

IN THE SUPREME COURT OF THE STATE OF NEVADA

FREDERIC AND BARBARA
ROSENBERG LIVING TRUST,
Appellant/Cross-Respondent,
vs.
MACDONALD HIGHLANDS REALTY,
LLC, A NEVADA LIMITED LIABILITY
COMPANY; MICHAEL DOIRON, AN
INDIVIDUAL; AND FHP VENTURES, A
NEVADA LIMITED PARTNERSHIP,
Respondents/Cross-Appellants.

THE FREDERIC AND BARBARA
ROSENBERG LIVING TRUST,
Appellant,
vs.
SHAHIN SHANE MALEK,
Respondent.

No. 69399

FILED

JUL 11 2016

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

No. 70478

ORDER TO SHOW CAUSE

Docket No. 70478 is an appeal from a district court order granting in part a motion for summary judgment. Our review of the docketing statement and documents before this court reveals a potential jurisdictional defect. It is not clear whether a final judgment has been entered in this matter, *see* NRAP 3A(b)(1); *Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000), and the district court did not certify its order as final under NRCP 54(b). Specifically, it appears that appellant's claims against BAC Home Loans Servicing, LP remain pending in the district court. Although appellant asserts that these claims were dismissed in a March 10, 2016, stipulation and order, review of that document reveals that it only dismisses appellant's claims against Bank of America, N.A. and does not mention BAC Home Loans Servicing, LP, which was named separately in the amended complaint.

Accordingly, appellant shall have 30 days from the date of this order to show cause why the appeal in Docket No. 70478 should not be dismissed for lack of jurisdiction. In responding to this order, appellant should submit documentation that establishes this court's jurisdiction including, but not necessarily limited to, a copy of any order resolving appellant's claims against BAC Home Loans Servicing, LP, *see* NRAP 4(a)(6) ("A premature notice of appeal does not divest the district court of jurisdiction."), as well as points and authorities. Respondent may file any reply within 11 days of service of appellant's response. We caution that failure to demonstrate that this court has jurisdiction may result in the dismissal of the appeal in Docket No. 70478.

It is so ORDERED.

1. J. J. J., A.C.J.

cc: Kim Gilbert Ebron
Kemp, Jones & Coulthard, LLP