

IN THE SUPREME COURT OF THE STATE OF NEVADA

GRUPO FAMSA, S.A. DE C.V.,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE ROB  
BARE, DISTRICT JUDGE,

Respondents,

and

B.E. UNO, LLC,

Real Party in Interest.

No. 68626

**FILED**

**OCT 01 2015**

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

*ORDER DENYING MOTION*

On August 21, 2015, this court entered an order that, in part, stayed a district court order “pending further order of this court.” Our August 21, 2015, order also noted that it was unclear whether the district court had considered the issue of a supersedeas bond and that this court has “routinely recognized that the district court is better suited for making supersedeas bond determinations.”

Real party in interest has now filed a motion for clarification of our August 21, 2015, order. Petitioner has filed an opposition to the

motion, and real party in interest has filed a reply in support of it. As our August 21, 2015, order was clear, we deny the motion for clarification.

It is so ORDERED.<sup>1</sup>

Hardesty, C.J.  
Hardesty

Douglas, J.  
Douglas

CHERRY, J., concurring:

While I agree with the denial of the motion, I write separately to note that, as I stated in my dissent to the August 21, 2015, order, I believe this court should have denied the petition and the motion for stay in this matter from the outset. I stand on my prior dissent and would vacate the stay and deny the petition. This case should be proceeding in the district court with all deliberate speed, while this court should be resolving cases in its backlog rather than addressing matters such as this.

Cherry, J.  
Cherry

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<sup>1</sup>This writ petition raises an issue of first impression concerning the constitutionality of service of process on a foreign corporation, which is precisely the type of issue this court should entertain.

cc: Hon. Rob Bare, District Judge  
Fennemore Craig Jones Vargas/Las Vegas  
Levinson Arshonsky & Kurtz, LLP  
Goold Patterson  
Eighth District Court Clerk