

IN THE SUPREME COURT OF THE STATE OF NEVADA

VEGAS UNITED INVESTMENT
SERIES 105, INC., A NEVADA
DOMESTIC CORPORATION,
Appellant,

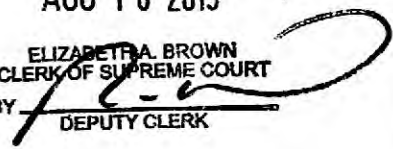
vs.

CELTIC BANK CORPORATION,
SUCCESSOR-IN-INTEREST TO
SILVER STATE BANK BY
ACQUISITION OF ASSETS FROM THE
FDIC AS RECEIVER FOR SILVER
STATE BANK, A UTAH BANKING
CORPORATION ORGANIZED AND IN
GOOD STANDING WITH THE LAWS
OF THE STATE OF UTAH,
Respondent.

No. 74163

FILED

AUG 16 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

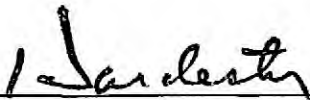
ORDER DENYING MOTION


This is an appeal from an order granting summary judgment in a quiet title action. Respondent has filed a motion to dismiss the appeal as moot because the subject property has been sold to a third party. Appellant opposes dismissal on the ground that the sale could be voided, and respondent has filed a reply. Having considered the arguments of the parties and the documents on file, this court denies the motion. Aside from the question of the viability of encumbrances on the property, appellant counterclaimed against respondent not only for quiet title, but also for slander of title seeking general, special, and punitive damages. If this court were to reverse the district court decision, this court could find appellant entitled to damages. The claim remains viable even apart from the sale of the property. "A moot case is one which seeks to determine an abstract question which does not rest upon existing facts or rights." *NCAA v. Univ. of Nev., Reno*, 97 Nev. 56, 58, 624 P.2d 10, 11 (1981); see also *Fairbanks Fire*

19-34504

Fighters Ass'n, Local 1324 v. City of Fairbanks, 48 P.3d 1165, 1167 (Alaska 2002) ("A claim is moot if . . . the party bringing the action would not be entitled to relief, even if it prevails.").

It is so ORDERED.

, J.
Hardesty

, J.
Stiglich

, J.
Silver

cc: Roger P. Croteau & Associates, Ltd.
Sylvester & Polednak, Ltd.