

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARLOS A. HUERTA, AN
INDIVIDUAL; AND GO GLOBAL, INC.,
A NEVADA CORPORATION,

Appellants,

vs.

SIG ROGICH, A/K/A SIGMUND
ROGICH, AS TRUSTEE OF THE
ROGICH FAMILY IRREVOCABLE
TRUST; ELDORADO HILLS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,

Respondents.

No. 70492

FILED

JAN 25 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING MOTION

On October 6, 2016, this court entered an order denying respondents' motion to dismiss this appeal without prejudice to our right to revisit the jurisdictional question as briefing continues. Respondents have filed a motion for reconsideration of that order.

Having considered respondents' motion, we deny it. Respondents argue that in denying their motion to dismiss, this court overlooked the limitations of NRCP 60(b) relief, and they contend that neither NRCP 60(b)(4) nor NRCP 60(b)(5) provides a basis for appellate relief. This court considered the scope of NRCP 60(b) in resolving the original motion to dismiss. Respondents do not demonstrate that reconsideration is warranted. *See, e.g. McConnell v. State*, 121 Nev. 25, 26, 107 P.3d 1287, 1288 (2005) (moving party bears burden of

"demonstrat[ing] that this court overlooked or misapprehended any material points of law or fact"); *see also* NRAP 40. The motion is denied.

It is so ORDERED.

Cherry, J.
Cherry

Douglas, J.
Douglas

Gibbons, J.
Gibbons

cc: Schwartz Flansburg PLLC
Law Office of Andrew M. Leavitt, Esq.
Fennemore Craig, P.C./Las Vegas