

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDGEWORTH FAMILY TRUST; AND  
AMERICAN GRATING, LLC,  
Appellants/Cross-Respondents,

vs.

DANIEL S. SIMON; AND THE LAW  
OFFICE OF DANIEL S. SIMON, A  
PROFESSIONAL CORPORATION,  
Respondents/Cross-Appellants.

EDGEWORTH FAMILY TRUST; AND  
AMERICAN GRATING, LLC,  
Appellants,

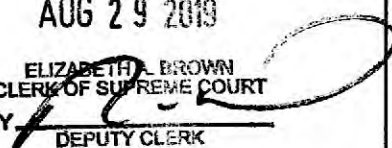
vs.

DANIEL S. SIMON; AND THE LAW  
OFFICE OF DANIEL S. SIMON, A  
PROFESSIONAL CORPORATION,  
Respondents.

No. 77678

**FILED**

AUG 29 2019

ELIZABETH L. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

No. 78176

*ORDER TO SHOW CAUSE*

Docket No. 77678 is an appeal from a decision and order on motion to dismiss, an appeal and cross-appeal from a decision and order on motion to adjudicate lien, and a cross-appeal from a decision and order on special motion to dismiss. Review of the notices of appeal, documents before this court and the docketing statements reveal potential jurisdictional defects.

The underlying district court matter involved two consolidated cases: case number A-16-738444-C and case number A-18-767242-C. Case A-16-738444-C was between appellants/cross-respondents and entities not parties to these appeals. Case A-18-767242-C was between appellants/cross-respondents and respondents/cross-appellants. It appears that respondents/cross-appellants filed a notice of attorney lien and an amended notice of attorney lien in case A-16-738444-C. Respondents/cross-

19-36194

appellants also filed a motion to adjudicate attorney lien. After the two cases were consolidated, the district court entered its November 19, 2018, decision and order on motion to adjudicate lien. Although this order bears both district court case numbers, the order appears to pertain only to case A-16-738444-C. *See generally Matter of Estate of Sarge*, 134 Nev., Adv. Op. 105, 432 P.3d 718, 722 (2018) (consolidated district court cases do not become one case for appellate purposes). As respondents/cross-appellants were not parties to case A-16-738444-C, they appear to lack standing to appeal an order entered in that case. *See* NRAP 3A(a) (allowing an aggrieved party to file an appeal).

In addition, it appears that respondents/cross-appellants' notice of appeal may have been prematurely filed with respect to the October 11, 2018, decision and order on the special motion to dismiss. *See* NRAP 4(a)(6). Respondents/cross-appellants filed a timely motion to amend and/or for reconsideration that, among other things, sought an amendment to the October 11, 2018, order. However, it does not appear that the district court has entered a written order resolving the motion to amend with respect to that order.

Accordingly, respondents/cross-appellants shall have 30 days from the date of this order to show cause why the cross-appeal in Docket No. 77678 should not be dismissed, in whole or in part, for lack of jurisdiction. Appellants/cross-respondents may file a reply within 14 days of service of respondents/cross-appellants' response. Failure to demonstrate that this court has jurisdiction may result in the dismissal of the cross-appeal. Briefing is suspended pending further order of this court.

It is so ORDERED.

 C.J.

cc: Vannah & Vannah  
James R. Christensen  
Christiansen Law Offices