IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROBERT SCOTLUND VAILE,
Appellant,
vs.
CISILIE A. VAILE N/K/A CISILIE A. PORSBOLL,
Respondent.

No. 61415

ROBERT SCOTLUND VAILE,
Appellant,
vs.
CISILIE A. VAILE N/K/A CISILIE A. PORSBOLL,
Respondent.

No. 62797

ORDER AFFIRMING IN PART, DISMISSING IN PART, REVERSING IN PART, AND REMANDING

These are consolidated appeals from district court orders in a child support arrearages matter. Eighth Judicial District Court, Family Court Division, Clark County; Cheryl B. Moss, Judge.

Appellant Robert Scotlund Vaile and respondent Cisilie Porsboll were previously married and have two children together. While the procedural history of this matter is lengthy and complicated, the issues before us in these appeals arise from proceedings on remand following the Nevada Supreme Court's reversal of the district court's calculation of child support arrearages and penalties in *Vaile v. Porsboll (Vaile II)*, 128 Nev. 27, 268 P.3d 1272 (2012). Specifically, on remand, the district court entered orders recalculating the arrearages and penalties

and reducing them to judgment, granting Porsboll attorney fees, finding Vaile in contempt of court, and sanctioning him. These appeals followed.

In Docket Number 61415, Vaile challenges orders awarding child support arrearages and penalties and reducing them to judgment, finding him in contempt of court, and confirming that prior attorney fees awards were still valid. In that same docket, Vaile also challenges a separate order granting additional attorney fees and costs. In Docket Number 62797, he challenges an order finding him in default for failure to appear, sanctioning him for violating court orders, and finding him in further contempt of court for failing to pay child support. Vaile also appeals from an order granting attorney fees to Porsboll based on the default entered for Vaile's failure to appear.

The Nevada divorce decree is the controlling order

In *Vaile II*, our supreme court held that the child support order contained in the Nevada divorce decree was the only child support order, but also noted that the parties and the record made reference to a possible child support order entered by a Norway court. *See id.* at 31, 31 n.4, 268 P.3d at 1275, 1275 n.4. As a result, the court directed the district court to "determine whether such an order exists and assess its bearing, if any, on the . . . enforcement of the Nevada support order." *See id.* at 31 n.4, 268 P.3d at 1275 n.4. On remand, a copy of the Norway order was filed with the district court, which applied the Uniform Interstate Family Support Act (UIFSA), NRS Chapter 130, to determine that the Nevada divorce decree was the controlling child support order as Norway lacked jurisdiction to modify the support obligations in the Nevada decree. On appeal, Vaile argues that, under UIFSA, the Norway order is the controlling order. Porsboll disagrees.

Application of UIFSA

UIFSA is designed to ensure that only one child support order is effective at any given time. *Vaile II*, 128 Nev. at 30, 268 P.3d at 1274 (citing Unif. Interstate Family Support Act prefatory note (2001), 9/IB U.L.A. 163 (2005)). "Under UIFSA's statutory scheme, a court with personal jurisdiction over the obligor has the authority to establish a child support order and to retain jurisdiction to enforce or modify the order until certain conditions occur that end the issuing state's jurisdiction and confer jurisdiction on another state."[1] *Id.* Here, in assessing the disputed Norway order, the question before the district court was whether Norway had exclusive, continuing jurisdiction such that it could modify the support obligations contained in the Nevada decree. Questions of subject matter jurisdiction are reviewed de novo. *Holdaway-Foster v. Brunell*, 130 Nev. ___, ___, 330 P.3d 471, 473 (2014).

It is undisputed that, when the Norway order was issued, Vaile did not live in Norway, and there is nothing in the record demonstrating that the Norway court otherwise had jurisdiction over Vaile. As a result, Norway could only obtain jurisdiction to modify the support obligations if Vaile and Porsboll filed written consents in Nevada

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[1]As used in UIFSA, "state" includes foreign countries that have been declared a foreign reciprocating country pursuant to 42 U.S.C. § 659a. NRS 130.10179(2)(b) (2007). Norway was declared a foreign reciprocating country on June 10, 2002. Notice of Declaration of Foreign Countries as Reciprocating Countries for the Enforcement of Family Support (Maintenance) Obligations, 79 Fed. Reg. 49,368, 49,369 (Aug. 20, 2014). Although NRS 103.10179 has since been amended to remove the subsection relied on here, 2009 Nev. Stat., ch. 47, § 44, at 125-26, that amendment does not apply to cases, such as this one, that commenced before October 1, 2009. *Id.* at § 90, at 140.

giving Norway exclusive, continuing jurisdiction over the Nevada order. *See Auclair v. Bolderson*, 775 N.Y.S.2d 121, 123 (N.Y. App. Div. 2004) (providing that, under UIFSA, if no consents are filed to give a new tribunal continuing, exclusive jurisdiction to modify another tribunal's child support order, then the new tribunal must have personal jurisdiction over the non-moving party, among other requirements, to obtain such jurisdiction); Unif. Interstate Family Support Act § 205(b)(1) (2001) (providing that another jurisdiction's tribunal may modify a state's child support order if each party files a written consent in the issuing state for the other tribunal to assume continuing, exclusive jurisdiction); *see also* NRS 130.611(1)(b) (Nevada's codification of that statute). Because neither party filed such consents, Norway lacked jurisdiction to modify the child support obligations set forth within the Nevada divorce decree. *See Auclair*, 775 N.Y.S.2d at 123; Unif. Interstate Family Support Act § 205(b)(1); *see also* NRS 130.611(1)(b). Consequently, the Norway order and its subsequent modifications have no legal effect. *See Jackson v. Holiness*, 961 N.E.2d 48, 52 n.5, 54 (Ind. Ct. App. 2012) (finding that Indiana lacked the ability to modify another tribunal's child support order, in part because the parties had not filed written consents in the issuing state allowing Indiana to do so); *see also Swan v. Swan*, 106 Nev. 464, 469, 796 P.2d 221, 224 (1990) (holding that a district court's custody ruling was void because the court lacked subject matter jurisdiction).[2]

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[2]Vaile also asserts that this court must recognize the order of a California superior court that found the Norway order to be controlling under UIFSA. But the California superior court order has since been overturned by a California appellate court, which also ordered Vaile's case dismissed for lack of jurisdiction. *See Vaile v. Porsboll*, No. A140465, 2015 WL 2454279, at *17 (Cal. Ct. App. May 22, 2015).

Vaile also argues that the district court erred in applying NRS 130.611 because that statute only describes how Nevada may modify another state's child-support order, not how another state may modify a Nevada support order. While Vaile is technically correct, Norway's status as a foreign reciprocating country means that Norway has adopted procedures regarding the modification of United States child-support orders that are in "substantial conformity" with the United States' statutes. *See Country of Lux. ex rel. Ribeiro v. Canderas*, 768 A.2d 283, 285-86 (N.J. Super. Ct. Ch. Div. 2000) (discussing how to determine whether another country's child support order may be enforced by another tribunal under UIFSA); *see also* Unif. Interstate Family Support Act § 611 (2001) (providing the circumstances under which a tribunal may modify another tribunal's child support order). Thus, the district court correctly utilized the modification principles described in NRS 130.611 to determine if Norway had jurisdiction to modify the Nevada divorce decree under UIFSA.

Judicial estoppel

As a final argument in favor of enforcing the Norway order, Vaile asserts the district court should have applied judicial estoppel to bar Porsboll from contesting the validity of the Norway order because she is the one who sought that order. Porsboll responds that estoppel does not apply here because Norway, rather than Porsboll, sought the support in an attempt to recoup welfare benefits it paid to Porsboll. Although not directly addressed by the district court's order, the court's refusal to treat the Norway order as controlling demonstrates its rejection of Vaile's judicial estoppel argument. We review determinations regarding judicial

estoppel de novo. *NOLM, LLC v. Cty. of Clark*, 120 Nev. 736, 743, 100 P.3d 658, 663 (2004).

Judicial estoppel is intended "to protect the integrity of the justice system when a party argues two conflicting positions to abuse the legal system," *Delgado v. Am. Family Ins. Grp.*, 125 Nev. 564, 570, 217 P.3d 563, 567 (2009), and is only to be applied when "a party's inconsistent position [arises] from intentional wrongdoing or an attempt to obtain an unfair advantage." *NOLM*, 120 Nev. at 743, 100 P.3d at 663 (alteration in original) (quoting *Kitty-Anne Music Co. v.* Swan, 4 Cal. Rptr. 3d 796, 800 (Cal. Ct. App. 2003)). Consequently, "[j]udicial estoppel does not preclude changes in position that are not intended to sabotage the judicial process." *Id.* To effectuate this intent behind the doctrine, one of the elements that must be met for judicial estoppel to apply is that "the first position was not taken as a result of ignorance, fraud, or mistake." *Id.* (quoting *Furia v. Helm*, 4 Cal. Rptr. 3d 357, 368 (Cal. Ct. App. 2003)).

Here, even assuming it was Porsboll who sought relief in Norway, there is nothing in the record indicating that the allegedly inconsistent actions of seeking child support both via the Nevada decree and through Norway's court system were taken with intent to abuse the legal system. Rather, it appears Porsboll was simply unsure of how to pursue her rights to child support under UIFSA, and, before the decision in *Vaile II*, the district court was similarly unclear on how the uniform laws applied. Such confusion is understandable given the absence of any Nevada authority addressing the application of UIFSA in situations like the one presented here prior to *Vaile II* and the limited extrajurisdictional authority addressing UIFSA's application to foreign countries' support orders. Under these circumstances, Porsboll's actions in this regard were,

at worst, taken as a result of ignorance, thus precluding the application of judicial estoppel.[3] *See id.*; *see also Deja Vu Showgirls of Las Vegas, LLC v. State, Dep't of Taxation*, 130 Nev. ___, ___, 334 P.3d 387, 391-92 (2014) (concluding that judicial estoppel did not apply when there was no attempt to mislead the court). Accordingly, the district court did not err in declining to apply judicial estoppel, *see NOLM*, 120 Nev. at 743, 100 P.3d at 663, and we affirm the district court's determination that the Norway order was unenforceable and that the Nevada divorce decree is the controlling order.[4]

Waiver and Prevention

Vaile next argues that the district court erred by failing to find that Porsboll waived her right to child support from 2002 to 2007 and by failing to apply the doctrine of prevention to relieve Vaile from his child support obligations. But Vaile raised these same arguments regarding Porsboll waiving her right to support and preventing him from paying support by refusing to provide the necessary financial documents in *Vaile II*, and the Nevada Supreme Court summarily rejected them. 128 Nev. at 34 n.9, 268 P.3d at 1277 n.9.

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[3]The fact that the Norway court entered a child support order and possibly continues to enforce that order (the current status of that order is unclear), even though it does not have jurisdiction to do so under UIFSA, does not create a proper basis for the use of judicial estoppel.

[4]Because we have already determined that Norway did not have jurisdiction to enter its order, we need not address Vaile's argument that the order was entitled to recognition solely because it was an order of a foreign reciprocating country. *See Swan*, 106 Nev. at 469, 796 P.2d at 224 (recognizing that orders issued without subject matter jurisdiction lack validity).

While the extent of the supreme court's discussion of these arguments in *Vaile II* was a simple declaration that, "[w]ith regard to Vaile's remaining challenges to the district court's decision, to the extent they are not explicitly addressed herein, we have considered Vaile's arguments and conclude that they lack merit," a review of Vaile's appellate briefing in the *Vaile II* case[5] makes clear that these arguments were amongst the "remaining challenges" that were deemed to "lack merit." *Id.* As a result, this determination is the law of the case as to these arguments, and neither the district court nor this court may alter that determination. *See Hsu v. Cty. of Clark*, 123 Nev. 625, 629-30, 173 P.3d 724, 728 (2007) (stating that a higher court's statement of "a principle or rule of law necessary to a decision . . . becomes the law of the case," which must be followed by lower courts in subsequent proceedings). Accordingly, we conclude the district court properly rejected Vaile's waiver and prevention arguments.

Application of the divorce decree's child support provisions

As discussed above, the Nevada divorce decree is the controlling order regarding Vaile's support obligations. That decree

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[5]*Vaile II* consisted of two consolidated appeals, one filed by Vaile, and one filed by Porsboll. We have reviewed all of Vaile's briefing in that consolidated case in reaching our conclusion that these arguments have already been raised and decided.

Because this matter is directly related to the appeals at issue in *Vaile II*, we take judicial notice of the briefs Vaile filed in *Vaile II*. *See Mack v. Estate of Mack*, 125 Nev. 80, 91-92, 206 P.3d 98, 106 (2009) (taking judicial notice of documents filed in a prior case because the prior case was closely related to the case currently before that court); *see also* NRS 47.130(2) (allowing courts to take judicial notice of facts if certain requirements are met).

provides that Vaile is responsible for support payments whenever he is not the residential parent of both children. Because the Nevada Supreme Court has already concluded that Vaile was not ever the residential parent of both children during the relevant time period,[6] the only issue that remains is the amount of support and penalties Vaile owes pursuant to the decree and Nevada law.

As to the amount of support arrearages awarded by the district court on remand, Vaile argues that the district court's award improperly modified the support obligation laid out in the Nevada divorce decree. Specifically, he asserts that the district court modified the decree by not reducing his support obligation after the parties' older child emancipated, by adopting Porsboll's stated income without supporting evidence, and by using Porsboll's net income to calculate child support rather than her gross income. Porsboll disagrees with these assertions.

In *Vaile II*, the Nevada Supreme Court remanded the district court's arrearages and penalty calculations for the district court to recalculate child support arrearages and penalties under the divorce

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[6]Vaile's argument that he should not be responsible for child support from May 2000 to April 2002, when the children were purportedly in his care, is rejected as without merit. The Nevada Supreme Court already determined that Vaile's taking of the children in 2000 was wrongful, as Porsboll was properly exercising her custody rights at that time. *See Vaile v. Eighth Judicial Dist. Court (Vaile I)*, 118 Nev. 262, 281, 44 P.3d 506, 519 (2002); *see also Vaile II*, 128 Nev. at 34 n.9, 268 P.3d at 1277 n.9 (finding Vaile's remaining arguments to be without merit). Under the divorce decree, the "residential parent" is the parent's home where the child has primary residency. Because Vaile's taking of the children was improper, *see Vaile I*, 118 Nev. at 281, 44 P.3d at 519, the children's primary residence remained with Porsboll. Thus, Vaile owes child support for the period from May 2000 to April 2002.

decree. 128 Nev. at 34, 268 P.3d at 1276-77 (holding that the district court exceeded its jurisdiction in modifying Vaile's child support obligation under the Nevada divorce decree). Here, while Vaile mischaracterizes the district court's actions on remand as improper modifications of the decree, the purported "modifications" that he points to nonetheless highlight the district court's failure to properly apply the express terms of the decree and to compel compliance with the detailed terms contained therein.

The divorce decree mandated that child support be calculated based on the parties' combined income, which is defined, as pertinent here, as including gross income[7] in the amount reported on a United States federal tax return after deducting any amounts received for public assistance. The decree further provided that the maximum amount of the parties' combined income would be limited to $100,000, but allowed that maximum to increase at the same percentage rate as increases in the United States consumer price index. Once calculated, the parties' combined income, or the maximum amount if the combined income exceeded that figure, would then be multiplied by a percentage based on whether Porsboll had custody of one or both children (18 or 25 percent, respectively). The number produced by this calculation would then represent the total child support obligation. And Vaile would then be responsible for the percentage of that obligation that equaled the

[7]The divorce decree presumes that each party will have to file a federal income tax return and defines "gross income" as the amount of income that "should have been reported in the most recent federal income tax return."

percentage his income represented in the combined income total.[8] Under the decree, the amount of support was to be recalculated every year, based on the combined income covered by the tax returns for the previous year, and Vaile was to make his child support payments on the first day of each month.

Here, despite Porsboll's arguments to the contrary, our review of the record and the parties' arguments demonstrates that the district court failed to calculate Vaile's child support arrearages in accordance with the express terms of the decree. As Vaile points out, the district court failed to determine Porsboll's income pursuant to the terms set forth in the divorce decree, and instead, merely adopted Porsboll's calculations of arrearages, without making findings explaining or analyzing why it was concluding that those calculations were correct.

Furthermore, the sole document provided to support Porsboll's stated income as used in her arrearages calculations was from the Tax Administration from Norway. While that document may have accurately stated Porsboll's earnings, it did not state what Porsboll's gross income would have been as filed in a United States federal tax return. And there is nothing in the record to show that Porsboll either argued that the income listed on the Norway tax document would be equal to the required gross income figure or that she attempted to calculate that number.

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[8]The divorce decree provided the example that if Vaile's income was $70,000, and Porsboll's income was $30,000, the parties' combined income would be $100,000. If Porsboll had custody of both children, the total child support obligation would be 25 percent of the combined income, or $25,000. Vaile, whose income represented 70 percent of the combined income ($70,000 out of $100,000), would thus be responsible for 70 percent of the $25,000 child support obligation, or $17,500.

Without evidence demonstrating that the figures provided by Porsboll were equivalent to her United States gross income for each relevant year and district court findings to this effect, it is impossible to determine whether the calculations adopted by the district court properly determined the parties' combined income. And, if the district court did not properly calculate the parties' combined income to determine Vaile's support obligation, then it failed to properly enforce the decree. *See Vaile II*, 128 Nev. at 33-34, 268 P.3d at 1276-77.

Additionally, the calculations provided by Porsboll's counsel do not properly apply the decree's express terms regarding how the $100,000 maximum combined income should be increased from year to year. For example, for 2003, the calculations state that the parties' combined income was $125,440. It then multiplies that amount by the consumer price index to increase the combined income to $128,086.78, and bases Vaile's child support obligation for that year on that amount. But under the express terms of the decree, the parties' maximum combined income is fixed at $100,000 and it is that number that is to be increased according to the consumer price index, not the parties' combined income.

Based on the foregoing, we conclude that the district court failed to properly enforce the divorce decree.[9] While both parties appear to have made this process more difficult by failing to provide all of the necessary information for the district court to accurately calculate the

[9]Vaile also argues that the district court failed to reduce his support obligation from 25 percent to 18 percent when his oldest child emancipated. But our review of the record indicates that the calculations adopted by the district court did reduce Vaile's obligation by the appropriate percentage at the time his oldest child emancipated, even if the amount of that obligation was incorrect.

amount of support owed under the strictures of the decree, the parties are bound by the decree and the district court must apply the express terms of the decree to arrive at its support calculations. Accordingly, we conclude the district court abused its discretion in calculating the support arrearages and we reverse the district court's award of child support arrearages to Porsboll and remand for new calculations in line with the divorce decree.[10] *See Rivero v. Rivero*, 125 Nev. 410, 438, 216 P.3d 213, 232 (2009) (reviewing determinations regarding child support for an abuse of discretion). And, to the extent the district court's awards of penalties and interest to Porsboll were based on the amount of child support arrearages owed by Vaile, those determinations are necessarily reversed and remanded as well.

Attorney fees

Vaile's next argument is that the Nevada Supreme Court's reversal and remand to recalculate child support arrearages and penalties in *Vaile II*, also reversed any prior awards of attorney fees to Porsboll. He further asserts that any awards of attorney fees after the *Vaile II* remand were in error because Porsboll was no longer the prevailing party after the entry of that decision, and thus, she was not entitled to attorney fees. We review an award of attorney fees for an abuse of discretion. *Rivero*, 125 Nev. at 440, 216 P.3d at 234.

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[10]Given the high likelihood that the determinations of arrearages owed on remand will be appealed, we urge the district court to provide explicit findings explaining how it reached each of the year-by-year support amounts in recalculating the amount of arrearages owed on remand so as to facilitate appellate review of any such decision.

First, to the extent Vaile argues that the *Vaile II* opinion constituted an unqualified reversal of all of the district court's decisions, he mischaracterizes the holding of that opinion. Attorney fees are not discussed in that opinion, and the appeal specifically only reversed "the district court's order setting Vaile's support payment at $1,300, . . . the arrearages calculated using the $1,300 support obligation and the penalties imposed on those arrearages." 128 Nev. at 34, 268 P.3d at 1277. Furthermore, our review of the briefing in that case[11] demonstrates that Vaile did not raise any arguments regarding the multiple awards of attorney fees to Porsboll that occurred throughout that litigation. And by failing to challenge those determinations in the cases at issue in *Vaile II*, Vaile has waived any arguments challenging the attorney fee awards entered prior to that decision. *See Weaver v. State, Dep't of Motor Vehicles*, 121 Nev. 494, 502, 117 P.3d 193, 198-99 (2005) (providing that appellate courts need not address arguments that are not argued in a party's opening brief). As a result, we conclude that the district court properly concluded that the pre-*Vaile II* attorney fee awards were not disturbed by the reversal and remand of the arrearages and penalty calculations in the *Vaile II* decision, and we affirm its refusal to revisit those awards on that basis.

We now turn to Vaile's challenge to the post-*Vaile II* award of

[11]As detailed above, we have taken judicial notice of the briefs Vaile filed in the appeals resulting in the *Vaile II* opinion.

$57,483.38 in attorney fees.[12] While we recognize that, absent a finding of undue hardship, NRS 125B.140(2)(c)(2) mandates an award of attorney fees if a district court finds that arrearages are owed, *see Edgington v. Edgington*, 119 Nev. 577, 588, 80 P.3d 1282, 1290 (2003) (providing that the district court must award attorney fees under NRS 125B.140 unless it finds an undue hardship), in light of our reversal of the district court's arrearages calculations, we necessarily reverse the award of attorney fees stemming from the arrearages determination. In so doing, we make no comment regarding the merits of Vaile's appellate challenges to this award, and we emphasize that our reversal of this attorney fees award in no way precludes the district court from awarding fees on remand under NRS 125B.140(2)(c)(2). Our reversal of this award is simply for the purpose of allowing the district court to reassess how much, if any, should be awarded in attorney fees under NRS 125B.140(2)(c)(2) once the court has correctly determined the amount of arrearages owed based on a proper application of the terms of the parties' divorce decree.[13]

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[12]Vaile also purports to challenge the district court's award of $20,000 in attorney fees for his failure to appear in district court on an order to show cause, which followed the order awarding $57,483.38. Because Vaile fails to make cogent arguments regarding this award, however, we decline to consider it, and, therefore, necessarily affirm that award. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (providing that an appellate court need not consider issues that are not cogently argued).

[13]While Vaile's argument focuses exclusively on attorney fees, the order at issue here states that the $57,483.38 award is for attorney fees and costs. Because we conclude this award must be reversed, however, we need not address this discrepancy.

Contempt determinations

Next, to the extent that Vaile challenges the district court's findings of contempt and its imposition of sanctions based on these findings, we lack jurisdiction to consider his appeal as to those decisions as such contempt orders are not substantively appealable. *See Pengilly v. Rancho Santa Fe Homeowners Ass'n*, 116 Nev. 646, 649, 5 P.3d 569, 571 (2000). Accordingly, we dismiss Vaile's appeals to the extent he purports to challenge the findings of contempt and the imposition of contempt sanctions in Docket Number 62797, through his appeal of the "Order for Hearing Held January 22, 2013," filed on February 20, 2013, and in Docket Number 61415, through his appeal of the "Court's Decision and Order," filed on July 10, 2012. *See id.*

Fugitive disentitlement doctrine and vexatious litigant determination

In her answering brief, Porsboll requests that we apply the fugitive disentitlement doctrine to dismiss Vaile's appeals and that we declare him to be a vexatious litigant. We decline these requests. As discussed above, the controlling nature of the Nevada decree and its imposition of an obligation to pay support on Vaile are clear. Thus, all that remains to be done is for the district court to accurately and finally determine the total amount of arrears, penalties, and interest owed and whether attorney fees should be awarded for the post-*Vaile II* proceedings and, if so, what amount should be awarded.

While Vaile's continued failure to pay support is troubling, our resolution of these appeals marks the second time this matter has been remanded for the district court to properly calculate the amount of arrearages owed following Vaile's appeals from the district court's

arrearages determinations.[14] As a result, we decline to exercise our discretion to dismiss the appeals under the fugitive disentitlement doctrine. *See Guerin v. Guerin*, 116 Nev. 210, 213, 993 P.2d 1256, 1258 (2000) (noting that the decision to dismiss an appeal under the fugitive disentitlement doctrine rests within the court's discretion). We also decline to declare Vaile a vexatious litigant—at this time—given that he has, once again, successfully challenged the district court's application of the decree.[15] *See Jordan v. State ex rel. Dep't of Motor Vehicles & Pub. Safety*, 121 Nev. 44, 61, 110 P.3d 30, 43 (2005) (providing that one factor to consider in deeming a person a vexatious litigant is whether the filings are frivolous), *overruled on other grounds by Buzz Stew, LLC v. City of N. Las Vegas*, 181 P.3d 670, 672 n.6, 124 Nev. 224, 228 n.6 (2008).

Conclusion

In summation, we affirm the district court's conclusion that the Nevada divorce decree was the controlling child support order under UIFSA; its decisions to not apply judicial estoppel, waiver, or prevention; and its determination that the awards of attorney fees made prior to *Vaile II* remained valid. And we reverse that portion of the district court's order calculating child support arrearages as well as the resulting penalties and interest based on the arrearages calculations and remand for further

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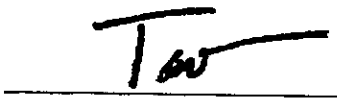
[14]We note that, as discussed above, Porsboll's failure to accurately provide all information necessary for the district court to determine the arrearages played a significant role in the district court's failure to accurately calculate these figures.

[15]Given our reversal and remand of this matter for the district court to properly calculate the amount of arrearages owed, we decline to consider Porsboll's request that Vaile's failure to pay support be referred to the Clark County District Attorney's Office at this time.

proceedings consistent with this order. We likewise reverse and remand with regard to the award of $57,483.38 in post-*Vaile II* attorney fees, but affirm the $20,000 award of attorney fees based on Vaile's failure to appear at a hearing. Finally, we dismiss Vaile's appeals for lack of jurisdiction to the extent he challenges the district court's contempt determinations and the imposition of sanctions based on those determinations.

It is so ORDERED.[16]

_____, C.J.
Gibbons



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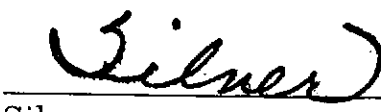

_____, J.
Silver

cc: Hon. Cheryl B. Moss, District Judge, Family Court Division
Robert Scotlund Vaile
Willick Law Group
Eighth District Court Clerk

[16]In light of this order, we deny as moot any remaining requests for relief pending in these consolidated appeals.