money disbursed to POBD was only \$59,274.66 out of a Borrow Charge of \$24,680,000.00.

46. JV L.L.C. denies paragraph 39. The entities named R.E. Loans, Mortgage Fund 08, PENSCO TRUST Co. custodian fbo Barney Ng, and Bar K, Inc., were all operated as one and the same entity, at and from the same office, by the same people, all acting interchangeably and as directed by the individual Mr.

Barney Ng. The loans and closing statement settlement of these entities were done as interchangeable.

47. JV L.L.C. denies paragraph 40.

48. JV L.L.C. admits the allegations of paragraph 41 that POBD did not pay the real estate taxes to Bonner County in the amount of \$1,665,855.14, but denies the remainder of paragraph 41.

49. JV L.L.C. admits paragraph 42.

50. JV L.L.C. admits paragraph 43.

51. JV L.L.C. admits paragraph 44, except denies that Valiant paid "to redeem the Idaho Club Property", as Valiant paid only to redeem a portion of the Idaho Club Property real property. JV, had previous in time to Valiant, paid Bonner County to redeem and did redeem a portion of the Idaho Club Property being a portion of the property referred to as Moose Mountain. Valiant did not redeem from Bonner County, nor did Valiant pay real estate taxes on the Moose Mountain real estate that was redeemed by JV. The tax parcels and real estate redeemed by JV are as stated in JV's Notice of Redemption, dated July 1, 2014, a copy of which is attached hereto as JV L.L.C.'s Exhibit D. JV paid the Bonner County Tax Collector for the 2008 through 2014 real estate taxes pursuant to its redemption in the sum of \$140,999.86, paid July 1, 2014. JV L.L.C. claims the

real estate tax redemption payment as the first priority lien as to the real estate redeemed by JV.

52. JV L.L.C. denies paragraph 45. JV is not a contracting party nor is it liable for the alleged breach of contract.

53. JV L.L.C. admits paragraph 46; however it is not disclosed as to what notice of tax redemption was given by Valiant to Bonner County, nor the authority or right of Valiant to redeem from non-payment of real property taxes of POBD. JV is not a contracting party, nor is it liable for this alleged breach of contract. IF Valiant redeemed taxes as an Assignee of RE, then Valiant's redemption was invalid, as RE was not a secured party on said real estate.

54. JV L.L.C. denies Valiant's First Cause of Action except as specifically admitted.

55. JV L.L.C. re-alleges as to paragraph 47, as it previously set forth in Valiant's paragraphs 1-46, and JV denies the Second Cause of action, except as specifically admitted.

56. JV L.L.C. admits paragraph 48.

57. JV L.L.C. admits paragraph 49; however, the so called "Pensco Mortgage" is not identified as to its recording data or Instrument No. or records of Bonner County, nor as to any legal descriptions of real estate.

58. JV L.L.C. denies paragraph 50.

59. JV L.L.C. denies paragraph 51. JV has no liability or breach.

60. JV L.L.C. denies paragraph 52. JV has no liability or breach.

61. JV L.L.C. admits paragraph 53, except denies the breach of the Pensco Agreement.

62. JV L.L.C. denies paragraph 54. The "Pensco Assignment" was executed by a Power of Attorney Agent pursuant to a so-called power of attorney which was not recorded in Bonner County, Idaho. The Pensco Assignment is of no force or effect.

63. JV L.L.C. admits the dollar amount of payment by Valiant as alleged in paragraph 55; however JV denies the remainder as Valiant may not have been a party entitled to "redeem" and the stated payment was not "to redeem the Idaho Club Property" as JV had previously redeemed a portion of the Idaho Club Property. JV has title to the property it redeemed as real estate pursuant to the recorded Tax Redemption Deed from Bonner County to JV on the redeemed Moose Mountain Property.

64. JV L.L.C. denies paragraph 56.

65. JV L.L.C. denies paragraph 57. Valiant is not a party to a breach of contract with POBD.

66. JV L.L.C. denies the Third Cause of Action except as specifically admitted, and as to paragraph 58 alleges as previously set forth in response to Valiant's paragraphs 1-57.

67. JV L.L.C. admits paragraph 59.

68. JV L.L.C. admits paragraph 60, but alleges that MF08 did not loan POBD the amount of \$21,980,000.00. The POBD/MF08 loan Settlement Statement discloses that all of the identified loan(s) were only internal booking records of R.E. Loans, MF08, and PENSICO TRUST, and Bar K, with no actual money paid or transferred, and the remainder "Retained" Loans Funds - Mortgage Fund '08 c/o Bar K, Inc. - \$12,480,000.00 was "retained" not loaned or disbursed, and was "unfunded".

69. JV L.L.C. denies paragraph 61.

70. JV L.L.C. denies paragraph 62.

71. JV L.L.C. denies paragraph 63.

72. JV L.L.C. denies paragraph 64.

73. JV L.L.C. admits paragraph 65, but denies the validity thereof or that the assignment created any enforceable obligation in favor of Valiant.

74. JV L.L.C. admits paragraph 66, except Valiant may not have been entitled to redeem and JV's redemption is superior to Valiant.

75. JV L.L.C. denies paragraph 67.

76. JV L.L.C. denies paragraph 68.

77. JV L.L.C. re-alleges in response to paragraph 69 as previously alleged in response to Valiant's paragraphs 1-69. JV denies the Fourth Cause of Action, except as specifically admitted.

78. JV L.L.C. admits the recordings in 2007 as alleged in paragraph 70, but JV's Mortgage, Instrument No. 474746, was first duly recorded October 24, 1995 as the Vendor for value and in good faith as the original Vendor's purchase money mortgage as to the Moose Mountain real estate. JV's Promissory Note and priority Mortgage from V.P. Inc. has never been paid off. JV is the owner and holder of the Promissory Note, dated October 20, 1995 in the original sum of \$2,264,500.00, from the Makers V.P., INC., an Idaho corporation, RICHARD A. VILLELLI, a married man, MARIE VICTORIA VILLELLI, a married woman, VILLELLI ENTERPRISES, INC., a California corporation, and RICHARD A. VILLELLI, as TRUSTEE OF THE RICHARD ANTHONY VILLELLI and MARIE VICTORIA VILLELLI REVOCABLE TRUST, which is secured by the Mortgage Instrument No. 474745. A true copy of JV L.L.C.'s Promissory Note is attached hereto as JV L.L.C.'s Exhibit A. The unpaid principal amount due JV on said Promissory Note and Mortgage is \$1,476,450.35, as of September 18, 2008, plus daily interest accruing of \$485.408, and attorney fees and costs.

79. JV L.L.C. admits its Mortgage claim and interest, as stated in paragraph 71, but denies it is inferior to Valiant's claim or interest.

80. JV L.L.C. denies the first sentence of paragraph 72, and admits the second sentence of paragraph 72.

81. JV L.L.C. re-alleges its allegations in response to paragraph 73 as stated in its allegations in response to Valiant's paragraphs 1-72. JV denies the Fifth Cause of Action except as specifically admitted.

82. JV L.L.C. admits paragraph 74.

83. JV L.L.C. denies paragraph 75.

84. JV L.L.C. denies the first sentence of paragraph 76, and admits the second sentence of paragraph 76.

85. JV L.L.C. re-alleges its allegations in response to paragraph 77 as stated in its allegations in response to Valiant's paragraphs 1-76. JV denies the Sixth Cause of Action, except as specifically admitted.

86. JV L.L.C. admits paragraph 78.

87. JV L.L.C. denies paragraph 79.

88. JV L.L.C. denies the first sentence of paragraph 80, and admits the second sentence of paragraph 80. JV denies the Seventh Cause of Action, except as specifically admitted.

89. JV L.L.C. re-alleges as set forth in response to paragraph 81 as previously set forth in paragraphs 1-80.

90. JV L.L.C. admits paragraph 82, but denies that the Valiant "Redemption Deed" was recorded by Valiant. Valiant has admitted the "Redemption Deed (Instrument No. 861460)" was in error and returned it to the Bonner County Treasurer for "correction", the reasons for the correction being unknown to JV at this time.

91. JV L.L.C. denies paragraph 83.

92. JV L.L.C. denies the first sentence of paragraph 84, and admits the second sentence of paragraph 84.

93. JV L.L.C. denies that Valiant is entitled to attorney fees and costs against JV L.L.C., but admits Valiant is entitled to attorney fees and costs against POBD.

94. JV L.L.C. denies Valiant's Prayer for Relief.

95. Valiant does not allege to be holder, owner, nor endorsee of any Promissory Notes from POBD to R.E. Loans, Mortgage Fund 08, or Pensco. Valiant has no negotiation or endorsement of any negotiable instruments from POBD payable to R.E. Loans, Mortgage Fund 08, or Pensco, and Valiant is not a bona fide purchaser for value in good faith without notice; therefore, Valiant takes its assignments subject to all defenses and has no greater right than that of its assignors.

96. JV L.L.C.'S Answer and Counterclaim against Plaintiff, Genesis, is alleged as set forth in all of the paragraphs of this pleading of JV. Genesis has no right, title, claim or interest and its Cause of Action and Complaint should be dismissed, and its Lien and Lis Pendens quashed.

97. JV L.L.C.'S Answer to Valiant's Cross-Claim is that Valiant has no Cross-Claim cause(s) of action against JV, or superior to JV's interest 1995 Mortgage Instrument No. 474746.

98. JV L.L.C.'S Cross-Claim against Valiant and all Defendants is that JV holds a Vendor's purchase money Mortgage Instrument No. 474745 recorded October 24, 1995, which is the first duly recorded purchase money mortgage on the real estate described in said Mortgage, less the platted Lots released by JV by partial satisfactions of mortgage. JV's Mortgage is the first priority Mortgage securing the Promissory Note in the amount set forth in paragraph 78 above. JV is entitled to a decree of foreclosure.

99. JV L.L.C. is not named as a Third Party Defendant and therefore makes no answer to Valiant's Third Party Complaint, except JV denies that Valiant has any cause of action against JV by its Third Party Complaint.

100. JV L.L.C.'s Attached Exhibits are:

A. Secured Promissory Note (10/20/1995).

B. First priority 1995 recorded Mortgage on Moose Mountain, being recorded October 24, 1995 as Instrument No. 474746, records of Bonner County, Idaho.

C. July 2008 Borrower's Settlement Statement, file no. 239217-S, First American Title Company as closing/settlement/disbursement agent stating a purported Borrower Credit of \$22,270,000.00, in which POBD was Borrower.

D. JV's Notice of Redemption, dated July 1, 2014.

E. JV L.L.C. and POBD Third Amendment to Indebtedness and to Real Estate Security, and Subordination Agreement, recorded June 24, 2008, as Instrument No. 753907.

F. List of Lots released by JV by Partial Satisfaction(s) of Mortgage

101. JV executed subordinations based upon the express representation that R.E. Loans agreed to loan approximately \$25.0 Million to POBD for the Idaho Club project, which was deceptive and false and never occurred, and any subordination agreement of JV has been materially breached, is rescinded and is unenforceable and were given as a result of deceit.

102. JV's Mortgage is prior to and superior to the liens and Lis Pendens claimed by The Idaho Club Homeowners

Association, Inc. in its action filed in Bonner County Case No. CV-2011-2284, which caused JV to defend and incur \$5,217.36 in attorney fees and costs. JV is entitled to Judgment against the Idaho Club Homeowner's Association quashing its lien(s), assessments, and Lis Pendens and for \$5,217.36 attorney fees and costs and attorney fees and costs of this action.

103. Holmberg Holdings, LLC a California limited liability company has filed a financial statement for collateral on all of the right, title, claim and interest of Valiant Idaho, LLC and Valiant Idaho, LLC. Holmberg Holdings, LLCs' collateral interests are inferior to JV's Mortgage.

104. JV L.L.C. makes a Third Party Complaint against V.P., INC., an Idaho corporation, RICHARD A. VILLELLI, a married man, MARIE VICTORIA VILLELLI, a married woman, VILLELLI ENTERPRISES, INC., a California corporation, and RICHARD A. VILLELLI, as TRUSTEE OF THE RICHARD ANTHONY VILLELLI and MARIE VICTORIA VILLELLI REVOCABLE TRUST as Makers/Guarantors of the Promissory Note to JV L.L.C. in the unpaid balance of \$1,476,450.35 principal, as of September 18, 2008, plus daily interest accruing of \$485.408, and attorney fees and costs. The Third Party Defendants owe said unpaid balance of the 1995 Promissory Note to JV L.L.C. and JV is entitled to Judgment against the Third Party Defendant for said sum.

105. JV L.L.C. is entitled to attorney fees and costs.

106. JV L.L.C. and POBD entered a Third Amendment to Indebtedness and to Real Estate Security, and Subordination Agreement, recorded June 24, 2008, as Instrument No. 753907, a true copy of which is JV L.L.C.'s Exhibit E, attached hereto.

107. Demand for Jury Trial: JV demands a Jury Trial on all issues of fact by a Jury of 12 persons.

108. JV L.L.C.'S Prayer for Relief on all pleadings. JV L.L.C. is entitled to a Judgment in its favor for:

1. Judgment dismissing Genesis' action, discharging its Lien and Lis Pendens.

2. Judgment denying and dismissing Valiant Idaho, LLC's Cross-Claim and action(s) against JV L.L.C.

3. Judgment for JV L.L.C. that it's Mortgage, Instrument No. 474746, is the first priority Lien/Mortgage in the Moose Mountain Real Estate as described in said Mortgage - Less the Lot's released by JV from its Mortgage.

4. Judgment on JV L.L.C.'s Secured Promissory Note in the principal sum of \$1,476,450.35, as of September 18, 2008, plus daily interest accruing of \$485.408, which totals approximately \$2,539,853.04 to September 18, 2014.

5. For Judgment in the amount of \$140,999.86 paid by JV to redeem from the Bonner County Tax Deed and for a first priority lien against the redeemed real estate.


6. For JV L.L.C.'s attorney fees and costs.

7. Judgment, personally against JV's Third Party Defendants V.P., INC., an Idaho corporation, RICHARD A. VILLELLI, a married man, MARIE VICTORIA VILLELLI, a married woman, VILLELLI ENTERPRISES, INC., a California corporation, and RICHARD A. VILLELLI, as TRUSTEE OF THE RICHARD ANTHONY VILLELLI and MARIE VICTORIA VILLELLI REVOCABLE TRUST for the unpaid balance of the Secured Promissory Note which is \$2,539,853.04, plus interest, attorney fees and costs.

8. For all relief which JV L.L.C. is entitled to on the facts and law of this action.

9. For a Jury Trial of 12 persons.

DATED this 15TH day of September, 2014.


GARY A. FINNEY
Attorney for JV L.L.C., an
Idaho limited liability
company

VERIFICATION

STATE OF IDAHO)
 : s.s.
COUNTY OF BONNER)

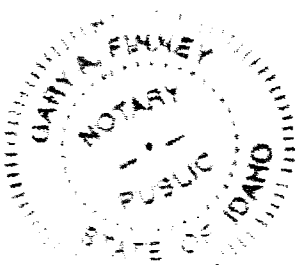
I, James Berry, as a Member/Manager of JV L.L.C., first being duly sworn upon oath depose and say the following:

I am the Member/Manager of JV L.L.C. in this case and I have read JV L.L.C.'S SPECIAL APPEARANCE CONTESTING JURISDICTION; AND JV L.L.C.'S ANSWER TO COMPLAINT; AND JV L.L.C.'S ANSWER TO VALIANT IDAHO, LLC'S COUNTERCLAIM, CROSS-CLAIM AND THIRD PARTY COMPLAINT FOR JUDICIAL FORECLOSURE; AND JV L.L.C.'S CROSS-CLAIM; AND JV L.L.C.'S THIRD PARTY COMPLAINT dated the 15th day of September, 2014, and know the contents therein stated and believe the same to be true.

JV L.L.C.

James Berry
By: James Berry
Its: Member/Manager

SUBSCRIBED AND SWORN to before me this 15 day of September 2014.



Gary A. Finney
Notary Public-State of Idaho
Residing at San Scott
My Commission Expires 2-1-2017

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via facsimile, or as otherwise indicated, this 15th day of September, 2014, and addressed as follows:

Honorable Michael Griffin
District Judge
320 W. Main Street
Grangeville, Idaho 83530
[Out of County Judge]
Via Facsimile: 208-983-2376

Bruce A. Anderson
Ford Elsaesser
ELSAESSER JARZABEK ANDERSON
ELLIOTT & MACDONALD, CHTD.
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LLC, DAN JACOBSON, and STEVEN
G. LAZAR]
Via Facsimile: 208-667-2150

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113 S. Second Avenue
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[Attorney for PENSICO TRUST CO.
CUSTODIAN FBO BARNEY NG; and
MORTGAGE FUND '08 LLC]
Via Facsimile: 208-263-0400

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INC. - Defaulted]
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[Attorney for NORTH IDAHO
RESORTS, LLC, V.P. INC, &
FOR JV'S THIRD PARTY
DEFENDANTS]
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John A. Finney
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120 E. Lake St, Ste 317
Sandpoint, Idaho 83864
[Attorney for ACI NORTHWEST,
INC. and for PUCCI
CONSTRUCTION, INC.]
Via Hand Delivery

Lynnette M. Davis
HAWLEY TROXELL ENNIS &
HAWLEY LLP
P.O. Box 1617
Boise, ID 83701-1617
[Former Attorney for GENESIS
GOLF BUILDERS, INC.]
Via Facsimile: 208-954-5213

Charles M. Dodson
DODSON & RAEON LAW OFFICES
Attorneys at Law
1424 Sherman Avenue, Suite 300
Coeur d'Alene, ID 83814
[Attorney for R.C. WORST &
COMPANY, INC.]
Via Facsimile: 208-666-9211

John Layman
LAYMAN LAW FIRM
601 S. Division St.
Spokane, WA 99202
[Attorney for PEND OREILLE
BONNER DEVELOPMENT, LLC]
Via Facsimile: 509-624-2902

Toby McLaughlin
BERG & MCLAUGHLIN, CHTD.
414 Church St., Ste. 203
Sandpoint, ID 83864
[Attorney for THE IDAHO CLUB
HOMEOWNERS ASSOCIATION &
PANHANDLE MANAGEMENT, INC.]
Via Facsimile: 208-263-7557

GENESIS GOLF BUILDERS, INC.
Attn: Ron Freund
PO Box 1271
McHenry, IL 60050
[Pro Se]
Via US Mail

Robert J. Fasnacht, Jr.
ROBERT J. FASNACHT, PC
850 W. Ironwood Drive,
Ste.101
Coeur d'Alene, ID 83814
[Attorney for INTERSTATE
CONCRETE AND ASPHALT
COMPANY]
Via Facsimile: 208-664-4789

Stanley J. Tharp
Peter Ware
EBERLE, BERLIN, KADING,
TURNBOW & MCKLVEEN, CHTD.
P.O. Box 1368
Boise, ID 83701
[Attorneys for WELLS FARGO
CAPITAL FINANCE LLC
(Formerly WELLS FARGO
FOOTHILL, INC.)]
Via Facsimile: 208-344-8542

By: Toby McLaughlin

Oct. 20, 1995

MICHAEL C. STEWART
Attorney at Law
513 North Fourth Avenue
Sandpoint, Idaho 83864
Phone (208) 263-5664

SECURED PROMISSORY NOTE

Sandpoint, Idaho

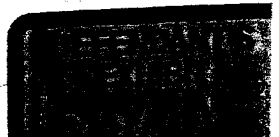
\$2,264,500.00

10/20, 1995

FOR VALUE RECEIVED, the undersigned, V.P., INC., an Idaho corporation, RICHARD A. VILLELLI, a married man, VILLELLI ENTERPRISES, INC., a California corporation, and RICHARD A. VILLELLI, TRUSTEE OF THE RICHARD ANTHONY VILLELLI and MARIE VICTORIA VILLELLI REVOCABLE TRUST, promise and agree to pay to JV L.L.C., an Idaho limited liability company, or order, the principal sum of \$2,264,500.00 (TWO MILLION TWO HUNDRED SIXTY FOUR THOUSAND FIVE HUNDRED DOLLARS) lawful money of the United States of America, together with interest thereon at the rate of 10.0% (Ten Per Cent) per annum FROM September 1, 2005, payable as follows:

1. \$100,000.00 (ONE HUNDRED THOUSAND DOLLARS) payments shall be due on September 1st of each of the following years: 1998, 1999, 2000, 2001, 2002, 2003, 2004, and 2005.

2. Commencing September 1, 2005, interest shall begin to accrue on the unpaid principal balance at the rate of 10.0% (Ten Per Cent) per annum. Commencing September 1st, 2006, and annually thereafter on the 1st day of each September, install-



ments of principal and interest shall be due; the amount of the installments shall be determined by amortizing the principal balance existing as of September 1, 2005, over a period of 5 (Five) years at 10.0% (Ten Per Cent) per annum. This note shall be due in full September 1, 2010.

3. For each installment or any other payment due hereunder that is not received by the Note Holder within 30 (Thirty) days of the due date, a late charge shall be assessed equal to 1.0% (One Per Cent) of the late payment.

There shall be no penalty for prepayment.

Failure to pay any portion of said principal or interest on this note as the same become due according to the terms herein mentioned, or failure to carry out any of the undertakings agreed to be done by the maker hereof in any instrument or instruments hereinafter recited to have been given as security for the payment of this note, matures, at holder's option, all of the unpaid portion of said principal and accrued interest on this note at that time.

If default be made on this note and if the same be placed in the hands of an attorney for collection, or if collected by suit, the holder of this note shall be entitled to recover a reasonable sum as attorney fees. The makers waive protest, notice, demand, diligence, presentation and time of commencement of suit.

THIS NOTE IS SECURED by a Mortgage executed by the makers on this date, affecting real property in Bonner County, Idaho, to

wit:

All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200; and all that portion of Government Lot 4 in Section 31, Township 58 North, Range 1 East, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200;

LESS the following described property:

Beginning at the Southeast corner of said Section 36;

Thence North along the East line 460 feet;

Thence due West 568 feet, more or less, to the True Point of Beginning;

Thence South 47 degrees West 250.00 feet;

Thence South 43 degrees East 348.5 feet;

Thence North 47 degrees East 250 feet;

Thence North 43 degrees West 348.5 feet to the point of beginning.

AND,

All that portion of Government Lots 2, 3, 4, 5, 6, 7, 8, and 9, the Southwest Quarter of the Northeast Quarter, and the South Half of the Northwest Quarter, all being in Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, lying South of State Highway 200 and lying North and East of the Northern Pacific Railroad Company right-of-way;

LESS that portion of Section 2, Township 57 North, Range 1 West, Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at a right-of-way monument on the South right-of-way line of Highway 200;

Thence the Northwest corner of said Section 2 bears North 26 degrees 28' 08" West a distance of 798.11 feet;

Thence North 68 degrees 10' 57" East along said South right-of-way line, a distance of 281.13 feet;

Thence South a distance of 725.53 feet;

Thence West a distance of 330.00 feet;

Thence North a distance of 607.20 feet to said South right-of-way line;

Thence North 78 degrees 39' 11" East along said South right-of-way line a distance of 70.38 feet to the True Point of Beginning;

Also Less that portion of Section 2, Township 57 North, Range 1 West, Boise Meridian, Bonner County, Idaho, described as follows:

Commencing at a right-of-way monument on the South right-of-way line of Highway 200;

Thence the Northwest corner of said Section 2 bears North 26 degrees 28' 08" West a distance of 798.11 feet;

Thence North 68 degrees 10' 57" East along said South right-of-way line, a distance of 281.13 feet to the True Point of Beginning;

Thence North 73 degrees 33' 03" East along said South right-of-way line, a distance of 344.08 feet;

Thence South a distance of 704.63 feet;

Thence West a distance of 330.00 feet;

Thence North a distance of 607.20 feet to the True Point of Beginning.

EXCEPT from the above described parcels:

A tract of land located in Section 36, Township 58 North, Range 1 West, and Section 2, Township 57 North, Range 1 West, Boise Meridian, Bonner County, more fully described as follows:

Beginning at a point that is North 80 degrees 05' 57" East a distance of 386.02 feet from the South one quarter corner of said Section 36, said point also being at the intersection of the South right of way of State Highway No. 200 and the East right of way of the old county road;

Thence South 5 degrees 14' 00" East long said East right of way of the old county road a distance of 171.80 feet;

Thence continuing South 14 degrees 35' 50" East along said East right of way a distance of 254.70 feet to an intersec-

tion with the North right of way of Old Highway No. 200.
(FAP No. 95F);

Thence North 72 degrees 38' 24" East along said North right
of way a distance of 372.40 feet;

Thence continuing along said North right of way North 72
degrees 58' 33" East a distance of 336.00 feet to an inter-
section with the West high bank of Dry Creek;

Thence Northeasterly along said West high bank a distance of
578 feet, more or less, to an intersection with the South
right of way of said State Highway No. 200;

Thence Westerly along said South right of way the following
six courses:

1) Around a curve to the left with a radius of 2643.37 feet
a distance of 48.44 feet (chord of which bears South 88
degrees 02' 31" West a distance of 48.43 feet);

2) North 79 degrees 07' 52" West, 100.50 feet;

3) Around a curve to the left with a radius of 2668.37 feet
a distance of 247.30 feet (the chord of which bears South 82
degrees 54' 00" West a distance of 247.24 feet) to a P.S.C.;

4) Along a spiral curve (S=2 degrees 12.3') a distance of
207.68 feet (the chord of which bears South 70 degrees 27'
12" West a distance of 207.67 feet) to a P.S.;

5) South 69 degrees 43' 21" West, 328.60 feet;

6) South 61 degrees 11' 30" West, 119.79 feet to the point
of beginning.

AND,

Government Lots 5, 9, 10 and 11; and the Southeast Quarter
of the Northwest Quarter; and the East Half of the Southwest
Quarter; and Government Lot 6, all being in Section 6,
Township 57 North, Range 1 East, Boise Meridian, Bonner
County, Idaho;

LESS the following described property;

Beginning at the North Quarter corner of Section 6, Township
57 North, Range 1 East, Boise Meridian;

Thence South 1669.7 feet to Pack River;

Thence South 66 degrees 47' West 203 feet;

Thence South 69 degrees 54' West 165.3 feet;

Thence South 79 degrees 56' West 242.5 feet;

Thence South 1 degree 11' East 146 feet;

Thence South 25 degrees 18' East 118.2 feet;

Thence South 54 degrees 29' East 137.2 feet;

Thence South 68 degrees 10' East 267.1 feet;

Thence North 535.6 feet to a point 1669.7 feet South of said quarter corner;

AND EXCEPT all public and private roadways as they now exist;

ALSO LESS that portion of condemned by the United States of America per Judgment on Declaration of Taking recorded in Book 14 of Judgments, page 65, records of Bonner County, Idaho;

AND ALSO LESS hat portion lying within the right of way conveyed to the State of Idaho by Right of Way Deed recorded in Book 83 of Deeds, Page 545, records of Bonner County, Idaho.

V. E. INC.

Barbara Eugenia
BY: Barbara Eugenia, President

Richard A. Villelli
RICHARD A. VILLELLI

VILLELLI ENTERPRISES, INC.

Richard A. Villelli
BY: Richard A. Villelli, President

Richard A. Villelli
RICHARD A. VILLELLI, TRUSTEE

16574

474716

MICHAEL C. STEWART
Attorney at Law
513 North Fourth Avenue
Sandpoint, Idaho 83864
Phone (208) 263-5664

Sandpoint Title Insurance

FILED BY _____

1995 OCT 24 10 4 08

RECORDED BY _____
COUNTY OF BONNER IDAHO

MORTGAGE

Mortgage made 10/20, 1995, between V.P., INC., an Idaho corporation, of 218 Cedar Street, Sandpoint, Idaho 83864, herein referred to as Mortgagor, and JV L.L.C., an Idaho limited liability company, of 109 First Avenue, Sandpoint, Idaho 83864, herein referred to as Mortgagee.

FOR VALUABLE CONSIDERATION, the above named Mortgagor does hereby mortgage to the Mortgagee real property described as follows:

All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200; and all that portion of Government Lot 4 in Section 31, Township 58 North, Range 1 East, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200;

LESS the following described property:

Beginning at the Southeast corner of said Section 36;

Thence North along the East line 460 feet;

Thence due West 568 feet, more or less, to the True Point of Beginning;

Thence South 47 degrees West 250.00 feet;

Thence South 43 degrees East 348.5 feet;

Thence North 47 degrees East 250 feet;

Thence North 43 degrees West 348.5 feet to the point of

MORTGAGE 1

MAIL TO:
JV L.L.C.
P.O. Box B
Sandpoint ID
83864

474746

beginning.

AND,

All that portion of Government Lots 2, 3, 4, 5, 6, 7, 8, and 9, the Southwest Quarter of the Northeast Quarter, and the South Half of the Northwest Quarter, all being in Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, lying South of State Highway 200 and lying North and East of the Northern Pacific Railroad Company right-of-way;

LESS that portion of Section 2, Township 57 North, Range 1 West, Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at a right-of-way monument on the South right-of-way line of Highway 200;

Thence the Northwest corner of said Section 2 bears North 26 degrees 28' 08" West a distance of 798.11 feet;

Thence North 68 degrees 10' 57" East along said South right-of-way line, a distance of 281.13 feet;

Thence South a distance of 725.53 feet;

Thence West a distance of 330.00 feet;

Thence North a distance of 607.20 feet to said South right-of-way line;

Thence North 78 degrees 39' 11" East along said South right-of-way line a distance of 70.38 feet to the True Point of Beginning;

Also Less that portion of Section 2, Township 57 North, Range 1 West, Boise Meridian, Bonner County, Idaho, described as follows:

Commencing at a right-of-way monument on the South right-of-way line of Highway 200;

Thence the Northwest corner of said Section 2 bears North 26 degrees 28' 08" West a distance of 798.11 feet;

Thence North 68 degrees 10' 57" East along said South right-of-way line, a distance of 281.13 feet to the True Point of Beginning;

Thence North 73 degrees 33' 03" East along said South right-of-way line, a distance of 344.08 feet;

474746

Thence South a distance of 704.63 feet;

Thence West a distance of 330.00 feet;

Thence North a distance of 607.20 feet to the True Point of Beginning.

EXCEPT from the above described parcels:

A tract of land located in Section 36, Township 58 North, Range 1 West, and Section 2, Township 57 North, Range 1 West, Boise Meridian, Bonner County, more fully described as follows:

Beginning at a point that is North 80 degrees 05' 57" East a distance of 385.02 feet from the South one quarter corner of said Section 36, said point also being at the intersection of the South right of way of State Highway No. 200 and the East right of way of the old county road;

Thence South 5 degrees 14' 00" East long said East right of way of the old county road a distance of 171.80 feet;

Thence continuing South 14 degrees 35' 50" East along said East right of way a distance of 254.70 feet to an intersection with the North right of way of Old Highway No. 200. (FAP No. 95F);

Thence North 72 degrees 38' 24" East along said North right of way a distance of 372.40 feet;

Thence continuing along said North right of way North 72 degrees 58' 33" East a distance of 336.00 feet to an intersection with the West high bank of Dry Creek;

Thence Northeasterly along said West high bank a distance of 378 feet, more or less, to an intersection with the South right of way of said State Highway No. 200;

Thence Westerly along said South right of way the following six courses:

1) Around a curve to the left with a radius of 2643.37 feet a distance of 48.44 feet (chord of which bears South 83 degrees 02' 31" West a distance of 48.43 feet);

2) North 79 degrees 07' 52" West 100.50 feet;

3) Around a curve to the left with a radius of 2663.37 feet a distance of 247.30 feet (the chord of which bears South 82 degrees 54' 00" West a distance of 247.24 feet) to a P.S.C.;

474746

- 4) Along a spiral curve (S=2 degrees 12.3') a distance of 207.68 feet (the chord of which bears South 70 degrees 27' 12" West a distance of 207.67 feet) to a P.S.;
- 5) South 69 degrees 43' 21" West, 328.60 feet;
- 6) South 61 degrees 11' 30" West, 119.79 feet to the point of beginning.

AND,

Government Lots 5, 9, 10 and 11; and the Southeast Quarter of the Northwest Quarter; and the East Half of the Southwest Quarter; and Government Lot 6, all being in Section 6, Township 57 North, Range 1 East, Boise Meridian, Bonner County, Idaho;

LESS the following described property;

Beginning at the North Quarter corner of Section 6, Township 57 North, Range 1 East, Boise Meridian;

Thence South 1559.7 feet to Pack River;

Thence South 66 degrees 47' West 203 feet;

Thence South 69 degrees 54' West 165.3 feet;

Thence South 79 degrees 56' West 242.5 feet;

Thence South 1 degree 11' East 146 feet;

Thence South 25 degrees 18' East 118.2 feet;

Thence South 54 degrees 29' East 137.2 feet;

Thence South 58 degrees 10' East 267.1 feet;

Thence North 535.6 feet to a point 1559.7 feet South of said quarter corner;

AND EXCEPT all public and private roadways as they now exist;

ALSO LESS that portion of condemned by the United States of America per Judgment on Declaration of Taking recorded in Book 14 of Judgments, page 65, records of Bonner County, Idaho;

AND ALSO LESS that portion lying within the right of way conveyed to the State of Idaho by Right of Way Deed recorded

474746

in Book 83 of Deeds, Page 545, records of Bonner County, Idaho.

THIS MORTGAGE given to secure payment by the Mortgagor to the Mortgagee of a Promissory Note of same date in the principal amount of \$2,264,500.00 (TWO MILLION TWO HUNDRED SIXTY FOUR THOUSAND FIVE HUNDRED DOLLARS). The final payment on said Promissory Note is due September 1, 2010.

THIS MORTGAGE is also given to secure Mortgagor's compliance with a Profit Sharing Agreement of same date between the parties, which affects the herein described real property.

The Mortgagor hereby covenants and agrees to pay promptly all taxes and assessments levied or assessed upon the above described property, together with reasonable attorney fees in the event of foreclosure, and further agrees to pay such reasonable costs of searching records and abstracting and certifying the same as may be necessarily incurred in foreclosing this Mortgage or defending the same, and each and all of said items shall constitute and be a lien upon said real property.

The Mortgagor shall not commit, permit, or suffer any waste, impairment, or deterioration of the property, and shall keep the property and the improvements thereon at all times in good condition and repair.

AND, that failure to apply when due any sum herein contracted to be paid, or failure to comply with any of the agreements hereof, shall cause the whole debt to become immediately due and collectible at the option of the Mortgagee, its heirs, administrators and assigns. That all money paid by the Mortgagee for

MORTGAGE 5

474746

taxes, assessments, abstracting or searching and certifying records, or any sum paid for the protection of the lien of this Mortgage, shall bear interest from the date of such payment at the legal rate, payable with principal and shall be secured hereby and collectible with the principal note.

IN THE EVENT the Mortgagor shall fail to make any payments required hereunder, including taxes, assessments, insurance premiums or any other obligation of Mortgagor that may become due on said property described herein, the Mortgagee may, at its option, without waiving any default hereunder, pay said items, and upon the filing of receipts with the escrow holder showing such payment to have been made by Mortgagee, such sum or sums so paid by the Mortgagee shall become a part of the principal sum due hereunder and shall be immediately due and payable to the Mortgagee with interest thereon from the date paid by the Mortgagee at the maximum rate of interest allowable by law.

PROCEEDS FROM CUTTING OF TIMBER: All net proceeds due to the Mortgagor from the sale of timber removed from the herein described real property shall be paid to the Mortgagee and credited as payment(s) on the Promissory Note secured by this Mortgage.

APPLICATION OF ROCK QUARRY ROYALTIES: All net proceeds paid to Mortgagor from the sale of crushed rock produced on the premises shall be paid to the Mortgagee and credited as payments on the Promissory Note secured by this Mortgage.

PARTIAL RELEASES: For each \$3,500.00 (THREE THOUSAND FIVE

MORTGAGE 6

474746

HUNDRED DOLLARS) paid toward satisfying the Promissory Note secured by this Mortgage, (including principal and/or interest), at Mortgagor's request, the Mortgagee shall release from the lien of this Mortgage, 1 (ONE) acre of the herein described real property. Insurable legal access no less than 60 (SIXTY) feet in width shall be reserved to all land remaining encumbered by this Mortgage so long as any sum remains due on the subject Promissory Note. Mortgagor shall choose the parcels to be released, and at Mortgagor's expense, Mortgagor shall prepare and provide to Mortgagee the documentation required to accomplish each release.

MORTGAGOR'S ENGINEERING PLANS, ETC. As said documents become available to Mortgagor, Mortgagor shall deliver to Mortgagee true and correct copies of all engineering plans, designs, specifications and feasibility studies related to the intended development by the Mortgagor of the herein described real property, or any portion thereof.

SUBORDINATION: Mortgagee agrees to execute whatever documentation that is required to subordinate the lien of this Mortgage to Mortgages and/or Deeds of Trust that will secure loans to Mortgagor for the purpose of constructing improvements on the subject property. No funds from Promissory Notes secured by Mortgages and/or Deeds of Trust that become senior to the lien of this Mortgage shall be paid to the Mortgagor or to subsidiaries or affiliates of Mortgagor.

1994 and 1995 REAL PROPERTY TAXES: Mortgagee shall be responsible for the payment of the 1994 Bonner County Taxes on

474746

the herein described parcel, including penalties and interest. Mortgagee shall pay said taxes prior to the time the County of Bonner is able by law to deed the property to said County for the failure to pay same, OR, upon the request of Mortgagor where payment of the taxes will be a condition precedent for Mortgagor to secure financing for improvements on the subject property OR upon the sale by Mortgagor of a portion of said real property.

The 1995 taxes will be prorated as of September 1, 1995, however, the charge to Mortgagee for the period January 1, 1993, to September 1, 1995, will not be withheld at closing. Instead, Mortgagee shall be responsible for the payment of its share of said taxes in accordance with the preceding Paragraph above.

Failure to Pay Taxes. In the event Mortgagee fails to pay the taxes in accordance with the above, Mortgagor shall have the option to pay the taxes, including penalties and interest, if any. Should Mortgagee fail to reimburse Mortgagor for Mortgagor's payment of taxes, within 60 (Sixty) days of written demand thereof, Mortgagor shall be entitled to apply said tax payments made as a credit(s) to the Promissory Note secured by this mortgage.

IN WITNESS WHEREOF, the undersigned Mortgagor and Mortgagee have executed this Mortgage on the day and year first written above.

474746

V.P., INC.

Barbara Huguenin
By: BARBARA HUGUENIN, President

JV L.L.C.

BY: Hidden Lakes Limited Partnership, Member

William A. Berry
By: WILLIAM A. BERRY, General Partner

X James Berry
By: JAMES BERRY, General Partner

BY: Sun Mountain, Inc., Member

William A. Berry
By: William A. Berry, President

X James Berry
By: James Berry, Secretary

STATE OF IDAHO)
County of Bonner) ss.

On this day personally appeared before me, the undersigned Notary Public, BARBARA HUGUENIN, known to me to be the President of V.P., INC., an Idaho corporation, the corporation that executed the within instrument and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 20 day of OCT, 1995.

[Signature]
Notary Public
Residing at: 1048 PLANT
Comm. Exp.: 10/20/2000

474746

STATE OF IDAHO)
) ss.
County of Bonner)

On this day personally appeared before me, the undersigned Notary Public, WILLIAM A. BERRY and JAMES BERRY, known to me to be the general partners in the partnership of HIDDEN LAKES LIMITED PARTNERSHIP, an Idaho limited partnership, and the general partners who subscribed said partnership name to the foregoing instrument, and said limited partnership is known to me to be a member of JV L.C.C., an Idaho limited liability company, and said persons acknowledged to me that said limited partnership executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26 day of DEC, 1995.

[Handwritten Signature]

Notary Public
Residing at: SANDPOINT
Comm. Exp.: 7/5/2000

STATE OF IDAHO)
) ss.
County of Bonner)

On this day personally appeared before me, the undersigned Notary Public, WILLIAM A. BERRY and JAMES BERRY, known to me to be the President and Secretary, respectively, of Sun Mountain, Inc., an Idaho corporation, the corporation that executed the within instrument and acknowledged to me that such corporation executed the same, and corporation is known to me to be a member of JV L.C.C., an Idaho limited liability company, and said persons acknowledged to me that said corporation executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26 day of DEC, 1995.

[Handwritten Signature]

Notary Public
Residing at: SANDPOINT
Comm. Exp.: 7/5/2000

First American Title Company

419 North Second Ave. • Sandpoint, ID 83864

Borrower's Settlement Statement

Property: NNA, Sandpoint, ID 83864

File No: 239217-S

Officer: Casey Linscott/cl

New Loan No:

Settlement Date: 07/31/2008

Disbursement Date: 07/31/2008

Print Date: 7/31/2008, 10:45 AM

Buyer: Pend Oreille Bonner Development LLC

Address: 151 Clubhouse Way, Sandpoint, ID 83864

Seller:

Address:

Charge Description	Borrower's Charge	Disbursement Credit
New Loans(s):		
Lender Mortgage Fund '08 LLC c/o Bar K, Inc.		
Loan to File - Mortgage Fund '08 LLC c/o Bar K, Inc.		22,276,300.00
Origination Fee - Mortgage Fund '08 LLC c/o Bar K, Inc.	189,000.00	
Document Preparation Fee - Mortgage Fund '08 LLC c/o Bar K, Inc.	11,900.00	
Payoff First Note - Loan No. P0059 - Mortgage Fund '08 LLC c/o Bar K, Inc.	6,473,545.18	
Payoff Second Note - Loan No. P0106 - Mortgage Fund '08 LLC c/o Bar K, Inc.	2,700,000.00	
Commission Due Bar K, Inc. per Note - Mortgage Fund '08 LLC c/o Bar K, Inc.	272,500.00	
3 Months Prepaid Interest - Mortgage Fund '08 LLC c/o Bar K, Inc.	81,000.00	
Attorney Fees/Administrative Charges - Mortgage Fund '08 LLC c/o Bar K, Inc.	15,000.00	
Settlement Loan Funds - Mortgage Fund '08 LLC c/o Bar K, Inc.	12,480,000.00	
Lender Pasco Trust Co., custodian for Baney Nt		
New Second Loan to File - Pasco Trust Co., custodian for Baney Nt		2,700,000.00
Title Escrow Charges to:		
Settlement or Closing Fee - First American Title Company	1,500.00	
Endorsements 3-35/21-96 - First American Title Company	140.00	
Policy-Extended Lender's Policy - First American Title Company	9,438.00	
Policy-Extended Lenders Policy - First American Title Company	27,583.00	
Recording Fee-Mortgage (x2) - First American Title Company	270.00	
Recording Fee-Release - First American Title Company	15.00	
Recording Fee-All-Inclusive Mortgage (x3) - First American Title Company	279.00	
Recording/Title Fee-UCC - First American Title Company	45.00	
Disbursements Paid:		
Pay Down IV, LLC Account per Agent to Penhandle Escrow Company	323,975.63	
Payoff First P0059 to ACI Northwest, Inc.	1,400,000.00	
Pay Balance of 2007 Taxes on all interests to Bonner County Tax Collector	124,314.64	
Pay Direct Pay Agreement (Outside of PEC) to IV, LLC	30,000.00	
Pay on Account to Genesis Golf Builders, Inc.	450,000.00	
	Cash (From) (X To) Borrower	380,454.55
Totals	24,976,000.00	24,970,000.00

Casey Linscott
James C. Baney 7/31/08
Will A. Baney

JIM BERRY
PO BOX 907
PONDERAY, ID 83852
CELL: 208-946-4161

July 1, 2014

Bonner County Treasurer's Office
Cheryl Piehl, Treasurer
1500 Hwy 2, Suite 304
Sandpoint, ID 83864
Via Hand Delivery

Re: JV, L.L.C. Redemption Bonner County Taxes
Finney File No. 4697-21

Dear Cheryl:

NOTICE OF REDEMPTION

JL, L.L.C. is the Mortgage holder of the Mortgage recorded October 24, 1995, Instrument No. 474746, records of Bonner County, and is therefore a party in interest entitled to redeem. This is a Notice of Redemption to redeem real property parcels lying south of the Highway 200 and which is also south of the old Highway 200, and which is within the legal description of said Mortgage:

JV, L.L.C. hereby redeems:

1. RP57N01W020600A
2. RP58N01W369341A
3. All of the parcel RP0435905A0000BA (lying south of highway less that portion lying north of old highway)
- This "0000BA" parcel consists of 5 holes of the total golf course, which you have apportioned for JV's redemption as 5/18 of the whole "0000BA" parcel
4. RP033810010010A
5. RP033810020010A

From the information you have furnished me previously the total for this redemption appears to be approximately \$140,000.00 and a cashier's check # 703971 from Mountain West Bank payable to the Bonner County Treasurer is attached and delivered to you to apply to payment.

Bonner County Treasurer's Office

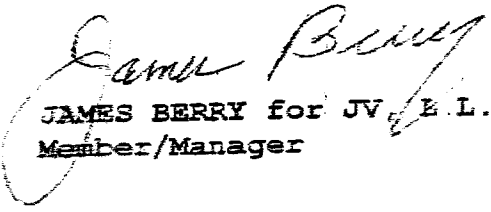
July 1, 2014

Page - 2

Pursuant to your duty to furnish me an itemization of the amounts necessary for this redemption, and please fax it to my attention at: Finney Law/Gary Finney - Fax# 208-263-8211

If there are any additional funds due for this redemption please furnish that figure to my attorney as soon as possible and I will promptly deliver an additional cashier's check to you. Please do this as soon as possible so my redemption payment is complete before July 9, 2014.

Very truly yours,


JAMES BERRY for JV, E.L.C.
Member/Manager

JB:gmw

cc: Attorney Gary Finney

TOTAL pd

140,999.86

June 24, 2008

Recorded 6/24/08
Instrument No. 753907

**THIRD AMENDMENT TO INDEBTEDNESS AND TO REAL
ESTATE SECURITY, AND SUBORDINATION AGREEMENT**
(TO BE RECORDED)

PARTIES:

- A. **HOLDER AND MORTGAGEE:** J.V., LLC, an Idaho limited liability company
P.O. Box B
Sandpoint, Idaho, 83854
- B. **PAYOR AND MORTGAGOR:** Pend Oreille Bonner Development Holdings, Inc., a Nevada corporation
-

C. INDEBTEDNESS AND REAL ESTATE SECURITY

This Agreement concerns and effects the following Indebtedness and Real Estate Security:

1. A Promissory Note from V.P., Inc., an Idaho corporation, in the original sum of \$2,264,500.00 payable to the payee and holder, J.V., LLC, secured by a Real Estate Mortgage recorded October 24, 1995 as Instrument No. 474746 records of Bonner County, Idaho. This referenced real estate is referred to as MOOSE MOUNTAIN.

2. A Modification to Promissory Note and Real Estate Mortgage was signed by V.P., Inc. and J.V., LLC, dated February 7, 2005, which is not a recorded document.

3. Amendment of Promissory Note. This amendment includes a Subordination Agreement, and was signed by J.V., LLC and by the then new "Buyer" of the MOOSE MOUNTAIN real estate, Pend Oreille Bonner Development Holdings, Inc., and is dated June 19, 2006, which is not a recorded document. This document provided for additional real estate security to secure the original \$2,264,500.00 Promissory Note, dated October 20, 1995, which real estate is referred to as TREESTLE CREEK. The TREESTLE CREEK real estate was mortgaged to additionally secure J.V., LLC as Mortgagee by Pend Oreille Bonner Development Holdings, Inc., as Mortgagor by a Real Estate Mortgage,

recorded June 19, 2006, Instrument No. 706470 records of Bonner County, Idaho, on the TREESTLE CREEK real estate.

4. Subordination Agreement. A Subordination Agreement between Pend Oreille Bonner Development Holdings, Inc., as Owner, and J.V., LLC, as holder and mortgagee secured party was recorded June 19, 2006 as Instrument No. 706474 which was recorded again on June 20, 2006 as Instrument No. 706582 records of Bonner County, Idaho, which Subordination Agreement has the effect of subordinating J.V., LLC's original Promissory Note (\$2,264,500.00) and Real Estate Mortgage (recorded October 19, 1995, Instrument No. 474746) to a new Lender, R.E. Loans, Inc., on a Mortgage on MOOSE MOUNTAIN real estate to secure \$20,500,000.00 by a new Mortgage recorded June 19, 2006 as Instrument No. 706471 records of Bonner County, Idaho.

5. Second Subordination Agreement. A Second Subordination Agreement between V.F., Inc. and Pend Oreille Bonner Development Holdings, Inc. was recorded March 15, 2007 as Instrument No. 724833 records of Bonner County, Idaho.

D. COLLECTION AND INDEBTEDNESS - ESCROW AGENT

The Promissory Note and Real Estate Mortgage held by J.V., LLC are held for collection on behalf of J.V., LLC at Panhandle Escrow Company, Sandpoint, Idaho, Escrow No. 2067429 and the present interest rate is 10% and the last principal balance was \$1,771,002.41 as of April 1, 2008.

E. THIRD AMENDMENT

The terms and conditions of this Third Amendment are agreed upon, as follows:

1. Pend Oreille Bonner Development Holdings, Inc. represents and warrants that it has paid the R.E. Loans, Inc.'s first priority Real Estate Mortgage indebtedness down from \$20.5 million to \$8 million secured on the MOOSE MOUNTAIN property and that J.V., LLC's Real Estate Mortgage, Instrument No. 474746 is the second priority lien on MOOSE MOUNTAIN by reason of the Subordination Agreement, Instrument No. 474746.

2. Pend Oreille Bonner Development Holdings, Inc. shall on or before July 1, 2008 pay the interest current and also pay in principal a sum of money to J.V., LLC through Panhandle Escrow No. 2067429 so that the principal balance is reduced to

\$1,500,000.00 as of June 15, 2008. The Sum of money to be paid under this provision is approximately:

a.	Interest	\$ 36,650.00
b.	Principal	<u>\$271,002.00</u>
	TOTAL	<u>\$307,752.00</u>

3. In addition to the payment of the sums set forth in paragraph 2 above, and simultaneously with the payment referred to in paragraph 2 above, Pend Oreille Bonner Development Holdings, Inc. as and for an agreed consideration for J.V., LLC to enter into this agreement, shall also pay \$30,000.00 directly to J.V., LLC. This \$30,000.00 is over, above, and in addition to any sums or indebtedness owed to J.V., LLC and does not apply to interest, principal, or indebtedness.

4. As of June 15, 2008, the interest rate on the indebtedness due J.V., LLC shall increase from 10% to 12%, simple annual interest.

5. The payor, Pend Oreille Bonner Development Holdings, Inc., commencing on July 15, 2008 and on the 15th of each month thereafter shall pay the monthly accrued interest at 12% per annum to J.V., LLC through the escrow agent. The Promissory Note and indebtedness shall be extended for 36 months from June 15, 2008, and the entire remaining principal and interest shall be due and payable on June 15, 2011. The real estate maturity date on all of the real estate mortgages to J.V., LLC shall be June 15, 2011.

6. After the payments referred to above are paid, the Payor may prepay at any time without penalty.

7. J.V., LLC agrees to further subordinate the indebtedness owed to it and the Real Estate Mortgage referred to in this Agreement, on MOOSE MOUNTAIN and on TRESTLE CREEK, to a second priority lien position on both MOOSE MOUNTAIN real estate and the TRESTLE CREEK real estate, as follows:

a. On MOOSE MOUNTAIN the second priority lien of J.V., LLC shall be inferior and subordinate to a first priority lien of no more than \$25,000,000.00.

b. On the TRESTLE CREEK property the present first lien priority of J.V., LLC shall be subordinate and inferior to a new first lien priority of no more than \$5,000,000.00.

B. J.V., LLC agrees to execute partial releases of its Real Estate Mortgages provided the interest on the indebtedness is paid current for and in consideration of principal payments, as follows:

a. On the MOOSE MOUNTAIN real estate at \$8,000.00 per acre, which is the present agreed upon release payment rate.

b. On the FRESTLE CREEK real estate, which presently does not have a release payment provision, the partial release of mortgage sums to be paid J.V., LLC in principal payments shall be:

i. For the release of any land upon which a condominium unit is constructed the partial release of mortgage sums to be paid J.V., LLC in principal payments is \$20,000.00 per each of such condominium units.

ii. For the release of a platted single family lot the partial release of mortgage sums to be paid J.V., LLC in principal payments is \$20,000.00 per lot.

F. EXISTING TERMS AND DOCUMENTS

Except for the modification and provisions set forth in this Agreement, all of the terms, conditions, and documents existing between the parties shall remain in force an effect as written.

G. TIME FOR PERFORMANCE

In the event Pand Oreilla Bonner Development Holdings, Inc. does not perform and pay the sums due to J.V., LLC under this agreement and also bring the existing payments current on Panhandle Escrow Account No. 2067429 by August 1, 2008 this Agreement is rescinded and terminated.

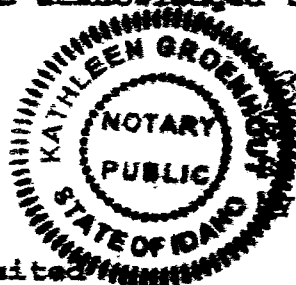
IN WITNESS WHEREOF, the parties have hereunto set their hands hereto on the 20th day of June, 2008.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada
corporation

By: *Charles W. Reeves*
CHARLES W. REEVES, President
Date: 6/20/08

STATE OF IDAHO)
 : ss.
County of Bonner)

On this 20th day of June, 2008, before me, the undersigned
Notary Public, personally appeared, CHARLES W. REEVES, proved to
me on the basis of satisfactory evidence, to be the President of
PEND OREILLE BONNER DEVELOPMENT HOLDINGS, INC. that executed the
instrument or the person who executed the instrument on behalf
of the corporation and acknowledged to me that such corporation
executed the same.



Kathleen Groenewald
Notary Public-State of Idaho
Residing at: SANDPOINT
Commission Expires: 4/25/2013

J.V. LLC, an Idaho limited
liability company

By: Hidden Lakes Limited
Partnership, member

By: *James W. Berry*
JAMES W. BERRY, a general partner
Date: 6/23/08

By: *William A. Berry*
WILLIAM A. BERRY, a general partner
Date: 6/23/08

By: Sun Mountain, Inc., a managing member

By: William A. Berry
WILLIAM A. BERRY, President

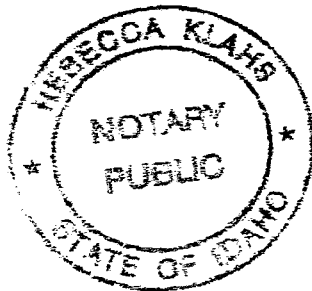
Date: 6/23/08

By: James W. Berry
JAMES W. BERRY, Secretary

Date: 6/23/08

STATE OF IDAHO)
 : ss.
COUNTY OF BONNER)

On this 23rd day of June, 2008, before me, the undersigned Notary Public, personally appeared, WILLIAM A. BERRY and JAMES W. BERRY, known to me or proved to me on the basis of satisfactory evidence, to be the MANAGERS, PARTNERS, and OFFICERS who subscribed said J.V. LLC name to the foregoing instrument, and acknowledged to me that they executed the same in said name of J.V. LLC, by its members, the partnership & corporation.



Rebecca Klais
Notary Public-State of Idaho
Residing at: Sandpoint
My Commission Expires: 12/1/2011

County: ID Bonner Orders QuickSearch
Search Criteria: REL: 474746 8/13/2014 2:46:51 PM AM
Effective Date: 7/25/2014

Selected	Pages	Grantor	Grantee	Doc #	RDoc #	Filed Date	Instr Type	Consideration Amt	Legal
<input type="checkbox"/>		1 HIDDEN LAKES LIMITED	V P INC	779497		9/10/2009	PARTIAL RELEA	\$0 00	Lot 8 BK 20 Add GOLDEN TEE ESTAND 1ST ADD RPLT AF
<input type="checkbox"/>		1 JV LLC	V P INC	779497		9/10/2009	PARTIAL RELEA	\$0 00	Lot 9 BK 20 Add GOLDEN TEE ESTAND 1ST ADD RPLT AF
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<input type="checkbox"/>		1 JV LLC	V P INC	772770		5/27/2009	PARTIAL RELEA	\$0 00	Lot 20A BK 2 Add GOLDEN TEE EST AND 1ST ADD RPLT AF
<input type="checkbox"/>		1 JV LLC	V P INC	757250	474746	8/21/2008	PARTIAL RELEA	\$0 00	Lot 3 BK 1 Add GOLDEN TEE ESTATES 4TH ADDITION 8-8
<input type="checkbox"/>		1 JV LLC	V P INC	756452		8/7/2008	PARTIAL RELEA	\$0 00	Lot 2 BK 9 Add GOLDEN TEE ESTATES 3RD ADDITION 8-7
<input type="checkbox"/>		1 JV LLC	V P INC	756452	474746	8/7/2008	PARTIAL RELEA	\$0 00	Lot 2 BK 9 Add GOLDEN TEE ESTATES 3RD ADDITION 8-7
<input type="checkbox"/>		15 JV LLC	PEND OREILLE BONNER DEV/758402		700470	8/8/2008	SUBORDINATION	\$0 00	80 09A, B-C, 31-30C SW/8W Sec 10 Twp 50N Rng 1E Add 4, 6-A, 31, 32
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<input type="checkbox"/>		1 HIDDEN LAKES LIMITED	V P INC	755012	474746	7/15/2008	PARTIAL RELEA	\$0 00	Lot 8 BK 1 Add GOLDEN TEE ESTATES 8TH ADDITION 8-8
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<input type="checkbox"/>		1 SUN MOUNTAIN INC	V P INC	755012	474746	7/15/2008	PARTIAL RELEA	\$0 00	Lot 8 BK 1 Add GOLDEN TEE ESTATES 8TH ADDITION 8-8
<input type="checkbox"/>		6 PEND OREILLE BONNER DEV/ JV LLC		753907	474746	6/24/2008	MODIFICATION	\$0 00	Lot 8 BK 1 Add GOLDEN TEE ESTATES 8TH ADDITION 8-8
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<input type="checkbox"/>		2 JV LLC	V P INC	750087		4/23/2008	PARTIAL RELEA	\$0 00	Lot 7 BK 1 Add GOLDEN TEE ESTATES 4TH ADDITION 8-8
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<input type="checkbox"/>		1 JV LLC	V P INC	749531	474746	4/14/2008	PARTIAL RELEA	\$0 00	Lot 1 BK 3 Add GOLDEN TEE ESTATES 2ND ADDITION 8-7
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<input type="checkbox"/>		1 JV LLC	V P INC	743871		1/4/2008	PARTIAL RELEA	\$0 00	Lot 10 BK 2 Add GOLDEN TEE ESTATES 8TH ADDITION 8-8

Selected	Pages	Grantor	Grantor	Doc. #	File #	File Date	Dist Type	Consideration Amt.	Legal
<input type="checkbox"/>		1JVLLC	VP INC	283000	474746	12/10/2007	PARTIAL RELEASE	\$0.00	Lot 10 BK 2 Add GOLDEN TEE ESTATES 8TH ADDITION B
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<input type="checkbox"/>		1JVLLC	VP INC	280778	474746	11/08/2007	PARTIAL RELEASE	\$0.00	Lot 4, 5, 7-8 BK 2 Add GOLDEN TEE ESTATES 8TH ADDITION
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<input type="checkbox"/>		1JVLLC	VP INC	280078	474746	10/11/2007	PARTIAL RELEASE	\$0.00	Lot 7 BK 5 Add GOLDEN TEE ESTATES 3RD ADDITION B 7
<input type="checkbox"/>		1JVLLC	VP INC	280078		10/11/2007	PARTIAL RELEASE	\$0.00	Lot 7 BK 5 Add GOLDEN TEE ESTATES 3RD ADDITION B 7
<input type="checkbox"/>		1JVLLC	VP INC	280088	474746	10/11/2007	PARTIAL RELEASE	\$0.00	Lot 7 BK 2 Add GOLDEN TEE ESTATES 7TH ADDITION B 7
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<input type="checkbox"/>		1JVLLC	VP INC	280648	474746	10/05/2007	PARTIAL RELEASE	\$0.00	Lot 3 BK 2 Add GOLDEN TEE ESTATES 7TH ADDITION B 7
<input type="checkbox"/>		1JVLLC	VP INC	280648		10/05/2007	PARTIAL RELEASE	\$0.00	Lot 3 BK 2 Add GOLDEN TEE ESTATES 7TH ADDITION B 7
<input type="checkbox"/>		1JVLLC	VP INC	280808	474746	09/28/2007	PARTIAL RELEASE	\$0.00	Lot 4 BK 5 Add GOLDEN TEE ESTATES 4TH ADDITION B 8
<input type="checkbox"/>		1JVLLC	VP INC	280808		09/28/2007	PARTIAL RELEASE	\$0.00	Lot 4 BK 5 Add GOLDEN TEE ESTATES 4TH ADDITION B 8
<input type="checkbox"/>		1JVLLC	VP INC	282288	474746	09/14/2007	PARTIAL RELEASE	\$0.00	Lot 7 BK 1 Add GOLDEN TEE ESTATES 8TH ADDITION B 8
<input type="checkbox"/>		1JVLLC	VP INC	282288		09/14/2007	PARTIAL RELEASE	\$0.00	Lot 7 BK 1 Add GOLDEN TEE ESTATES 8TH ADDITION B 8
<input type="checkbox"/>		1JVLLC	VP INC	282787	474746	09/13/2007	PARTIAL RELEASE	\$0.00	Lot 15 BK 20 Add GOLDEN TEE EST AND 1ST ADD RPLT A
<input type="checkbox"/>		1JVLLC	VP INC	282787		09/13/2007	PARTIAL RELEASE	\$0.00	Lot 15 BK 20 Add GOLDEN TEE EST AND 1ST ADD RPLT A

Selected	Pages	Grantor	Grantee	Doc #	Home #	Filed Date	Lech Type	Consideration Amt	Legal
<input type="checkbox"/>		LJ V LLC	VP INC	735561	474748	08/22/2007	PARTIAL RELEA	\$0.00	Lot 18 Blk 20 Add GOLDEN TEE EST AND 1ST ADD REPLA
<input type="checkbox"/>		HIDDEN LAKES LP	VP INC	735741	474748	02/23/2007	MISC	\$0.00 25	Gr SE Sec 38 Town 58N Rng 10W Aft. 28 Cont. ELEMHOUL
<input type="checkbox"/>		LJ V LLC	VP INC	735741	474748	02/23/2007	MISC	\$0.00 25	Gr SE Sec 38 Town 58N Rng 10W Aft. 28 Cont. ELEMHOUL
<input type="checkbox"/>		HIDDEN LAKES LP	VP INC	735740	474748	02/23/2007	MISC	\$0.00	Lot 5-8 Blk 17 Add GOLDEN TEE EST AND 1ST ADD REPLA
<input type="checkbox"/>		LJ V LLC	VP INC	735740	474748	02/23/2007	MISC	\$0.00	Lot 20 Blk 22 Add GOLDEN TEE EST AND 1ST ADD REPLA
<input type="checkbox"/>		HIDDEN LAKES LP	VP INC	735739	474748	02/23/2007	MISC	\$0.00	Lot ALL Blk 15-18 Add GOLDEN TEE EST AND 1ST ADD RE
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<input type="checkbox"/>		LJ V LLC	VP INC	735625	474748	01/22/2007	PARTIAL RELEA	\$0.00	Lot 7 Blk 2 Add GOLDEN TEE ESTATES AND ADDITION 8.7
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<input type="checkbox"/>		LJ V LLC	VP INC	735616	474748	01/22/2007	PARTIAL RELEA	\$0.00	Lot 18 Blk 2 Add GOLDEN TEE EST AND 1ST ADD REPLA
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<input type="checkbox"/>		LJ V LLC	VP INC	731129	474748	07/19/2007	PARTIAL RELEA	\$0.00	Lot 6 Blk 20 Add GOLDEN TEE EST AND 1ST ADD REPLA
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<input type="checkbox"/>		LJ V LLC	VP INC	729937	474748	06/14/2007	PARTIAL RELEA	\$0.00	Lot 2 Blk 1 Add GOLDEN TEE ESTATES AND ADDITION 8.7
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<input type="checkbox"/>		LJ V INC	VP INC	729351	474748	05/23/2007	PARTIAL RELEA	\$0.00	Lot 10 Blk 1 Add GOLDEN TEE ESTATES AND ADDITION 8
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<input type="checkbox"/>		LJ V LLC	VP INC	728001	474748	05/02/2007	PARTIAL RELEA	\$0.00	Lot 1 Blk 21 Add GOLDEN TEE EST AND 1ST ADD REPLA
<input type="checkbox"/>		LJ V LLC	VP INC	727200	474748	07/20/2007	PARTIAL RELEA	\$0.00	Lot 10 Blk 3 Add GOLDEN TEE ESTATES AND ADDITION 8
<input type="checkbox"/>		LJ V LLC	VP INC	726309	474748	07/02/2007	PARTIAL RELEA	\$0.00	Lot 5 Blk 7 Add GOLDEN TEE ESTATES AND ADDITION 8.7
<input type="checkbox"/>		LJ V LLC	VP INC	725389	474748	06/23/2007	PARTIAL RELEA	\$0.00	Lot 6 Blk 1 Add GOLDEN TEE ESTATES AND ADDITION 8.7
<input type="checkbox"/>		LJ V LLC	VP INC	725388	474748	06/23/2007	PARTIAL RELEA	\$0.00	Lot 3 Blk 21 Add GOLDEN TEE EST AND 1ST ADD REPLA
<input type="checkbox"/>		LJ V LLC	VP INC	725208	474748	07/17/2007	PARTIAL RELEA	\$0.00	Lot 17 Blk 2 Add GOLDEN TEE EST AND 1ST ADD REPLA
<input type="checkbox"/>		1 SUN MOUNTAIN INC	VP INC	725208	474748	07/17/2007	PARTIAL RELEA	\$0.00	Lot 3-4 Blk 11 Add GOLDEN TEE EST AND 1ST ADD REPLA
<input type="checkbox"/>		13J V LLC	PEND OREILLE BONNER DEV724833	724430	07/16/2007	07/16/2007	SUBORDINATE	\$0.00	Lot 3-4 Blk 11 Add GOLDEN TEE EST AND 1ST ADD REPLA
<input type="checkbox"/>		13J V LLC	PEND OREILLE BONNER DEV724833	724430	07/16/2007	07/16/2007	SUBORDINATE	\$0.00	Lot 1 Blk 1 Add HIDDEN LAKES FIRST ADDITION Cont. SE
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Selected	Pages	Grantor	Grantee	Doc #	RDoc #	Filed Date	Instr Type	Consideration	Arb	Legal
<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	724830	3/15/2007	SUBORDINATIO	\$0.00		Lot: 5A Bk: 4 Add: GOLDEN TEE EST AND 1ST ADD RPLT A
<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	724830	3/15/2007	SUBORDINATIO	\$0.00		Lot: 6, 8 Bk: 40 Add: GOLDEN TEE ESTATES 3RD ADDITION
<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	724830	3/15/2007	SUBORDINATIO	\$0.00		Lot: 6, 8 Bk: 40 Add: GOLDEN TEE ESTATES 3RD ADDITION
<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	724830	3/15/2007	SUBORDINATIO	\$0.00		Lot: 6, 8 Bk: 40 Add: GOLDEN TEE ESTATES 3RD ADDITION
<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	724830	3/15/2007	SUBORDINATIO	\$0.00		Lot: ALL Bk: 16 Add: GOLDEN TEE EST AND 1ST ADD RPLT
<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	724830	3/15/2007	SUBORDINATIO	\$0.00		Lot: ALL Bk: 16 Add: GOLDEN TEE EST AND 1ST ADD RPLT
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<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	724829	3/15/2007	SUBORDINATIO	\$0.001, 24		Qtr: N2NW Sec: 21 Twns: 57N Rng: 1E Arb: 1, 24 Cmmt: SEC-
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<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	706474	3/15/2007	SUBORDINATIO	\$0.002-3, 5-6, 9		Qtr: NWNE SE Sec: 2 Twns: 57N Rng: 1W Arb: 2-3, 5-6, 9 C
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<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	706582	3/15/2007	SUBORDINATIO	\$0.0017, 22-23, 3		Qtr: NWNW W2SW Sec: 31 Twns: 58N Rng: 1E Arb: 17, 22-
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<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	474746	3/15/2007	SUBORDINATIO	\$0.0014, 17, 24-2		Qtr: SENE SE Sec: 38 Twns: 58N Rng: 1W Arb: 14, 17, 24-2
<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	474746	3/15/2007	SUBORDINATIO	\$0.0014, 17, 24-2		Qtr: SENE SE Sec: 38 Twns: 58N Rng: 1W Arb: 14, 17, 24-2
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<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	706472	3/15/2007	SUBORDINATIO	\$0.004-6		Qtr: SESE Sec: 17 Twns: 57N Rng: 1E Arb: 4-6 Cmmt: SEGO
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<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	706471	3/15/2007	SUBORDINATIO	\$0.003, 20		Qtr: W2 Sec: 8 Twns: 57N Rng: 1E Arb: 3, 20 Cmmt: SECONE
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<input type="checkbox"/>		13JV LLC	PEND OREILLE BONNER DEV	724833	706473	3/15/2007	SUBORDINATIO	\$0.008, 32, 76		Qtr: W2SW Sec: 16 Twns: 57N Rng: 1E Arb: 8, 32, 76 Cmmt: 2
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<input type="checkbox"/>		1JV LLC	V P INC	724384	474746	2/22/2007	PARTIAL RELEA	\$0.00		Lot: 4 Bk: 26 Add: GOLDEN TEE EST AND 1ST ADD RPLT A
<input type="checkbox"/>		1JV LLC	V P INC	723464	474746	2/22/2007	PARTIAL RELEA	\$0.00		Lot: 10 Bk: 20 Add: GOLDEN TEE EST AND 1ST ADD RPLT A
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<input type="checkbox"/>		1JV LLC	V P INC	723119	474746	2/15/2007	PARTIAL RELEA	\$0.00		Lot: 9 Bk: 20 Add: GOLDEN TEE EST AND 1ST ADD RPLT A
<input type="checkbox"/>		1JV LLC	V P INC	723117	474746	2/15/2007	PARTIAL RELEA	\$0.00		Lot: 1 Bk: 22 Add: GOLDEN TEE EST AND 1ST ADD RPLT A
<input type="checkbox"/>		1JV LLC	V P INC	723113	474746	2/15/2007	PARTIAL RELEA	\$0.00		Lot: 4 Bk: 5 Add: GOLDEN TEE ESTATES 2ND ADDITION B-

Selected	Pages	Grantor	Grantee	Doc #	RDoc #	Filed Date	Instr Type	Consideration	Arb	Legal
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<input type="checkbox"/>		25TH MOUNTAIN INC	VP INC	716476	716476	11/2/2008	PARTIAL RELEA	\$0.00		Lot 3 - 11 Blk 1 Add GOLDEN TEE ESTATES 2ND ADDITION
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<input type="checkbox"/>		2JV LLC	VP INC	715907	474746	10/25/2006	PARTIAL RELEA	\$0.00		Lot 1, 5, 10 Blk 10 Add GOLDEN TEE ESTATES 3RD ADDITIO
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<input type="checkbox"/>		HIDDEN LAKES LP		714257	474746	9/29/2006	MISC	\$0.00		Lot 4 Blk 2 Add GOLDEN TEE ESTATES 5TH ADDITION B &
<input type="checkbox"/>		HIDDEN LAKES LP		714257	474746	9/29/2006	MISC	\$0.00		Lot All Blk All Add GOLDEN TEE EST 1ST ADDITION 100 Com
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<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706582	474746	6/20/2006	SUBORDINATIO	\$0.003		Clr: E2 Sec: 67 Trac: 87M Reg: 1E Art: 3 Cont: 01, 5, 6, 9, 10, 1
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706582	474746	6/20/2006	SUBORDINATIO	\$0.003		Clr: E2 Sec: 8 Trac: 87M Reg: 1E Art: 3 Cont: 01, 5, 6, 9, 10, 1
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706582	706474	6/20/2006	SUBORDINATIO	\$0.002, 9		Clr: M2 Sec: 8 Trac: 87M Reg: 1W Art: 2, 9 Cont: 01, 2, 3, 4, 5
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706582	706474	6/20/2006	SUBORDINATIO	\$0.002, 9		Clr: M2 Sec: 8 Trac: 87M Reg: 1W Art: 2, 9 Cont: 01, 2, 3, 4, 5
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706582	706471	6/20/2006	SUBORDINATIO	\$0.0014		Clr: SESE Sec: 36 Trac: 88M Reg: 1W Art: 14
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706582	706471	6/20/2006	SUBORDINATIO	\$0.0014		Clr: SESE Sec: 36 Trac: 88M Reg: 1W Art: 14
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706582	474746	6/20/2006	SUBORDINATIO	\$0.0017		Clr: SWNW Sec: 31 Trac: 88M Reg: 1E Art: 17 Cont: 01, 4
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706474	474746	6/20/2006	SUBORDINATIO	\$0.0017		Clr: SWNW Sec: 31 Trac: 88M Reg: 1E Art: 17 Cont: 01, 4
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706474	474746	6/19/2006	SUBORDINATIO	\$0.003		Clr: E2 Sec: 8 Trac: 87M Reg: 1E Art: 3 Cont: 01, 2, 3, 4, 5
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706474	474746	6/19/2006	SUBORDINATIO	\$0.002, 9		Clr: M2 Sec: 8 Trac: 87M Reg: 1W Art: 2, 9 Cont: 01, 2, 3, 4, 5
<input type="checkbox"/>		6JV LLC	PEND OREILLE BONNER DEV	706474	706471	6/19/2006	SUBORDINATIO	\$0.0014		Clr: SESE Sec: 36 Trac: 88M Reg: 1W Art: 14
<input type="checkbox"/>		2JV LLC	VP INCORPORATED	594824	474746	1/16/2002	SUBORDINATIO	\$0.00		Clr: SWNW Sec: 31 Trac: 88M Reg: 1E Art: 17 Cont: 01, 4
<input type="checkbox"/>		2JV LLC	VP INCORPORATED	591753	474746	1/16/2001	SUBORDINATIO	\$0.00		

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Ford Elsasser, ISB #2205
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Attorneys for Dar Jacobson, Sage Holdings, LLC, and Steven Lazar

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., formally
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,
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.,

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DISTRICT

2009 SEP 23 07:10 PM

CLERK OF DISTRICT COURT


CASE NO. CV09-1810

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

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

fka Toothman-Orton Engineering Company, an Idaho corporation; PUCCI CONSTRUCCION 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.

COME NOW Dan S. Jacobson, an individual, Sage Holdings LLC, an Idaho limited liability company, and Steven G. Lazar, an individual, ("Sage Defendants"), by and through their undersigned counsel Bruce A. Anderson of Eisaesser Jarzabek Anderson Elliott & Macdonald, Chtd., and answer Valiant Idaho, LLC's ("Valiant") Counterclaim, Counterclaim, Cross-Claim and Third Party Complaint for Judicial Foreclosure as follows:

PARTIES

1. Denies for lack of knowledge or information, the allegations set forth in paragraph 1 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
2. Denies for lack of knowledge or information, the allegations set forth in paragraph 2 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
3. Denies for lack of knowledge or information, the allegations set forth in paragraph 3 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
4. Admits the allegations set forth in paragraph 4 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
5. Admits the allegations set forth in paragraph 5 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

6. Admits the allegations set forth in paragraph 6 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
7. Denies for lack of knowledge or information, the allegations set forth in paragraph 7 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
8. Denies for lack of knowledge or information, the allegations set forth in paragraph 8 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
9. Denies for lack of knowledge or information, the allegations set forth in paragraph 9 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
10. Denies for lack of knowledge or information, the allegations set forth in paragraph 10 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
11. Denies for lack of knowledge or information, the allegations set forth in paragraph 11 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
12. Denies for lack of knowledge or information, the allegations set forth in paragraph 12 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
13. Denies for lack of knowledge or information, the allegations set forth in paragraph 13 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
14. Denies for lack of knowledge or information, the allegations set forth in paragraph 14 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
15. Denies for lack of knowledge or information, the allegations set forth in paragraph 15 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
16. Denies for lack of knowledge or information, the allegations set forth in paragraph 16 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

17. Denies for lack of knowledge or information, the allegations set forth in paragraph 17 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

18. Admits the allegations set forth in paragraph 18 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

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

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

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

22. Denies for lack of knowledge or information, the allegations set forth in paragraph 22 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

23. Denies for lack of knowledge or information, the allegations set forth in paragraph 23 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

24. Denies for lack of knowledge or information, the allegations set forth in paragraph 24 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

25. Denies for lack of knowledge or information, the allegations set forth in paragraph 25 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

26. Denies for lack of knowledge or information, the allegations set forth in paragraph 26 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

27. Denies for lack of knowledge or information, the allegations set forth in paragraph 27 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

28. Denies for lack of knowledge or information, the allegations set forth in paragraph 28 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

29. To the extent that paragraph 29 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, these answering Defendants deny the allegations set forth in paragraph 29.

JURISDICTION AND VENUE

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

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

GENERAL ALLEGATIONS

32. To the extent that paragraph 32 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, these answering Defendants deny the allegations set forth in paragraph 32.

33. Denies for lack of knowledge or information, the allegations set forth in paragraph 33 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

FIRST CAUSE OF ACTION

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

34. To the extent that paragraph 34 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, these answering Defendants deny the allegations set forth in paragraph 34.

35. Denies for lack of knowledge or information, the allegations set forth in paragraph 35 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

36. Denies for lack of knowledge or information, the allegations set forth in paragraph 36 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

37. Denies for lack of knowledge or information, the allegations set forth in paragraph 37 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

38. Denies for lack of knowledge or information, the allegations set forth in paragraph 38 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

39. Denies for lack of knowledge or information, the allegations set forth in paragraph 39 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

40. Denies for lack of knowledge or information, the allegations set forth in paragraph 40 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

41. Denies for lack of knowledge or information, the allegations set forth in paragraph 41 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

42. Admits the allegations set forth in paragraph 42 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

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

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

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

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

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

47. To the extent that paragraph 47 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, these answering Defendants deny the allegations set forth in paragraph 47.

48. Denies for lack of knowledge or information, the allegations set forth in paragraph 48 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

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

50. Denies for lack of knowledge or information, the allegations set forth in paragraph 50 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

51. Denies for lack of knowledge or information, the allegations set forth in paragraph 51 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

52. Denies for lack of knowledge or information, the allegations set forth in paragraph 52 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

53. Denies for lack of knowledge or information, the allegations set forth in paragraph 53 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

54. Denies for lack of knowledge or information, the allegations set forth in paragraph 54 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

55. Admits the allegations set forth in paragraph 55 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

56. Denies for lack of knowledge or information, the allegations set forth in paragraph 56 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

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

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

58. To the extent that paragraph 58 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, these answering Defendants deny the allegations set forth in paragraph 58.

59. Denies for lack of knowledge or information, the allegations set forth in paragraph 59 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

60. Denies for lack of knowledge or information, the allegations set forth in paragraph 60 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

61. Denies for lack of knowledge or information, the allegations set forth in paragraph 61 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

62. Denies for lack of knowledge or information, the allegations set forth in paragraph 62 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

63. Denies for lack of knowledge or information, the allegations set forth in paragraph 63 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

64. Denies for lack of knowledge or information, the allegations set forth in paragraph 64 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

65. Denies for lack of knowledge or information, the allegations set forth in paragraph 65 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

66. Admits the allegations set forth in paragraph 66 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

67. Denies for lack of knowledge or information, the allegations set forth in paragraph 67 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

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

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

69. To the extent that paragraph 69 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, these answering Defendants deny the allegations set forth in paragraph 69.

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

71. As to Sage Defendants, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest to the following described property:

SEE ATTACHED EXHIBIT A.

As to the balance of paragraph 71, deny for lack of knowledge or information.

72. As to Sage Defendants, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest to the following described property:

SEE ATTACHED EXHIBIT A

As to the balance of paragraph 72, deny for lack of knowledge or information.

FIFTH CAUSE OF ACTION
(Judicial Foreclosure of Mortgage Instrument Nos. 756394, 756395 & 756396)

73. To the extent that paragraph 73 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, these answering Defendants deny the allegations set forth in paragraph 73.

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

75. As to Sage Defendants, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest to the following described property:

SEE ATTACHED EXHIBIT A

As to the balance of paragraph 75, deny for lack of knowledge or information.

76. As to Sage Defendants, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest to the following described property:

SEE ATTACHED EXHIBIT A

As to the balance of paragraph 76, deny for lack of knowledge or information.

SIXTH CAUSE OF ACTION
(Judicial Foreclosure of Mortgage Instrument Nos. 756397, 756398 & 756399)

77. To the extent that paragraph 77 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, these answering Defendants deny the allegations set forth in paragraph 77.

78. Denies for lack of knowledge or information, the allegations set forth in paragraph 78 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

79. As to Sage Defendants, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest to the following described property:

SEE ATTACHED EXHIBIT A

As to the balance of paragraph 79, deny for lack of knowledge or information.

80. As to Sage Defendants, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest to the following described property:

SEE ATTACHED EXHIBIT A

As to the balance of paragraph 80, deny for lack of knowledge or information.

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

81. To the extent that paragraph 81 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, these answering Defendants deny the allegations set forth in paragraph 81.

82. Denies for lack of knowledge or information, the allegations set forth in paragraph 82 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

83. As to Sage Defendants, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest to the following described property:

SEE ATTACHED EXHIBIT A

As to the balance of paragraph 83, deny for lack of knowledge or information.

84. As to Sage Defendants, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest to the following described property:

SEE ATTACHED EXHIBIT A

As to the balance of paragraph 84, deny for lack of knowledge or information.

WHEREFORE, it is prayed:

1. As to against the Sage Defendants' interest in the following property:

Lot 1, Block 3, GOLDEN TEE ESTATES 2ND ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.

Lot 2, Block 6, GOLDEN TEE ESTATES 3RD ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 78, records of Bonner County, Idaho.

Lot 7, Block 1, GOLDEN TEE ESTATES 4TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 80, records of Bonner County, Idaho.

Lot 3, Block 3, GOLDEN TEE ESTATES 4TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 80, records of Bonner County, Idaho.

Lot 6, Block 5, GOLDEN TEE ESTATES 4TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 80, records of Bonner County, Idaho.

Lot 6 and 7, Block 2, GOLDEN TEE ESTATES 5TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 81, records of Bonner County, Idaho.

Lot 1, Block 2, GOLDEN TEE ESTATES 6TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 82, records of Bonner County, Idaho.

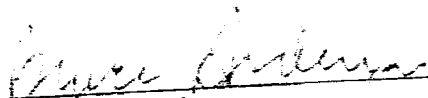
That Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third-Party Complaint be in all respects denied.

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

2. That the Court declare the Sage Defendants to have a valid and existing lien superior to and prior in right, title and interest to that of Valiant and other Cross-Defendants and Third Party Defendants on the property with legal description as set forth in attached Exhibit A.

3. That the Sage Defendants be allowed an award of reasonable attorneys' fees and costs pursuant to the Idaho Code and Rules; and for such and other relief that the Court deems just and proper.

DATED this 12th of September, 2014.



Bruce A. Anderson
Attorneys for Sage Holdings, LLC,
Dan Jacobson and Steven Lazar
("Sage Defendants")

EXHIBIT A

Lot 1, Block 3, GOLDEN TEE ESTATES 2ND ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.

Lot 2, Block 6, GOLDEN TEE ESTATES 3RD ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 78, records of Bonner County, Idaho.

Lot 7, Block 1, GOLDEN TEE ESTATES 4TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 80, records of Bonner County, Idaho.

Lot 3, Block 3, GOLDEN TEE ESTATES 4TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 80, records of Bonner County, Idaho.

Lot 6, Block 5, GOLDEN TEE ESTATES 4TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 80, records of Bonner County, Idaho.

Lot 6 and 7, Block 2, GOLDEN TEE ESTATES 5TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 81, records of Bonner County, Idaho.

Lot 1, Block 2, GOLDEN TEE ESTATES 6TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 82, records of Bonner County, Idaho.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12th day of September, 2014, I caused to be served a true and correct copy of the foregoing ANSWER TO VALIANT IDAHO, LLC'S COUNTERCLAIM, CROSS-CLAIM AND THIRD PARTY COMPLAINT FOR JUDICIAL FORECLOSURE by the method indicated below, and addressed to the following:

Richard L. Stacey
McCONNELL WAGNER SKYES & STACEY
755 W. Front Street, Ste. 200
Boise, Idaho 83702
Attorney for R.E. Loans, LLC

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Wells Fargo Foothill, LLC and Mortgage Fund
'08, LLC*

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*Attorney for VP Incorporated/ North Idaho
Resorts, LLC*

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*Attorney for Pucci Construction, Inc.
And ACI Northwest, Inc.*

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Finney Finney & Finney, P.A.
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Attorney for J.V., LLC

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Dated: September 12, 2014



Bruce A. Anderson

2014 SEP 19 10 4 28

Susan P. Weeks, ISB #4255
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sweeks@jvwlaw.net
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Attorneys for Defendants North Idaho Resorts, 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,

Case No. CV 2009-01810

Plaintiff,

vs.

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

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.,

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

ORIGINAL

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, Defendant, North Idaho Resorts, LLC, by and through its attorney of record, Susan P. Weeks of the firm James, Vernon & Weeks, P.A., and answers Valiant Idaho, LLC's ("Valiant") Counterclaim, Cross-Claim and Third Party Complaint for Judicial Foreclosure as follows:

PARTIES

1. Denies for lack of knowledge or information, the allegations set for in paragraph 1 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
2. Denies for lack of knowledge or information, the allegations set for in paragraph 2 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
3. Denies for lack of knowledge or information, the allegations set for in paragraph 3 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
4. Admits the allegations set forth in paragraph 4 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
5. Admits the allegations set forth in paragraph 5 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
6. Admits the allegations set forth in paragraph 6 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
7. Admits VP, Incorporated was and is an Idaho corporation in good standing, with its principal place of business in the City of Bonners Ferry, State of Idaho. Denies its principal

place of business is in Boundary County. VP, Inc.'s principal place of business is in Bonners County.

8. Denies for lack of knowledge or information, the allegations set for in paragraph 8 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

9. Denies for lack of knowledge or information, the allegations set for in paragraph 9 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

10. Denies for lack of knowledge or information, the allegations set for in paragraph 10 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

11. Admits the allegations set forth in paragraph 11 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

12. Denies for lack of knowledge or information, the allegations set for in paragraph 12 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

13. Denies for lack of knowledge or information, the allegations set for in paragraph 13 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

14. Denies for lack of knowledge or information, the allegations set for in paragraph 14 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

15. Denies for lack of knowledge or information, the allegations set for in paragraph 15 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

16. Denies for lack of knowledge or information, the allegations set for in paragraph 16 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

17. Denies for lack of knowledge or information, the allegations set for in paragraph 17 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

18. Denies for lack of knowledge or information, the allegations set for in paragraph 18 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

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

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

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

22. Denies for lack of knowledge or information, the allegations set for in paragraph 22 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

23. Denies for lack of knowledge or information, the allegations set for in paragraph 23 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

24. Denies for lack of knowledge or information, the allegations set for in paragraph 24 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

25. Denies for lack of knowledge or information, the allegations set for in paragraph 25 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

26. Denies for lack of knowledge or information, the allegations set for in paragraph 26 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

27. Denies for lack of knowledge or information, the allegations set for in paragraph 27 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

28. Denies for lack of knowledge or information, the allegations set for in paragraph 28 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

29. To the extent that paragraph 29 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint requires an admission or denial, this answering Defendants deny the allegations set forth in paragraph 29.

JURISDICTION AND VENUE

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

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

GENERAL ALLEGATIONS

32. Answering the allegations of Paragraph 32 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint. Defendant, North Idaho Resorts, LLC realleges and reincorporates its answers to the previous paragraphs.

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

FIRST CAUSE OF ACTION

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

34. Answering the allegations of Paragraph 34 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint. Defendant, North Idaho Resorts, realleges and reincorporate its answers to the previous paragraphs.

35. Denies for lack of knowledge or information, the allegations set for in paragraph 35 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

36. Denies for lack of knowledge or information, the allegations set for in paragraph 36 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
37. Denies for lack of knowledge or information, the allegations set for in paragraph 37 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
38. Denies for lack of knowledge or information, the allegations set for in paragraph 38 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
39. Denies for lack of knowledge or information, the allegations set for in paragraph 39 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
40. Denies for lack of knowledge or information, the allegations set for in paragraph 40 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
41. Denies for lack of knowledge or information, the allegations set for in paragraph 41 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
42. Denies for lack of knowledge or information, the allegations set for in paragraph 42 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
43. Denies for lack of knowledge or information, the allegations set for in paragraph 43 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
44. Denies for lack of knowledge or information, the allegations set for in paragraph 44 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
45. Denies for lack of knowledge or information, the allegations set for in paragraph 45 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.
46. Denies for lack of knowledge or information, the allegations set for in paragraph 46 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

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

47. Answering the allegations of Paragraph 47 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint, Defendant, North Idaho Resorts, LLC, realleges and reincorporates its answers to the previous paragraphs.

48. Denies for lack of knowledge or information, the allegations set for in paragraph 48 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

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

50. Denies for lack of knowledge or information, the allegations set for in paragraph 50 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

51. Denies for lack of knowledge or information, the allegations set for in paragraph 51 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

52. Denies for lack of knowledge or information, the allegations set for in paragraph 52 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

53. Denies for lack of knowledge or information, the allegations set for in paragraph 53 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

54. Denies for lack of knowledge or information, the allegations set for in paragraph 54 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

55. Denies for lack of knowledge or information, the allegations set for in paragraph 55 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

56. Denies for lack of knowledge or information, the allegations set for in paragraph 56 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

NORTH IDAHO RESORTS, LLC'S ANSWER TO VALIANT IDAHO, LLC'S
COUNTERCLAIM, CROSS-CLAIM AND THIRD PARTY COMPLAINT FOR JUDICIAL
FORFEITURE.

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

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

58. Answering the allegations of Paragraph 58 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint, Defendants, North Idaho Resorts, realleges and reincorporates its answers to the previous paragraphs.

59. Denies for lack of knowledge or information, the allegations set for in paragraph 59 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

60. Denies for lack of knowledge or information, the allegations set for in paragraph 60 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

61. Denies for lack of knowledge or information, the allegations set for in paragraph 61 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

62. Denies for lack of knowledge or information, the allegations set for in paragraph 62 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

63. Denies for lack of knowledge or information, the allegations set for in paragraph 63 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

64. Denies for lack of knowledge or information, the allegations set for in paragraph 64 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

65. Denies for lack of knowledge or information, the allegations set for in paragraph 65 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

66. Denies for lack of knowledge or information, the allegations set for in paragraph 66 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

67. Denies for lack of knowledge or information, the allegations set for in paragraph 67 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

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

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

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

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

71. As to North Idaho Resorts, LLC, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 71, deny for lack of knowledge or information.

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

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

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

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

75. As to North Idaho Resorts, LLC, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 75, deny for lack of knowledge or information.

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

SIXTH CAUSE OF ACTION

(Judicial Foreclosure of Mortgage Instrument Nos. 756398 & 756 & 756399)

77. Answering the allegations of Paragraph 77 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint, Defendant, North Idaho Resorts, LLC realleges and reincorporates its answers to the previous paragraphs.

78. Denies for lack of knowledge or information, the allegations set for in paragraph 78 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

79. As to North Idaho Resorts, LLC, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 79, deny for lack of knowledge or information.

80. As to North Idaho Resorts, LLC, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 80, deny for lack of knowledge or information.

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

81. Answering the allegations of Paragraph 81 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint, Defendant, North Idaho Resorts, LLC realleges and reincorporate its answers to the previous paragraphs.

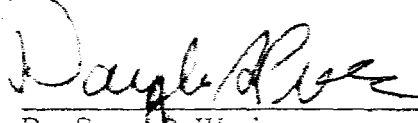
82. Denies for lack of knowledge or information, the allegations set for in paragraph 82 of Valiant's Counterclaim, Cross-Claim and Third Party Complaint.

83. As to North Idaho Resorts, LLC, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 83, deny for lack of knowledge or information.

84. As to North Idaho Resorts, LLC, deny that Valiant is entitled to judgment foreclosing and adjudicating its mortgage to be superior to and prior in right, title and interest. As to the balance of paragraph 84, deny for lack of knowledge or information.

DATED this 19th day of September, 2014.

JAMES. VERNON & WEEKS, P.A.

 ^{8/16} for

By: Susan P. Weeks

Attorney for Defendant North Idaho Resorts

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 19th day of September, 2014:

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*Attorneys for T-G Engineers, an Idaho
corporation*

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*Attorney for Penaco Trust Co. Custodian
FBO Barney NG, Mortgage Fund '98 LLC*

~~Richard Stacey
MEULEMAN MOELLERUP, LLP
Boise, ID 83702~~

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STATE OF IDAHO
 COUNTY OF BONNER
 CLERK OF DISTRICT COURT
 2014 SEP 25 PM 3:50
 DEPT. 1

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 Chad M. Nicholson, ISB #7506
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Attorneys For Valiant Idaho, LLC

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

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

Plaintiff,

vs.

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

Defendants.

Case No. CV-09-1810

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

Honorable Michael J. Griffin

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

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

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

Third Party Defendants.

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TO: Cross-Defendant *ACI Northwest, Inc.* and its counsel of record, *Finney Finney & Finney P.A.*

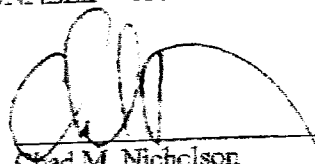
YOU WILL PLEASE TAKE NOTICE that demand is herewith made upon you that you answer or otherwise plead to Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("Counterclaim/Cross-Claim") on file herein, a copy of which has been heretofore served on you, within three (3) days of service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

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

DATED this 25th day of September 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

BY



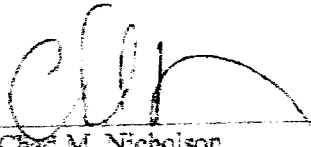
Chad M. Nicholson
Attorneys For Plaintiff Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25th day of September 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Gary I. Amendola, Esq. Amendola Doty & Brumley, PLLC 702 North 4 th Street Coeur d'Alene, Idaho 83814 Telephone: 208.664.8225 Facsimile: 208.765.1046 <i>Counsel For T-O Engineers, Inc.</i>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail gary@adbanorneys.com
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Charles M. Dodson, Esq. Law Office of Charles M. Dodson 1424 Sherman, Suite 300 Coeur d'Alene, Idaho 83814 Telephone: 208.664.1577 Facsimile: 208.666.9211 <i>Counsel For RC Worst & Company</i>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail cmdodson.law@gmail.com
Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bct@featherston.law.com
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<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>


 Chad M. Nicholson

STATE OF IDAHO
COUNTY OF BONNER
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JUL 25 2009 10:50 AM
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Attorneys For Valiant Idaho, LLC

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

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

Plaintiff,

vs.

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

Defendants.

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST CROSS-DEFENDANT
T-O ENGINEERS, INC.**

Honorable Michael J. Griffin

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

ORIGINAL

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

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

Third Party Defendants.

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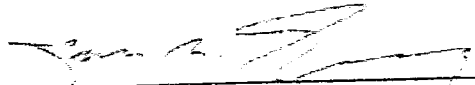
COMES NOW, Defendant/Counter-Claimant/Cross-Claimant/Third Party Plaintiff Valiant Idaho, LLC ("Valiant"), by and through its attorneys of record, McConnell Wagner Sykes & Stacey PLLC, and moves this Court, pursuant to Rule 55(a)(1) of the Idaho Rules of Civil Procedure, to enter default against Cross-Defendant T-O Engineers, Inc. ("T-O"), in that T-O, after having been served through its counsel of record with Valiant's Counterclaim, Cross-Claim and Third Party Complaint ("Cross-Claim"), and after having been served through its counsel of record with Valiant's subsequent Notice of Intent to Take Default, has failed to appear or plead in response to the Cross-Claim within the statutory period as set forth in Rule 12(a) of the Idaho Rules of Civil Procedure.

This motion is based upon the pleadings on file herein, and the Declaration of Jeff R. Sykes in Support of Motion For Entry of Default Against Cross-Defendant T-O Engineers, Inc. filed concurrently herewith.

DATED this 24th day of September 2014.

McCONNELL WAGNER SYKES & STACEY ^{PLLC}

BY:



Jeff R. Sykes

Attorneys For Plaintiff Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 24th day of September 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Gary I. Amendola, Esq. Amendola Doty & Brumley, PLLC 702 North 4th Street Coeur d'Alene, Idaho 83814 Telephone: 208.664.8225 Facsimile: 208.765.1046 <i>Counsel For T-O Engineers, Inc.</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>gary@adattorneys.com</u></p>
<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d'Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@elame.com</u></p>
<p>Charles M. Dodson, Esq. Law Office of Charles M. Dodson 1424 Sherman, Suite 300 Coeur d'Alene, Idaho 83814 Telephone: 208.664.1577 Facsimile: 208.666.9211 <i>Counsel For RC Worst & Company</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>cmdodsonlaw@gmail.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bcf@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263-7712 Facsimile: 208.263-8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>gary.finney@finneylaw.net</u></p>

John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263-7712 Facsimile: 208.263-8211 <i>Counsel For Pucci Construction/ACI Northwest</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net
Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net

With two copies via United States Mail to:

Honorable Michael J. Griffin
 Judge of the Second Judicial District
 Idaho County Courthouse
 320 West Main Street
 Grangeville, Idaho 83530


 Jeff R. Sykes

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

Attorneys For Valiant Idaho, LLC

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

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

Plaintiff,

vs.

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

Defendants.

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

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DISTRICT
SEP 25 10 10 AM '09
CLERK OF DISTRICT COURT
JEFF R. SYKES

Case No. CV-09-1810

DECLARATION OF
JEFF R. SYKES IN SUPPORT
OF VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST CROSS-DEFENDANT
T-O ENGINEERS, INC.

Honorable Michael J. Griffin

ORIGINAL

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

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

Third Party Defendants.

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

Jeff R. Sykes declares as follows:

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

2. T-O was and is an Idaho corporation in goodstanding, with its principal place of business in the City of Boise, County of Ada, State of Idaho.

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

T-O Engineers, Inc.
c/o William H. Russell, Registered Agent
9777 Chinden Boulevard, Building 1
Boise, Idaho 83714

Gary I. Amendola, Esq.
Amendola Doty & Brumley, PLLC
702 North 4th Street
Coeur d'Alene, Idaho 83814
Attorneys For T-O Engineers, Inc.

4. T-O was duly and regularly served with Valiant's Counterclaim, Cross-Claim and Third Party Complaint ("Cross-Claim") on August 19, 2014, via United States Mail, through its attorneys of record, Amendola Doty & Brumley, PLLC, as set forth on the Certificate of Service appended to the Cross-Claim on file herein.


5. In compliance with Rule 54(a)(1) of the Idaho Rules of Civil Procedure, on September 10, 2014, Valiant filed and served upon T-O its [3-Day] Notice of Intent to Take Default ("Notice"). The Notice was served *via* facsimile upon T-O through its attorneys of record, Amendola Doty & Brunley, PLLC, transmitting by way of facsimile number 208.765.1046. A true and correct copy of the Notice with the facsimile confirmation is attached hereto as Exhibit 1.

6. The time for T-O to appear and plead in response to the Cross-Claim and the Notice has expired, and T-O has not pled further in any manner.

7. The Cross-Claim filed is, by Idaho Rule of Civil Procedure 8(d), taken as admitted by T-O for failure to appear and plead further.

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

DATED this 24th day of September 2014.



JEFF R. SYKES

CERTIFICATE OF SERVICE

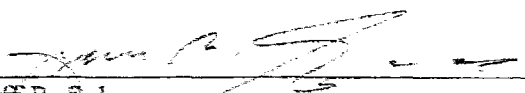
I HEREBY CERTIFY that on the 24th day of September 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Gary I. Amendola, Esq. Amendola Doty & Brumley, PLLC 702 North 4th Street Coeur d'Alene, Idaho 83814 Telephone: 208.664.8225 Facsimile: 208.765.1046 <i>Counsel For T-O Engineers, Inc.</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>gary@adbanorneys.com</u></p>
<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d'Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
<p>Charles M. Dodson, Esq. Law Office of Charles M. Dodson 1424 Sherman, Suite 300 Coeur d'Alene, Idaho 83814 Telephone: 208.664.1577 Facsimile: 208.666.9211 <i>Counsel For RC Worst & Company</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>cmdodsonlaw@gmail.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bcf@featherstonlaw.com</u></p>
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With two copies via United States Mail to:

Honorable Michael J. Griffin
Judge of the Second Judicial District
Idaho County Courthouse
320 West Main Street
Grangeville, Idaho 83530



Jeff R. Sykes

FAX FILED: 09.10.14

Richard L. Stacey, ISB #6800
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755 West Front Street, Suite 200
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Telephone: 208.489.0100
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stacey@lawidaho.com
nicholson@lawidaho.com

Attorneys For Valiant Idaho, LLC

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

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

Plaintiff,

vs.

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

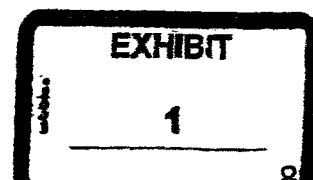
Defendants

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

Case No. CV-09-1810

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

Honorable Michael J. Griffin



VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

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

Third Party Defendants.

////

////

TO: Cross-Defendants *Dan S. Jacobson, Sage Holdings, LLC* and *Steven G. Lazar*, and their counsel of record, *Elsaesser Jarzabek Anderson Elliott & MacDonald, Chartered*

Cross-Defendants *VP, Incorporated* and *North Idaho Resorts, LLC*, and their counsel of record, *James, Vernon & Weeks, PA*

Cross-Defendant *ACI Northwest, Inc.* and its counsel of record, *Finney Finney & Finney P.A.*

Cross-Defendant *T-O Engineers, Inc.* and its counsel of record, *Amendola Doty & Brumley, PLLC*

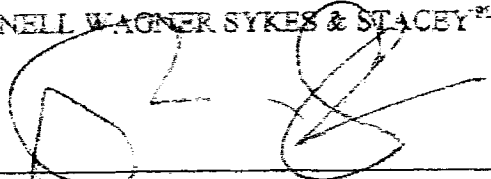
YOU WILL PLEASE TAKE NOTICE that demand is herewith made upon you that you answer or otherwise plead to Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint ("Counterclaim/Cross-Claim") on file herein, a copy of which has been heretofore served on you, within three (3) days of service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

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

DATED this 10th day of September 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

BY:

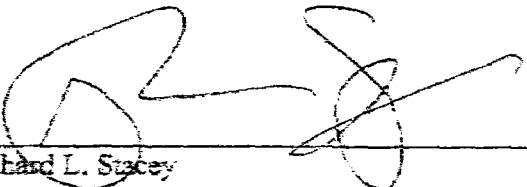

Richard L. Stacey
Attorneys For Plaintiff Valiant Idaho, LLC

CERTIFICATE OF SERVICE

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

<p>Gary I. Amendola, Esq. Amendola Doty & Brumley, PLLC 702 North 4th Street Coeur d'Alene, Idaho 83814 Telephone: 208.664.8225 Facsimile: 208.765.1046 <i>Counsel For T-O Engineers, Inc.</i></p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>gary@adbattorneys.com</u></p>
<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@ejame.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Morizaga Fund</i></p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bctf@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263-7712 Facsimile: 208.263-8211 <i>Counsel For J.V., LLC</i></p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>garyfinney@finneylaw.net</u></p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263-7712 Facsimile: 208.263-8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>johnfinney@finneylaw.net</u></p>

<p>Stanley J. Tharp, Esq. Peter W. Ware, Esq. Eberle Berlin Kading Turnbow & McKlveen, Chtd 1111 West Jefferson Street, Suite 530 Post Office Box 1368 Boise, Idaho 83701 Telephone: 208.344.8535 Facsimile: 208.344.8542 <i>Counsel For Wells Fargo Capital Finance, LLC</i></p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stharp@eberle.com pware@eberle.com</p>
<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net</p>



Richard L. Stacey

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Page: 006

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McCONNELL WAGNER SYKES + STACEY^{PLLC}

ATTORNEYS AT LAW

FAX TRANSMISSION

		<u>PAGES*</u>	<u>FAX NUMBER</u>	<u>TIME</u>
TO:	Bonner County Clerk of the Court	6	208.265.1447	
C:	Gary I. Amendola, Esq.		208.765.1045	
	Bruce A. Anderson, Esq.		208.667.2150	
	Brent C. Featherston, Esq.		208.263.0400	
	Gary A. Finney, Esq.		208.263.8211	
	John A. Finney, Esq.		208.263.8211	
	Messrs. Tharp & Ware		208.344.8542	
	Susan P. Weeks, Esq.		208.664.1634	

No.	Date and Time	Destination	Times	Type	Result	Resolution/ECM
001	09/10/14 15:53	12087551048	0'01'47"	FAX	OK	200x200 Fine/Dr

STATE OF IDAHO
COUNTY OF BONNER
FIRST JUDICIAL DISTRICT
2014 SEP 26 PM 2:31
CLERK OF DISTRICT COURT

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

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

Plaintiff,

vs.

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

Defendants.

Case No. CV-09-1810

ORDER FOR ENTRY OF DEFAULT
AGAINST CROSS-DEFENDANT
T-O ENGINEERS, INC.

Honorable Michael J. Griffin

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

IN THIS ACTION, Cross-Defendant T-O Engineers, Inc. ("T-O") having been regularly served on August 19, 2014, with Valiant Idaho, LLC's ["Valiant"] Counterclaim, Cross-Claim and Third Party Complaint ("Cross-Claim"); and, in compliance with Rule 54(a)(1) of the Idaho Rules of Civil Procedure, on September 10, 2014 having been served with Valiant's [3-Day] Notice of Intent

to Take Default ("Notice"); and, the time for T-O to have appeared and plead in response to the Cross-Claim and the Notice has expired and T-O has not pled further in any manner;

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

DATED this 26th day of September 2014.


Honorable Michael J. Griffin
District Judge

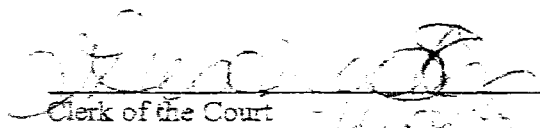
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 27th day of September 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

Gary I. Amendola, Esq. Amendola Doty & Brunzley, PLLC 702 North 4 th Street Coeur d'Alene, Idaho 83814 Telephone: 208.664.8225 Facsimile: 208.765.1045 <i>Counsel For T-O Engineers, Inc.</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail gary@adobattorneys.com
<u>With a copy to Cross-Defendant:</u> T O Engineers, Inc. c/o William H. Russell, Registered Agent 9777 Chinden Boulevard, Building 1 Boise, Idaho 83714	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@ejame.com</p>
<p>Charles M. Dodson, Esq. Law Office of Charles M. Dodson 1424 Sherman, Suite 300 Coeur d'Alene, Idaho 83814 Telephone: 208.664.1577 Facsimile: 208.666.9211 <i>Counsel For RC Worst & Company</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail cmdodsonlaw@gmail.com</p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bcf@featherstonlaw.com</p>
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<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263-7712 Facsimile: 208.263-8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net</p>

Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho LLC</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@lawidaho.com svkes@lawidaho.com
Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated, North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net



Clerk of the Court

STATE OF IDAHO
COUNTY OF BONNER
CLERK OF DISTRICT COURT

SEP 28 10 21 AM '09

CLERK OF DISTRICT COURT

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

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

Plaintiff,

vs.

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

Defendants.

Case No. CV-09-1819

CLERK'S ENTRY OF DEFAULT
AGAINST CROSS-DEFENDANT
T-O ENGINEERS, INC.

Honorable Michael J. Griffin

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

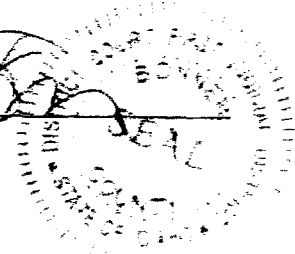
IN THIS ACTION, Cross-Defendant T-O Engineers, Inc. ("T-O") having been regularly served with Valiant Idaho, LLC's Counterclaim, Cross-Claim and Third Party Complaint and, subsequently, a [3-Day] Notice of Intent to Take Default ("Notice"); and the time for T-O to have appeared and plead in response to the Cross-Claim and the Notice has expired and T-O has not pled further in any manner;

DEFAULT IS HEREBY ENTERED and filed according to law.

WITNESS MY HAND AND SEAL of this Court on the 26th day of Sept 2014.

R. Ann Dutton-Scott
CLERK OF THE DISTRICT COURT

[Signature]
Deputy Clerk



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of Sept 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):


Gary I. Amendola, Esq. Amendola Dory & Brumley, PLLC 702 North 4 th Street Coeur d'Alene, Idaho 83814 Telephone: 208.664.8225 Facsimile: 208.765.1046 <i>Counsel For T-O Engineers, Inc.</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail garf@adcoattorneys.com
<u>With a copy to Cross-Defendant:</u> T O Engineers, Inc. c/o William H. Russell, Registered Agent 9777 Chinden Boulevard, Building 1 Boise, Idaho 83714	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail
Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail brucea@elame.com

<p>Charles M. Dodson, Esq. Law Office of Charles M. Dodson 1424 Sherman, Suite 300 Coeur d'Alene, Idaho 83814 Telephone: 208.664.1577 Facsimile: 208.666.9211 <i>Counsel For RC Worst & Company</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail cm.dodsonlaw@gmail.com</p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pansco Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail bcf@featherstonlaw.com</p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263-7712 Facsimile: 208.263-8211 <i>Counsel For J V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail gary.finney@finneylaw.net</p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263-7712 Facsimile: 208.263-8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail johnfinney@finneylaw.net</p>
<p>Richard L. Stacey, Esq. Jeff R. Sykes, Esq. McConnell Wagner Sykes & Stacey PLLC 755 West Front Street, Suite 200 Boise, Idaho 83702 Telephone: 208.489.0100 Facsimile: 208.489.0110 <i>Counsel For Valiant Idaho, LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail stacey@lawidaho.com sykes@lawidaho.com</p>

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

[Handwritten Signature]
 Clerk of the Court - *[Handwritten]*

JOHN A. FINNEY
 FINNEY FINNEY & FINNEY, P.A.
 Attorneys at Law
 Old Power House Building
 120 East Lake Street, Suite 317
 Sandpoint, Idaho 83864
 Phone: (208) 263-7712
 Fax: (208) 263-8211
 ISB No. 5413
 Attorney for ACI NORTHWEST, INC.

SEP 29 AM 10 00


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-2009-1810
)	
	)	ACI NORTHWEST, INC.'S
	)	RESPONSIVE PLEADING TO
	)	VALIANT IDAHO, LLC'S
Plaintiff,	)	COUNTERCLAIM, CROSS-CLAIM,
	)	AND THIRD-PARTY COMPLAINT FOR
v.	)	JUDICIAL FORECLOSURE
)	
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 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.)

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

COMES NOW, the Defendants/Counterclaimant/Cross-
 Claimant/Third-Party Plaintiff ACI NORTHWEST, INC. (herein ACI) by
 and through counsel JOHN A. FINNEY, Attorney at Law, of Finney
 Finney & Finney P.A., and makes this responsive pleading to the
 pleading entitled Valiant Idaho, LLC's Counterclaim, Cross-Claim,
 And Third Party Complaint For Judicial Foreclosure, dated August
 19, 2014, as follows:

1. VALIANT IDAHO, LLC is a successor in interest to R.E.
 LOANS, LLC, MORTGAGE FUND '08, LLC, and PENSCO TRUST CO. CUSTODIAN
 FBO BARNEY NG, each of which has previously filed certain
 appearances and/or pleadings in this action and has been

substituted into this action as the real party in interest for some or all of these interests.

2. Any new pleading on behalf of these parties must first meet I.R.C.P. 15 for amendment.

3. On or about August 9, 2010, ACI NORTHWEST, INC. filed its Answer, Counterclaims, Cross-Claims And Third Party Complaint of Defendant ACI Northwest, Inc. which asserted as a lien foreclosure against the owner, the property, and the other parties of record including R.E. LOANS, LLC, MORTGAGE FUND '08, LLC, and PENSICO TRUST CO. CUSTODIAN FBO BARNEY NG. ACI NORTHWEST, INC. re-asserts the allegations and averments set forth therein, subject to the decisions in this action heretofore entered.

4. Certain of the claims may be time barred by the relevant statute(s) of limitation.

5. Except to the extent set forth in the pleadings by ACI referenced above and without waiving any objections to the pleadings by VALIANT IDAHO, LLC, ACI is without sufficient knowledge or information to admit or deny paragraphs 1 through 84 and the prayers for attorney fees and costs and the prayer for relief, and therefore deny the same.

DATED this 27 day of September, 2014.


JOHN A. FINNEY
Attorney for ACI NORTHWEST, INC.

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 29 day of September, 2014, and addressed as follows:

Honorable Michael Griffin
District Judge
320 W. Main Street
Grangeville, Idaho 83530
[Out of County Judge]

Bruce A. Anderson
Ford Elsaesser
ELSAESSER JARZABEK ANDERSON
ELLIOTT & MACDONALD, CHTD.
320 E. Neider Ave, Suite 102
Coeur d'Alene, ID 83815
[Attorneys for SAGE HOLDINGS, LLC, DAN
JACOBSON, and STEVEN G. LAZAR]

Brent C. Featherston
FEATHERSTON LAW FIRM, CHTD.
113 S. Second Avenue
Sandpoint, ID 83864
[Attorney for PENSICO TRUST CO. CUSTODIAN
FBO BARNEY NG; and MORTGAGE FUND '08
LLC]

Gary I. Amendola
AMENDOLA & DOTY, PLLC
702 N. 4TH Street
Coeur d'Alene, ID 83814
[Attorney for T-O ENGINEERS, INC.-
Defaulted]

Stanley J. Tharp
Peter Ware
EBERLE, BERLIN, KADING,
TURNBOW & MCKLVEEN, CHTD.
P.O. Box 1368
Boise, ID 83701
[Attorneys for WELLS FARGO CAPITAL
FINANCE LLC (Formerly WELLS FARGO
FOOTHILL, INC.)]

Richard Stacey
MCCONNELL WAGNER SYKES &
STACEY PLLP
755 W. Front St., Ste.200
Boise, ID 83702
[Attorney for R.E. LOANS, LLC and
VALIANT IDAHO, LLC]
And via fax: 1-208-489-0110

Gary A. Finney
FINNEY FINNEY & FINNEY, P.A.
120 East Lake St., Suite 317
Sandpoint, ID 83864
[Attorney for J.V. LLC]
Via hand delivery only

Susan Weeks
Steven C. Wetzel
JAMES, VERNON & WEEKS, P.A.
1626 Lincoln Way
Coeur d'Alene, ID 83814
[Attorney for NORTH IDAHO RESORTS,
LLC]

By: [Signature]

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

Attorneys For Valiant Idaho, LLC

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

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

Plaintiff,

vs.

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

Defendants.

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

Case No. CV-09-1310

ACCEPTANCE OF SERVICE BY
VP, INCORPORATED OF
VALIANT IDAHO, LLC'S
COUNTERCLAIM, CROSS-CLAIM
AND THIRD PARTY COMPLAINT
FOR JUDICIAL FORECLOSURE

Honorable Michael J. Griffin

ORIGINAL

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

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

Third Party Defendants.

I, Susan P. Weeks, as attorney for Cross-Defendant VP, Incorporated, acknowledge that on the 12th day of September 2014, I received the Counterclaim, Cross-Claim and Third Party Complaint For Judicial Foreclosure ("Cross-Claim") filed August 19, 2014 by Cross-Claimant Valiant Idaho, LLC in the above action, and hereby accept service of said Cross-Claim.

DATED this 12th day of September 2014.

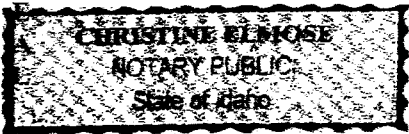
JAMES, VERNON & WEEKS, PA

Susan P. Weeks
By Susan P. Weeks
Attorneys For Cross-Defendant
VP, Incorporated

STATE OF IDAHO)
) ss.
COUNTY OF KOOTENAI)

On this 12th day of September in the year 2014, before me, Christine Elmore, a Notary Public in and for said State, personally appeared Susan P. Weeks, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

S



Christine Elmore
Notary Public, State of Idaho
My Commission Expires: 4/22/2020

STATE OF IDAHO
DISTRICT COURT
FIRST JUDICIAL DISTRICT
BOISE, IDAHO
JAN 25 2009 11 25
CLE...
[Signature]

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
Chad M. Nicholson, ISB #7506
McCONNELL WAGNER SYKES & STACEY ^{PLLC}
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sykes@lawidaho.com
nicholson@lawidaho.com

Attorneys For Valiant Idaho, LLC

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

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

Plaintiff,

vs.

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

Defendants.

Case No. CV-09-1810

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

Honorable Michael J. Griffin

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

ORIGINAL

Send Result Report



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McCONNELL WAGNER SYKES + STACEY PLLC

ATTORNEYS AT LAW

FAX TRANSMISSION

TO: Susan P. Weeks, Esq. **PAGES*** 6 **FAX NUMBER** 208.664.1684 **TIME**

FROM: Jeff R. Sykes, Esq.

DATE: October 1, 2014 **File No:** 1547.201

RE: Genesis Golf v. Pend Oreille Bonner Development, et al.
Bonner County Case No. CV-2009-1810

No.	Date and Time	Destination	Times	Type	Result	Resolution/ECM
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STATE OF IDAHO
COUNTY OF BONNER
FILED

CLERK OF DISTRICT COURT
BOISE, IDAHO

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
Chad M. Nicholson, ISB #7506
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svkes@lawidaho.com
nicholson@lawidaho.com

Attorneys For Valiant Idaho, LLC

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

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

Plaintiff,

vs.

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

Defendants.

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
PEND OREILLE BONNER
DEVELOPMENT HOLDINGS, INC.**

Honorable Michael J. Griffin

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

ORIGINAL

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

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

Third Party Defendants.

////

////

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

This motion is based upon the pleadings on file herein, and the Declaration of Jeff R. Sykes in Support of Motion For Entry of Default Against Third Party Defendant Pend Oreille Bonner Development Holdings, Inc. filed concurrently herewith.

DATED this 1st day of October 2014.

McCONNELL WAGNER SYKES & STACEY^{PLLC}

BY:


Jeff R. Sykes

Attorneys For Third Party Plaintiff
Valiant Idaho, LLC

CERTIFICATE OF SERVICE

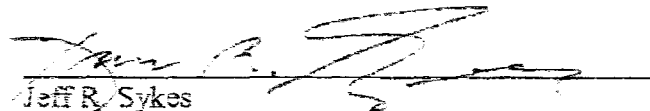
I HEREBY CERTIFY that on the 1st day of October 2014, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Gary I. Amendola, Esq. Amendola Doty & Bramley, PLLC 702 North 4th Street Coeur d'Alene, Idaho 83814 Telephone: 208.664.8225 Facsimile: 208.765.1046 <i>Counsel For T-O Engineers, Inc.</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>gary@adbattorneys.com</u></p>
<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>brucea@elaine.com</u></p>
<p>Charles M. Dodson, Esq. Law Office of Charles M. Dodson 1424 Sherman, Suite 300 Coeur d'Alene, Idaho 83814 Telephone: 208.564.1577 Facsimile: 208.666.9211 <i>Counsel For RC Worst & Company</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>cmdodsonlaw@gmail.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>bco@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263-7712 Facsimile: 208.263-8211 <i>Counsel For J.V., LLC</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>gary.finney@finneylaw.net</u></p>

<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263-7712 Facsimile: 208.263-8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>johnfinney@finneylaw.net</u></p>
<p>Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i></p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail <u>sweeks@jvwlaw.net</u></p>

With two copies via United States Mail to:

Honorable Michael J. Griffin
 Judge of the Second Judicial District
 Idaho County Courthouse
 320 West Main Street
 Grangeville, Idaho 83530


 Jeff R. Sykes