

IN THE SUPREME COURT OF THE STATE OF NEVADA

DESERT AIRE WELLNESS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Appellant/Cross-Respondent,
vs.
GB SCIENCES, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Respondent/Cross-Appellant,
and
THE STATE OF NEVADA, DIVISION
OF PUBLIC AND BEHAVIORAL
HEALTH, DEPARTMENT OF HEALTH
AND HUMAN SERVICES,
Respondent.

No. 70462

FILED

MAY 31 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING TEMPORARY STAY

This is an appeal and cross-appeal from a district court order resolving competing motions for summary judgment. Appellant/cross-respondent has submitted a motion to stay the portion of the district court's order that directs revocation of its registration certificate as a medical marijuana dispensary.¹ Our review of the motion indicates that a temporary stay is warranted, pending receipt and consideration of any opposition to the motion. NRAP 8(c); *Fritz Hansen v. Eighth Judicial Dist. Court*, 116 Nev. 650, 657, 6 P.3d 982, 986 (2000). Accordingly, we temporarily stay the April 28, 2016, order in Eighth Judicial District Court Case No. A-15-728448-C to the extent that it directs respondent State Division of Public and Behavioral Health (the Division) to "rescind

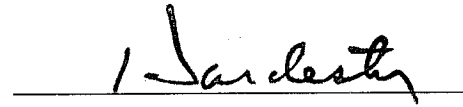
¹The motion to file the 19-page stay motion is granted; the clerk shall file the "Emergency Motion for Stay Pending Appeal Filed under NRAP 27(e)" submitted on May 27, 2016.

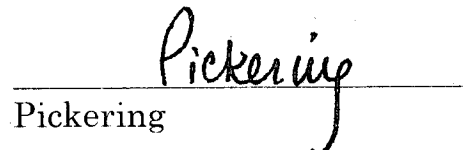
116-16846

or withdraw the dispensary registration previously issued to Desert Aire," pending further order of this court. Respondent/cross-appellant GB Sciences, LLC, and respondent the Division shall each have 11 days from the date of this order to file a response to the stay motion. Appellant shall have 11 days from service of the last-filed response to file and serve a single reply.

It is so ORDERED.

 C.J.
Parraguirre

 J.
Hardesty

 J.
Pickering

cc: Hon. Kenneth C. Cory, District Judge
McLetchie Shell LLC
Fennemore Craig, P.C./Las Vegas
Attorney General/Las Vegas
Smith & Shapiro, LLC
Eighth District Court Clerk