

1 Abran E. Vigil
Nevada Bar No. 7548
2 Ann Marie Hansen
Nevada Bar No. 10144
3 Ballard Spahr LLP
100 N. City Parkway, Suite 1750
4 Las Vegas, NV 89106
Telephone: (702) 471-7000
5 Facsimile: (702) 471-7070
vigila@ballardspahr.com
6 hansena@ballardspahr.com

7 *Attorneys for Zurich American Insurance Company and its Affiliate Insurers*

8 **IN THE UNITED STATES BANKRUPTCY COURT**
9 **FOR THE DISTRICT OF NEVADA**

10 **In re:**) **Chapter 11**
11 **American West Development, Inc.,**)
) **Case No.: BK-S-12-12349-MKN**
) **Date of Hearing: July 8, 2015**
12 **Debtor.**) **Time of Hearing: 9:30 a.m.**
) **Location: Foley Federal Building**
13 _____) **300 Las Vegas Blvd. South**
) **Third Floor, Courtroom 2**
14 _____)

15 **NOTICE OF HEARING**

16 **NOTICE IS HEREBY GIVEN** that Zurich American Insurance Company (“**ZAIC**”),
17 Steadfast Insurance Company, and their affiliate insurers (collectively, “**Zurich**”) hereby filed a
18 *Motion of Zurich American Insurance Company and its Affiliate Insurers to Determine and*
19 *Declare that the Debtor’s Discharge Does Not extend to Certain Identified Non-Debtors, or, in*
20 *the Alternative, to Modify Discharge Injunction* (the “Motion”) on June 1, 2015. The Motion
21 seeks entry of an order declaring that the Debtor’s discharge does not extend to certain
22 identified non-debtors, or in the alternative, to the extent necessary, Zurich respectfully requests
23 the entry of an order modifying the discharge injunction.

24 **NOTICE IS FURTHER GIVEN** that if you do not want the court to grant the relief
25 sought in the Motion, or if you want the court to consider your views on the Motion, then you
26 must file an opposition with the court and serve a copy on the person making the Motion **no**
27 **later than 14 days** preceding the hearing date for the Motion, unless an exception applies (*see*
28 Local Rule 9014(d)(d)). The opposition must state your position, set forth all relevant facts and

Ballard Spahr LLP
999 Peachtree Street
Suite 1000
Atlanta, GA 30309-3915
Telephone: 678.420.9300

1 legal authority, and be supported by affidavits or declarations that conform to Local Rule
2 9014(c).

3 If you object to the relief requested, you *must* file a **WRITTEN** response to this
4 pleading with the court. You *must* also serve your written response on the person who
5 sent you this notice.

6 If you do not file a written response with the court or if you do not serve your written
7 response on the person who sent you this notice, then:

- 8 • The court may *refuse to allow you to speak* at the scheduled hearing; and
- 9 • The court may *rule against you* without formally calling the matter at the
10 hearing.

11
12 **NOTICE IS FURTHER GIVEN** that the hearing on the Motion will be held before a
13 United States Bankruptcy Judge in the Foley Federal Building, 300 Las Vegas Boulevard South,
14 Third Floor, Bankruptcy Courtroom No. 2, Las Vegas, Nevada 89101 on **July 8, 2015 at 9:30**
15 **a.m. (prevailing Pacific time).**

16
17 Date: June 1, 2015

BALLARD SPAHR LLP

18 /s/ Ann Marie Hansen

19 _____
20 Abran E. Vigil, Esq.
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23 Nevada Bar No. 10144
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25 Las Vegas, NV 89106
26 Telephone: (702) 471-7000
27 Facsimile: (702) 471-7070

28 *Attorneys for Zurich American Insurance Company
and its Affiliate Insurers*

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100 North City Parkway, Suite 1750
Las Vegas, Nevada 89106-4617