

BEFORE THE COMMISSION FOR COMMON-INTEREST
COMMUNITIES AND CONDOMINIUM HOTELS
STATE OF NEVADA

Joseph (J.D.) Decker, Administrator,
Real Estate Division, Department
of Business & Industry,
State of Nevada,

Case No. 2015-291

Petitioner,

vs.

Anthem Highlands Community
Association, Pennie Puhek, James Lauth,
And Charles Hernandez,

Respondents.

FILED

NOV 30 2016

NEVADA COMMISSION OF
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

ORDER DENYING MOTIONS

This matter came on for hearing before the Commission for Common-Interest Communities and Condominium Hotels, Department of Business and Industry, State of Nevada (the "Commission"), during a regular agenda on November 17, 2016, at the Henderson City Hall, Council Chambers, 240 South Water Street, Henderson, Nevada. Respondent Pennie Puhek appeared in person. Edward Boyack, appeared on behalf of Charles Hernandez. Michelle D. Briggs, Senior Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division").

On the Commission's agenda for this meeting was the Division's motion for summary judgment as to Respondent Pennie Puhek and a joinder by Respondent Charles Hernandez to a motion to dismiss filed by Respondent James Lauth. Prior to the hearing on the motions, Gregory Kerr, on behalf of Respondent Lauth, presented settlement terms to the Commission removing him from the Complaint. The settlement terms presented by Mr. Kerr and agreed to by the Division were accepted by the Commission. Respondent Lauth's motion to dismiss and motion for prehearing conference were taken off the agenda.

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1 After hearing arguments from the parties, and Commission's counsel, and being
2 fully advised, the Commission ORDERED, by a vote of 4-0, as follows:

3 1. The Division's motion for summary judgment of the claims against Pennie
4 Puhek is DENIED; and


5 2. The joinder filed by Charles Hernandez is DENIED.

6 DATED this 28th day of November, 2016.

7 Commission for Common-Interest
8 Communities and Condominium Hotels,
9 Department of Business & Industry,
10 State of Nevada

11 By: 
James Rizzi, Vice-Chairman

12 Submitted by:
13 ADAM PAUL LAXALT
14 Attorney General

15 By: 
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