

IN THE SUPREME COURT OF THE STATE OF NEVADA

RHONDA HELENE MONA; AND  
MICHAEL J. MONA, JR.,  
Petitioners,  
vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
JOSEPH HARDY, JR., DISTRICT  
JUDGE,  
Respondents,  
and  
FAR WEST INDUSTRIES,  
Real Party in Interest.

No. 68434

**FILED**

NOV 19 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DENYING MOTION*

This original petition for a writ of mandamus or prohibition challenges a district court order that, in part, directs that funds in certain bank accounts be applied to a domesticated foreign judgment. We previously stayed the proceedings below pending further order of this court and, in addressing arguments regarding a bond, noted that the district court was better suited than this court to make supersedeas bond determinations. *See Nelson v. Heer*, 121 Nev. 832, 836, 122 P.2d 1252, 1254 (2005).

Thereafter, the district court considered the parties' arguments concerning a bond and ordered petitioner Michael J. Mona, Jr., and the Mona Family Trust to post a bond of \$24,172,076.16, and


petitioner Rhonda Helene Mona to post a bond of \$490,000. The district court's order noted that if petitioners did not timely post their respective bonds, the stay pending this proceeding would expire as to each.


Petitioners then filed in this court an emergency motion to stay the district court's order requiring them to post supersedeas bonds. We granted a temporary stay, pending our consideration of further briefing on the motion, including a supplement by petitioners "with a clear statement regarding what they propose as alternate security in lieu of a supersedeas bond." The briefing on the motion is now complete.

Having considered the parties' arguments and the documents on file herein, we perceive no abuse of discretion by the district court in its order setting the bonds, *see McCulloch v. Jeakins*, 99 Nev. 122, 123, 659 P.2d 302, 303 (1983), and conclude that petitioners have not sufficiently demonstrated that their proposed alternate security will "maintain the status quo and protect the judgment creditor pending" this proceeding. *Nelson*, 121 Nev. at 835-36, 122 P.2d at 1254. We therefore deny petitioners' motion to extend the stay of proceedings without bond, or on conditions different from those ordered by the district court, requiring petitioner Michael J. Mona, Jr., and the Mona Family Trust to post a bond of \$24,172,076.16, and petitioner Rhonda Helene Mona to post a bond of \$490,000. This court's stay entered August 31, 2015, and temporary stay entered October 16, 2015, shall expire within 5 business days from the date of this order unless the parties comply with the bond requirements

imposed by the district court in its written order of October 16, 2015, as a condition of any stay.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Joseph Hardy, Jr., District Judge  
Marquis Aurbach Coffing  
Lemons, Grundy & Eisenberg  
Holley, Driggs, Walch, Fine Wray Puzey & Thompson/Las Vegas  
Eighth District Court Clerk