

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT THOMAS, INDIVIDUALLY; JANE DUNLAP, INDIVIDUALLY; JOHN DUNLAP, INDIVIDUALLY; BARRY HAY, INDIVIDUALLY; MARIE-ANNE ALEXANDER, AS TRUSTEE OF THE MARIE-ANNE ALEXANDER LIVING TRUST; MELISSA VAGUJHELYI; GEORGE VAGUJHELYI, AS TRUSTEES OF THE GEORGE VAGUJHELYI AND MELISSA VAGUJHELYI 2001 FAMILY TRUST AGREEMENT U/T/A APRIL 13, 2001; D'ARCY NUNN, INDIVIDUALLY; HENRY NUNN, INDIVIDUALLY; MADELYN VAN DER BOKKE, INDIVIDUALLY; LEE VAN DER BOKKE, INDIVIDUALLY; ROBERT R. PEDERSON, INDIVIDUALLY AND AS TRUSTEE OF THE PEDERSON 1990 TRUST; LOU ANN PEDERSON, INDIVIDUALLY AND AS TRUSTEE OF THE PEDERSON 1990 TRUST; LORI ORDOVER, INDIVIDUALLY; WILLIAM A. HENDERSON, INDIVIDUALLY; CHRISTINE E. HENDERSON, INDIVIDUALLY; LOREN D. PARKER, INDIVIDUALLY; SUZANNE C. PARKER, INDIVIDUALLY; MICHAEL IZADY, INDIVIDUALLY; STEVEN TAKAKI, AS TRUSTEE OF THE STEVEN W. TAKAKI & FRANCES S. LEE REVOCABLE TRUSTEE AGREEMENT, UTD JANUARY 11, 2000; FARAD TORABKHAN, INDIVIDUALLY; SAHAR TAVAKOL, INDIVIDUALLY; M&Y HOLDINGS, LLC; JL&YL HOLDINGS, LLC; SANDI RAINES, INDIVIDUALLY; R. RAGHURAM, AS TRUSTEE OF THE RAJ AND USHA RAGHURAM LIVING TRUST DATED APRIL 25, 2001; USHA RAGHURAM, AS TRUSTEE OF THE RAJ AND USHA RAGHURAM LIVING TRUST DATED APRIL 25, 2001; LORI K. TOKUTOMI, INDIVIDUALLY; GARRET TOM, AS TRUSTEE OF THE GARRET AND ANITA TOM TRUST, DATED 5/14/2006; ANITA TOM, AS TRUSTEE OF THE GARRET AND ANITA TOM TRUST, DATED 5/14/2006; RAMON FADRILAN, INDIVIDUALLY; FAYE FADRILAN, INDIVIDUALLY; PETER K. LEE; MONICA L.

Supreme Court No. 70498  
District Court Case No. CV1202222

D10

FILED

DEC 31 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

DEC 28 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

LEE, AS TRUSTEES OF THE LEE FAMILY  
2002 REVOCABLE TRUST; DOMINIC YIN,  
INDIVIDUALLY; ELIAS SHAMIEH,  
INDIVIDUALLY; JEFFREY QUINN,  
INDIVIDUALLY; BARBARA ROSE QUINN,  
INDIVIDUALLY; KENNETH RICHE,  
INDIVIDUALLY; MAXINE RICHE,  
INDIVIDUALLY; NORMAN CHANDLER,  
INDIVIDUALLY; BENTON WAN,  
INDIVIDUALLY; TIMOTHY D. KAPLAN,  
INDIVIDUALLY; SILKSCAPE INC.; PETER  
CHENG, INDIVIDUALLY; ELISA CHENG,  
INDIVIDUALLY; GREG A. CAMERON,  
INDIVIDUALLY; TMI PROPERTY GROUP,  
LLC; RICHARD LUTZ, INDIVIDUALLY;  
SANDRA LUTZ, INDIVIDUALLY; MARY A.  
KOSSICK, INDIVIDUALLY; MELVIN H.  
CHEAH, INDIVIDUALLY; DI SHEN,  
INDIVIDUALLY; NADINE'S REAL ESTATE  
INVESTMENTS, LLC; AJIT GUPTA,  
INDIVIDUALLY; SEEMA GUPTA,  
INDIVIDUALLY; FREDRICK FISH,  
INDIVIDUALLY; LISA FISH, INDIVIDUALLY;  
ROBERT A. WILLIAMS, INDIVIDUALLY;  
JACQUELIN PHAM, AS MANAGER OF  
CONDOTEL 1906, LLC; MAY ANNE HOM, AS  
TRUSTEE OF THE MAY ANNE HOM TRUST;  
MICHAEL HURLEY, INDIVIDUALLY; DUANE  
WINDHORST, TRUSTEE OF DUANE  
WINDHORST TRUST U/A DTD. 01/15/2003  
AND MARILYN WINDHORST TRUST U/A  
DTD. 01/015/2003; MARILYN WINDHORST,  
AS TRUSTEE OF DUANE WINDHORST  
TRUST U/A DTD. 01/15/2003 AND MARILYN  
L. WINDHORST TRUST U/A DTD.01/15/2003;  
VINOD BHAN, INDIVIDUALLY; ANNE BHAN,  
INDIVIDUALLY; GUY P. BROWNE,  
INDIVIDUALLY; GARTH A. WILLIAMS,  
INDIVIDUALLY; PAMELA Y. ARATANI,  
INDIVIDUALLY; DARLEEN LINDGREN,  
INDIVIDUALLY; LAVERNE ROBERTS,  
INDIVIDUALLY; DOUG MECHAM,  
INDIVIDUALLY; CHRISINE MECHAM,  
INDIVIDUALLY; KWANG SOON SON,  
INDIVIDUALLY; SOO YEU MOON,  
INDIVIDUALLY; JOHNSON AKINDODUNSE,

INDIVIDUALLY; IRENE WEISS, AS TRUSTEE  
OF THE WEISS FAMILY TRUST; PRAVESH  
CHOPRA, INDIVIDUALLY; TERRY POPE,  
INDIVIDUALLY; NANCY POPE,  
INDIVIDUALLY; JAMES TAYLOR,  
INDIVIDUALLY; RYAN TAYLOR,  
INDIVIDUALLY; KI NAM CHOI,  
INDIVIDUALLY; YOUNG JA CHOI,  
INDIVIDUALLY; SANG DAE SOHN,  
INDIVIDUALLY; KUK HYUN (CONNIE) YOO,  
INDIVIDUALLY; SANG SOON (MIKE) YOO,  
INDIVIDUALLY; BRETT MENMUIR, AS  
MANAGER OF CARRERA PROPERTIES,  
LLC; WILLIAM MINER, JR., INDIVIDUALLY;  
CHANH TRUONG, INDIVIDUALLY;  
ELIZABETH ANDERS MECUA,  
INDIVIDUALLY; SHEPHERD MOUNTAIN,  
LLC; ROBERT BRUNNER, INDIVIDUALLY;  
AMY BRUNNER, INDIVIDUALLY; JEFF  
RIOPELLE, AS TRUSTEE OF THE RIOPELLE  
FAMILY TRUST; PATRICIA M. MOLL,  
INDIVIDUALLY; AND DANIEL MOLL,  
INDIVIDUALLY,

Appellants,

vs.

MEI-GSR HOLDINGS, LLC, A NEVADA  
LIMITED LIABILITY COMPANY; GRAND  
SIERRA RESORT UNIT OWNERS'  
ASSOCIATION, A NEVADA NON-PROFIT  
CORPORATION; GAGE VILLAGE  
COMMERICAL DEVELOPMENT, LLC, A  
NEVADA LIMITED LIABILITY COMPANY;  
AND AM-GSR HOLDINGS, LLC, A NEVADA  
LIMITED LIABILITY COMPANY,

Respondents.

**REMITTITUR**

TO: Jacqueline Bryant, Washoe District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified Copy of Opinion/Order  
Receipt for Remittitur

DATE: December 24, 2018

Elizabeth A. Brown, Clerk of Court

By: Rory Wunsch  
Deputy Clerk

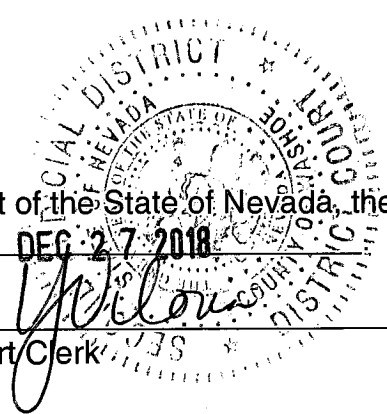
cc (without enclosures):

Hon. Elliott A. Sattler, District Judge  
Robertson, Johnson, Miller & Williamson  
Lemons, Grundy & Eisenberg  
Parker & Edwards  
Leach Kern Gruchow Anderson Song/Reno  
Lewis Roca Rothgerber Christie LLP/Las Vegas

**RECEIPT FOR REMITTITUR**

Received of Elizabeth A. Brown, Clerk of the Supreme Court of the State of Nevada, the  
REMITTITUR issued in the above-entitled cause, on DEC 27 2018

  
\_\_\_\_\_  
District Court Clerk



## IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT THOMAS, INDIVIDUALLY; JANE DUNLAP, INDIVIDUALLY; JOHN DUNLAP, INDIVIDUALLY; BARRY HAY, INDIVIDUALLY; MARIE-ANNE ALEXANDER, AS TRUSTEE OF THE MARIE-ANNE ALEXANDER LIVING TRUST; MELISSA VAGUJHELYI; GEORGE VAGUJHELYI, AS TRUSTEES OF THE GEORGE VAGUJHELYI AND MELISSA VAGUJHELYI 2001 FAMILY TRUST AGREEMENT U/T/A APRIL 13, 2001; D'ARCY NUNN, INDIVIDUALLY; HENRY NUNN, INDIVIDUALLY; MADELYN VAN DER BOKKE, INDIVIDUALLY; LEE VAN DER BOKKE, INDIVIDUALLY; ROBERT R. PEDERSON, INDIVIDUALLY AND AS TRUSTEE OF THE PEDERSON 1990 TRUST; LOU ANN PEDERSON, INDIVIDUALLY AND AS TRUSTEE OF THE PEDERSON 1990 TRUST; LORI ORDOVER, INDIVIDUALLY; WILLIAM A. HENDERSON, INDIVIDUALLY; CHRISTINE E. HENDERSON, INDIVIDUALLY; LOREN D. PARKER, INDIVIDUALLY; SUZANNE C. PARKER, INDIVIDUALLY; MICHAEL IZADY, INDIVIDUALLY; STEVEN TAKAKI, AS TRUSTEE OF THE STEVEN W. TAKAKI & FRANCES S. LEE REVOCABLE TRUSTEE AGREEMENT, UTD JANUARY 11, 2000; FARAD TORABKHAN, INDIVIDUALLY; SAHAR TAVAKOL, INDIVIDUALLY; M&Y HOLDINGS, LLC; JL&YL HOLDINGS, LLC; SANDI RAINES, INDIVIDUALLY; R. RAGHURAM, AS TRUSTEE OF THE RAJ AND USHA RAGHURAM LIVING TRUST DATED APRIL 25, 2001; USHA RAGHURAM, AS TRUSTEE OF THE RAJ AND USHA RAGHURAM LIVING TRUST DATED APRIL 25, 2001; LORI K. TOKUTOMI, INDIVIDUALLY; GARRET TOM, AS TRUSTEE OF THE GARRET AND ANITA TOM TRUST, DATED 5/14/2006; ANITA TOM, AS TRUSTEE OF THE GARRET AND ANITA TOM TRUST, DATED 5/14/2006; RAMON FADRILAN, INDIVIDUALLY; FAYE FADRILAN, INDIVIDUALLY; PETER K. LEE; MONICA L.

**Supreme Court No. 70498**  
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2002 REVOCABLE TRUST; DOMINIC YIN,  
INDIVIDUALLY; ELIAS SHAMIEH,  
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INDIVIDUALLY; KENNETH RICHE,  
INDIVIDUALLY; MAXINE RICHE,  
INDIVIDUALLY; NORMAN CHANDLER,  
INDIVIDUALLY; BENTON WAN,  
INDIVIDUALLY; TIMOTHY D. KAPLAN,  
INDIVIDUALLY; SILKSCAPE INC.; PETER  
CHENG, INDIVIDUALLY; ELISA CHENG,  
INDIVIDUALLY; GREG A. CAMERON,  
INDIVIDUALLY; TMI PROPERTY GROUP,  
LLC; RICHARD LUTZ, INDIVIDUALLY;  
SANDRA LUTZ, INDIVIDUALLY; MARY A.  
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ROBERT A. WILLIAMS, INDIVIDUALLY;  
JACQUELIN PHAM, AS MANAGER OF  
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TRUSTEE OF THE MAY ANNE HOM TRUST;  
MICHAEL HURLEY, INDIVIDUALLY; DUANE  
WINDHORST, TRUSTEE OF DUANE  
WINDHORST TRUST U/A DTD. 01/15/2003  
AND MARILYN WINDHORST TRUST U/A  
DTD. 01/015/2003; MARILYN WINDHORST,  
AS TRUSTEE OF DUANE WINDHORST  
TRUST U/A DTD. 01/15/2003 AND MARILYN  
L. WINDHORST TRUST U/A DTD.01/15/2003;  
VINOD BHAN, INDIVIDUALLY; ANNE BHAN,  
INDIVIDUALLY; GUY P. BROWNE,  
INDIVIDUALLY; GARTH A. WILLIAMS,  
INDIVIDUALLY; PAMELA Y. ARATANI,  
INDIVIDUALLY; DARLEEN LINDGREN,  
INDIVIDUALLY; LAVERNE ROBERTS,  
INDIVIDUALLY; DOUG MECHAM,  
INDIVIDUALLY; CHRISINE MECHAM,  
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INDIVIDUALLY; SOO YEU MOON,  
INDIVIDUALLY; JOHNSON AKINDODUNSE,

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OF THE WEISS FAMILY TRUST; PRAVESH  
CHOPRA, INDIVIDUALLY; TERRY POPE,  
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INDIVIDUALLY; JAMES TAYLOR,  
INDIVIDUALLY; RYAN TAYLOR,  
INDIVIDUALLY; KI NAM CHOI,  
INDIVIDUALLY; YOUNG JA CHOI,  
INDIVIDUALLY; SANG DAE SOHN,  
INDIVIDUALLY; KUK HYUN (CONNIE) YOO,  
INDIVIDUALLY; SANG SOON (MIKE) YOO,  
INDIVIDUALLY; BRETT MENMUIR, AS  
MANAGER OF CARRERA PROPERTIES,  
LLC; WILLIAM MINER, JR., INDIVIDUALLY;  
CHANH TRUONG, INDIVIDUALLY;  
ELIZABETH ANDERS MECUA,  
INDIVIDUALLY; SHEPHERD MOUNTAIN,  
LLC; ROBERT BRUNNER, INDIVIDUALLY;  
AMY BRUNNER, INDIVIDUALLY; JEFF  
RIOPELLE, AS TRUSTEE OF THE RIOPELLE  
FAMILY TRUST; PATRICIA M. MOLL,  
INDIVIDUALLY; AND DANIEL MOLL,  
INDIVIDUALLY,

Appellants,

vs.

MEI-GSR HOLDINGS, LLC, A NEVADA  
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SIERRA RESORT UNIT OWNERS'  
ASSOCIATION, A NEVADA NON-PROFIT  
CORPORATION; GAGE VILLAGE  
COMMERICAL DEVELOPMENT, LLC, A  
NEVADA LIMITED LIABILITY COMPANY;  
AND AM-GSR HOLDINGS, LLC, A NEVADA  
LIMITED LIABILITY COMPANY,

Respondents.

### **CLERK'S CERTIFICATE**

STATE OF NEVADA, ss.

I, Elizabeth A. Brown, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

### **JUDGMENT**

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

“We REVERSE the district court's order granting respondents' motion to dismiss for lack of subject matter jurisdiction AND REMAND to the district court for proceedings consistent with this order.”

Judgment, as quoted above, entered this 26th day of February, 2018.

### **JUDGMENT**

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

“Rehearing Denied”

Judgment, as quoted above, entered this 1st day of June, 2018.

### **JUDGMENT**

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

“Order Denying En Banc Reconsideration.”

Judgment, as quoted above, entered this 28th day of November, 2018.

IN WITNESS WHEREOF, I have subscribed  
my name and affixed the seal of the Supreme  
Court at my Office in Carson City, Nevada this  
December 24, 2018.

Elizabeth A. Brown, Supreme Court Clerk

By: Rory Wunsch  
Deputy Clerk