

# FENTON GRANT KANEDA & LITT, LLP

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September 12, 2016

To Whom It May Concern:

Re: Bernard Silver, et al. v. Del Webb Communities, Inc.  
Clark County District Court Case No. A437325

Pursuant to your request for information regarding the above-referenced litigation, our firm is pleased to provide the following.

On July 17, 2001, our firm filed an action for defective plumbing installation against Del Webb Communities, Inc. on behalf of named Plaintiffs Bernard Silver, Stan Bjonerud, Fred W. Schaefer, Frank T. Beers, III, and Lou Soreano. On January 15, 2002 the Court entered an order certifying this lawsuit as a class action. Members of the class consist of all owners of record of homes in Sun City Summerlin with un-sleeved, under-slab copper plumbing constructed and completed by Del Webb Communities, Inc. on or subsequent to July 17, 1991.

On August 24, 2004 Judge Nancy Sagitta of Clark County District Court granted final settlement approval in this matter.

The settlement provided that each member of the class action, that had not had their plumbing repaired by having it rerouted overhead at Del Webb's expense, were to receive a settlement check in the amount of \$5,000.00 to make these repairs. Settlement checks were disbursed in October of 2004.

The instant case involved only the installation of the under-slab hot water copper pipes and no other defects.

This office did not at any time track post-settlement repairs in the homes. In order to verify if the under-slab hot water pipes were abandoned and re-routed overhead, an inspection of the attic space in the home will be necessary.

Please note that the information contained herein is being provided solely for information purposes and is not intended to relieve the seller or owner of his or her disclosure obligations pursuant to law. Furthermore, the information contained herein represents only the current state of

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our information and believe with respect to the inquiries made.

Notwithstanding the foregoing, Nevada law requires that homeowners disclose any known construction deficiencies in their home to a prospective purchaser. Accordingly, should the seller have actual knowledge of defective construction in their home, they would be obligated to make that disclosure.

I hope the foregoing adequately addresses your concerns. Should you have any questions, or require further clarification, please do not hesitate to contact me.

Very truly yours,  
**FENTON GRANT MAYFIELD**  
**KANEDA & LITT, LLP**

By:   
BRUCE MAYFIELD, ESQ.

BM/jgb

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