

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

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, A NEVADA LIMITED  
LIABILITY COMPANY,  
Real Party in Interest.

No. 69119

**FILED**

**JUN 28 2016**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

WRIT OF MANDAMUS

TO: The Honorable Rob Bare, Judge of the Eighth Judicial District Court:

WHEREAS, this Court having made and filed its written decision that a writ of mandamus issue,

NOW, THEREFORE, you are instructed to vacate your order fixing the supersedeas bond, in the case entitled B.E. UNO, LLC, a Nevada limited liability company vs. FAMSA, Inc., a California corporation; GRUPO FAMSA, S.A. de C.V., a Mexican corporation, Case No. A-14-706336-C.

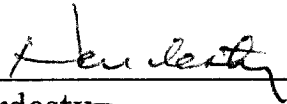
WITNESS The Honorables James W. Hardesty, Nancy M. Saitta, and Kristina Pickering, Associate Justices of the Supreme Court of the State of Nevada, and attested by my hand and seal this 21st day of April, 2016.

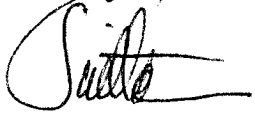


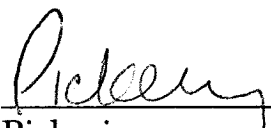
*[Signature]*  
Chief Assistant Clerk

in an earlier action to which Grupo was not a party. Although it appears Grupo may have contractually guaranteed satisfaction of that judgment, Grupo's liability has not been adjudicated and, in this instance, the supersedeas bond serves as a procedurally improper pre-judgment writ of attachment. See NRS 31.010-31.235. Accordingly, we

ORDER the petition GRANTED AND DIRECT THE CLERK OF THIS COURT TO ISSUE A WRIT OF MANDAMUS instructing the district court to vacate its order fixing the supersedeas bond.

  
\_\_\_\_\_, J.  
Hardesty

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

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

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

Attorney or Party without Attorney: CHRISTOPHER BYRD, ESQ. FENNEMORE CRAIG JONES VARGAS 300 SOUTH FOURTH STREET SUITE 1400 LAS VEGAS, NV 89101 Telephone No: 702-692-8000      FAX No: 702-692-8099				For Court Use Only     <b>Electronically Filed</b> <b>Jun 23 2016 01:33 p.m.</b> <b>Tracie K. Lindeman</b> <b>Clerk of Supreme Court</b>	
Attorney for: Defendant		Ref. No. or File No.:			
Insert name of Court, and Judicial District and Branch Court: SUPREME COURT OF THE STATE OF NEVADA					
Plaintiff: GRUPO FAMSA Defendant: EIGHTH JUDICIAL DISTRICT COURT					
<b>AFFIDAVIT OF SERVICE</b>		Hearing Date:	Time:	Dept/Div:	Case Number: 69119

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the WRIT OF MANDAMUS; RECEIPT OF COPY
3. a. Party served: HONORABLE JUDGE ROB BARE, EIGHTH JUDICIAL DISTRICT COURT DEPT. 32  
 b. Person served: JANE DOE, DEPT. 32 CHAMBER CLERK-REFUSED TO SIGN ROC
4. Address where the party was served: 200 LEWIS AVE CTRM C3  
 LAS VEGAS, NV 89101
5. I served the party:  
 a. by **personal service**. I personally delivered the documents listed in item 2 to the party or person authorized to receive process for the party (1) on: Thu., Jun. 16, 2016 (2) at: 3:43PM
7. Person Who Served Papers: a. JOHN BREWER      Fee for Service:



First Legal Investigations\*  
 704 S. Sixth Street  
 Las Vegas, NV 89101  
 Telephone (702) 671-4002  
 Fax (702) 974-2223

\*Attorney Support & Investigations provided by First Legal Investigations NV PI-PG: 1452

8. I declare under penalty of perjury under the laws of the State of NEVADA and under the laws of the United States Of America that the foregoing is true and correct.

AFFIDAVIT OF SERVICE

  
 (JOHN BREWER)

8513132 senlv.815677

Attorney or Party without Attorney: CHRISTOPHER BYRD, ESQ. FENNEMORE CRAIG JONES VARGAS 300 SOUTH FOURTH STREET SUITE 1400 LAS VEGAS, NV 89101 Telephone No: 702-692-8000      FAX No: 702-692-8099				For Court Use Only	
Attorney for: Defendant					
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AFFIDAVIT OF SERVICE

*John Brewer*  
 (JOHN BREWER)

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