

IN THE SUPREME COURT OF THE STATE OF NEVADA

MOTOR COACH INDUSTRIES, INC.,
Appellant,

vs.

A. K. AND K. K., MINORS, BY AND
THROUGH THEIR GUARDIAN
MARIE-CLAUDE RIGAUD; SIAMAK
BARIN, AS EXECUTOR OF THE
ESTATE OF KAYVAN KHIABANI, M.D.
(DECEDENT); THE ESTATE OF
KAYVAN KHIABANI, M.D.
(DECEDENT); SIAMAK BARIN, AS
EXECUTOR OF THE ESTATE OF
KATAYOUN BARIN, DDS
(DECEDENT); AND THE ESTATE OF
KATAYOUN BARIN, DDS
(DECEDENT),

Respondents.

No. 75953

FILED

SEP 06 2018

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

ORDER TO SHOW CAUSE

This is an appeal from a judgment for damages on a jury verdict. Our preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(g) reveals certain potential jurisdictional defects. Specifically, the notice of appeal appears to be prematurely filed under NRAP 4(a) because it appears that it was filed after the timely filing of several tolling motions under NRAP 4(a)(2) and before the tolling motions have been formally resolved. A timely tolling motion terminates the 30-day appeal period, and a notice of appeal is of no effect if it is filed after such a tolling motion is filed, and before the district court enters a written order finally resolving the motion. *See* NRAP 4(a)(2).

In addition, it appears that final written orders resolving all claims against all parties have not been entered (*see* NRAP 4(a)(1); *Rust v.*

Clark Cty. School District, 103 Nev. 686, 747 P.2d 1380 (1987)), and the district court did not certify its judgment on the jury verdict as final pursuant to NRCP 54(b). *Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000); *KDI Sylvan Pools v. Workman*, 107 Nev. 340, 810 P.2d 1217 (1991); *Rae v. All American Life & Cas. Co.*, 95 Nev. 920, 605 P.2d 196 (1979). The following claims and parties appear to remain below: respondents' claims against Bell Sports, Inc. d/b/a Giro Sport Design, SevenPlus Bicycles, Inc. d/b/a Pro Cyclery, and appellant's motion to dismiss the wrongful death claim for respondent Katayoun Barin.

Accordingly, appellant shall have 30 days from the date of this order within which to show cause why this appeal 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, final orders resolving the outstanding claims. Respondents may file any reply within 11 days from the date that appellant's response is served.

We caution appellant that failure to demonstrate that this court has jurisdiction may result in this court's dismissal of this appeal. The preparation of transcripts and the briefing schedule in this appeal shall be suspended pending further order of this court.

It is so ORDERED.

 Dwyer , C.J.

cc: Lewis Roca Rothgerber Christie LLP/Las Vegas
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