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23 Attorneys for Plaintiff  
24 SIERRA PACIFIC INDUSTRIES, INC.

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF PLACER

SIERRA PACIFIC INDUSTRIES,

Plaintiff,

v.

MERITAGE HOMES CORPORATION;  
MERITAGE HOMES OF CALIFORNIA;  
and DOES 1 through 25, inclusive,

Defendants.

CASE NO. **S CV 19725**  
COMPLAINT

Plaintiff SIERRA PACIFIC INDUSTRIES, as and for its Complaint against Defendants  
MERITAGE HOMES CORPORATION; MERITAGE HOMES OF CALIFORNIA; and DOES 1  
through 25, inclusive, alleges as follows:

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7941212

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF PLACER

AUG 03 2006

JOHN MENDES  
EXECUTIVE OFFICER & CLERK  
BY T. Lewis, Deputy

DOWNEY BRAND LLP

THE PARTIES

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2 1. Plaintiff SIERRA PACIFIC INDUSTRIES ("Sierra Pacific") is now, and at all  
3 times relevant hereto was, a corporation organized and existing under the laws of the State of  
4 California, authorized to do business, and actually doing business, in the City of Lincoln, County  
5 of Placer.

6 2. Sierra Pacific is informed and believes that Defendant MERITAGE HOMES  
7 CORPORATION is now, and at all times relevant hereto was, a corporation organized and  
8 existing under the laws of the State of Arizona, and authorized to do business, and actually doing  
9 business, in the County of Placer, State of California.

10 3. Sierra Pacific is informed and believes that Defendant MERITAGE HOMES OF  
11 CALIFORNIA is now, and at all times relevant hereto was, a corporation organized and existing  
12 under the laws of the State of California, and authorized to do business, and actually doing  
13 business, in the County of Placer, State of California.

14 4. Defendant MERITAGE HOMES CORPORATION and Defendant MERITAGE  
15 HOMES OF CALIFORNIA will be referred to herein collectively as "Meritage."

16 5. The true names and capacities of defendants sued herein as Does 1 through 25 are  
17 unknown to Sierra Pacific, who therefore sue said defendants by such fictitious names. Sierra  
18 Pacific will amend this Complaint to show their true names and capacities when ascertained.  
19 Sierra Pacific is informed and believes, and based thereon alleges, that each of the fictitiously  
20 named defendants was responsible in some manner for the events and happenings referred to, and  
21 thereby proximately caused injuries and damages to Sierra Pacific. Defendants Meritage and  
22 Does 1 through 25 are hereinafter referred to collectively as "Defendants."

23 6. Sierra Pacific alleges that, at all times mentioned in this Complaint, each of the  
24 Defendants was the agent, servant, or employee of each of the other Defendants, and in doing the  
25 acts alleged in this Complaint was acting within the course and scope of that agency, employment  
26 or representation, with the knowledge, consent, and approval of each of the other Defendants.

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