

IN THE SUPREME COURT OF THE STATE OF NEVADA

HELIX ELECTRIC OF NEVADA, LLC;
AND NATIONAL WOOD PRODUCTS,
INC., A UTAH CORPORATION,

Appellants,

vs.

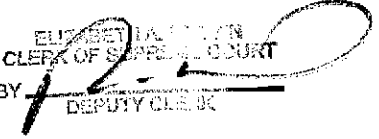
APCO CONSTRUCTION, INC., A
NEVADA CORPORATION,

Respondent.

No. 76276

FILED

MAR 21 2019

ELIZABETH A. CLARK
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER TO SHOW CAUSE

This is an appeal from a district court order entering judgment against appellants. Review of the docketing statements and documents before this court reveals potential jurisdictional defects.¹ It is not clear whether the district court has entered a final judgment resolving all claims against all parties in the underlying district court case. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). Although appellant Helix Electric of Nevada has filed an amended docketing statement and second amended docketing statement, it does not appear that it has provided all information required. Helix's

¹On February 6, 2019, this court ordered appellant National Wood Products to file an amended docketing statement by March 8, 2019, containing complete responses to all items and having copies of all necessary documents attached. To date, National Wood has failed to comply. Counsel for National Wood is admonished for failing to comply with this court's order.


second amended docketing statement states that it only identifies the causes of action asserted before the underlying case was consolidated with another case. But appellants are required to identify all claims, counterclaims, cross-claims, or third party claims asserted in an action. See Docketing Statement Item 23. Further, it is unclear from the information provided whether the district court has entered orders formally resolving all of the claims asserted. For example, Helix indicates in its docketing statement that some of the causes of action asserted by plaintiffs in intervention Cactus Rose and Heinaman Contract Glazing were not pursued at trial. But the fact that parties were not inclined to pursue their claims does not operate as a formal dismissal of those claims. See *KDI Sylvan Pools, Inc. v. Workman*, 107 Nev. 340, 343, 810 P.2d 1217, 1219 (1991).

Accordingly, appellants shall each have 30 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. The underlying district court case is extraordinarily complex, involving dozens of parties and multiple consolidated cases. Thus, in responding to this order, in addition to points and authorities, appellants must provide a list of, and copies of, each of the latest-filed complaints, counterclaims, cross-claims, third-party complaints, and complaints in intervention filed in the underlying district court case (A587168), even if those documents were filed after consolidation, and even if they relate to parties other than the parties to this appeal. Appellants must also identify the date each pleading was filed and provide copies of each of the district court orders formally resolving each of the claims, counterclaims, cross-claims, third-party claims, and claims in intervention. Respondent may file any reply within 14 days of service of the latest-filed response. Failure to

demonstrate that this court has jurisdiction may result in the dismissal of this appeal.

Briefing of this appeal is suspended pending further order of this court.

It is so ORDERED.

 C.J.

cc: Peel Brimley LLP/Henderson
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