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5 *Attorneys for Nanyah Vegas, LLC*

Electronically Filed
Jul 17 2020 03:53 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

7
8 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

9 NANYAH VEGAS, LLC, A Nevada limited
10 liability company,

11 Appellant,

12 v.

13 SIG ROGICH aka SIGMUND ROGICH as
Trustee of The Rogich Family Irrevocable Trust;
14 ELDORADO HILLS, LLC, a Nevada limited
15 liability company; TELD, LLC, a Nevada limited
16 liability company; PETER ELIADES,
17 individually and as Trustee of the The Eliades
Survivor Trust of 10/30/08; and IMITATIONS,
18 LLC, a Nevada limited liability company,

19 Respondents.

20
21 ELDORADO HILLS, LLC, a Nevada limited
22 liability company,

23 Cross-Appellant,

24 v.

25 NANYAH VEGAS, LLC, a Nevada limited
26 liability company,

Cross-Respondent.

Supreme Court No.: 79917
(District Court Case No.
A686303)

**MOTION TO
CONSOLIDATE APPEALS
79917, 81038 AND 81238**

SIG ROGICH, A/K/A SIGMUND ROGICH,
individually and as Trustee of the Rogich Family
Irrevocable Trust; and Imitations, LLC, a Nevada
limited liability company,

Cross-Appellants,

v.

NANYAH VEGAS, LLC, a Nevada limited
liability company,

Cross-Respondent,

**MOTION TO CONSOLIDATE APPEALS
79917, 81038 AND 81238**

Pursuant to NRAP 3(b)(2), appellant Nanyah Vegas, LLC, (“Nanyah”), by
and through its undersigned counsel, hereby moves this Court for an order
consolidating Appeal Numbers 79917, 81038 and 81238 as these three (3) appeals
stem from the same underlying district court action. Concurrently, Nanyah moves
to extend the time to file its Opening Brief and Appendix in this matter and in
Appeal No. 81038 based upon the same briefing schedule as set in the main appeal
(No. 79917). There have been no prior extensions in this matter.

Counsel for Respondents/Counter appellants Eldorado Hills, LLC
 (“Eldorado”), Teld, LLC, Peter Eliades, individually and as Trustee of The Eliades
 Survivor Trust of 10/30/08 (hereinafter collectively the “Eliades Parties”) has
 agreed to enter into a Stipulation for Consolidation (the “Stipulation”). However,
 the undersigned has yet to receive a response from counsel for

1 Respondents/Counter appellants Sigmund Rogich, individually and as Trustee of
2 the Rogich Family Irrevocable Trust and Imitations, LLC (hereinafter the “Rogich
3 Parties”). It is believed counsel for the Rogich Parties will also consent and
4 stipulate to consolidation and establishment of a uniform briefing schedule as
5 sought herein. In the event the Stipulation is executed during the pendency of this
6 Motion, it will be filed under separate cover with the Court.
7

8
9 The following appeals are pending:

- 10 • Case No. 79917. Appeal of the district court’s various decisions
11 dismissing Nanyah’s claims in total. The briefing schedule in this
12 appeal was suspended pursuant to the Court’s March 16, 2020, Order to
13 Show Cause. The parties filed their separate responses to the Court’s
14 Order to Show Cause on April 15, 2020. In addition, Nanyah filed a
15 Supplement to its response on April 28, 2020. The Court has not yet
16 issued a renewed briefing schedule in the main appeal.
17
- 18 • Case No. 81038. Appeal of district court’s award of fees in favor of the
19 Eliades Parties.
20
- 21 • Case No. 81238. Appeal of the district court’s award of fees and/or
22 costs in favor of Eldorado, the Eliades Parties¹ and the Rogich Parties.
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¹ The district court entered a subsequent order addressing the award issued to the Eliades Parties’ in the initial order giving rise to appeal number 81038.

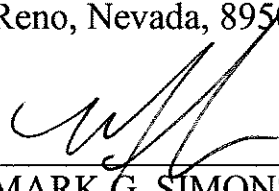
1 Consolidation is appropriate in this matter since the issues are interrelated
2 and the analysis of the primary issues in the main appeal (79917) will impact and
3 control the issues addressed in the appeals of the fee and cost awards.
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5 As a result, Appellant requests the Court consolidate all three appeals,
6 suspend the current briefing schedule in appeals 81038 and 81238 and establish a
7 uniform briefing schedule applicable to all three appeals. Appellant is
8 concurrently filing similar requests in Appeal Nos. 81038 and 81238. See
9

10 **Exhibits 1 and 2.**

11 Dated this 19th day of July, 2020.
12

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15 Reno, Nevada, 89509

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18 MARK G. SIMONS
19 *Attorney for Appellant Nanyah Vegas, LLC*
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CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I certify that I am an employee of SIMONS HALL JOHNSTON PC, and that on this date I caused to be served a true copy of the **MOTION TO CONSOLIDATE APPEALS 79917, 81038 AND 81238** on all parties to this action by the method(s) indicated below:

X by using the Supreme Court Electronic Filing System:

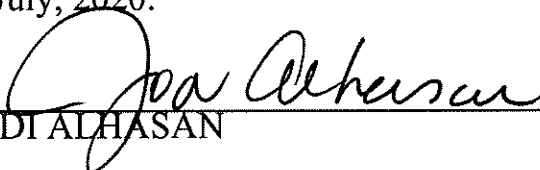
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10080 W. Alta Dr., Suite 200
Las Vegas, Nevada 89145

*Attorneys for Sigmund Rogich, Individually and as Trustee of the
Rogich Family Irrevocable Trust and Imitations, LLC*

Joseph Liebman
Dennis Kennedy
Bailey Kennedy
8984 Spanish Ridge Avenue
Las Vegas, NV 89148-1302

*Attorneys for Eldorado Hills, LLC, Teld, LLC, a Nevada limited
liability company; Peter Eliades, individually and as Trustee of the
The Eliades Survivor Trust of 10/30/08*

DATED: This 17 day of July, 2020.



JODI ALHASAN

EXHIBIT LIST

NO.	DESCRIPTION	PAGES
1	Case No. 81038 Motion	5
2	Case No. 81238 Motion	5

EXHIBIT 1

EXHIBIT 1

1 MARK G. SIMONS, ESQ.
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4 Telephone: (775) 785-0088
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5 *Attorneys for Nanyah Vegas, LLC*

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7 **IN THE SUPREME COURT OF THE STATE OF NEVADA**
8

9 NANYAH VEGAS, LLC, A Nevada
10 limited liability company,

11 Appellant,

12 v.

13 SIG ROGICH aka SIGMUND
14 ROGICH as Trustee of The Rogich
Family Irrevocable Trust;
15 ELDORADO HILLS, LLC, a Nevada
16 limited liability company; TELD,
LLC, a Nevada limited liability
17 company; PETER ELIADES,
18 individually and as Trustee of the The
Eliades Survivor Trust of 10/30/08;
19 and IMITATIONS, LLC, a Nevada
20 limited liability company,

21 Respondents.

Supreme Court No.: 81038
(District Court Case No. A686303)

22 **MOTION TO CONSOLIDATE APPEALS**
23 **79917, 81038 AND 81238**
24 **AND**
25 **EXTEND BRIEFING SCHEDULE CURRENTLY SET IN 81038**
26

1 Pursuant to NRAP 3(b)(2), appellant Nanyah Vegas, LLC, (“Nanyah”), by
2 and through its undersigned counsel, hereby moves this Court for an order
3 consolidating Appeal Numbers 79917, 81038 and 81238 as these three (3) appeals
4 stem from the same underlying district court action. Concurrently, Nanyah moves
5 to extend the time to file its Opening Brief and Appendix in this matter and in
6 Appeal No. 81238 based upon the same briefing schedule as set in the main appeal
7 (No. 79917). There have been no prior extensions in this matter.
8

9
10 Counsel for Respondents/Counter appellants Eldorado Hills, LLC
11 (“Eldorado”), Teld, LLC, Peter Eliades, individually and as Trustee of The Eliades
12 Survivor Trust of 10/30/08 (hereinafter collectively the “Eliades Parties”) has
13 agreed to enter into a Stipulation for Consolidation (the “Stipulation”). However,
14 the undersigned has yet to receive a response from counsel for
15 Respondents/Counter appellants Sigmund Rogich, individually and as Trustee of
16 the Rogich Family Irrevocable Trust and Imitations, LLC (hereinafter the “Rogich
17 Parties”). It is believed counsel for the Rogich Parties will also consent and
18 stipulate to consolidation and establishment of a uniform briefing schedule as
19 sought herein. In the event the Stipulation is executed during the pendency of this
20 Motion, it will be filed under separate cover with the Court.
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25 The following appeals are pending:
26

- 1 • Case No. 79917. Appeal of the district court's various decisions
2 dismissing Nanyah's claims in total. The briefing schedule in this
3 appeal was suspended pursuant to the Court's March 16, 2020, Order to
4 Show Cause. The parties filed their separate responses to the Court's
5 Order to Show Cause on April 15, 2020. In addition, Nanyah filed a
6 Supplement to its response on April 28, 2020. The Court has not yet
7 issued a renewed briefing schedule in the main appeal.
8
- 9 • Case No. 81038. Appeal of district court's award of fees in favor of the
10 Eliades Parties.
11
- 12 • Case No. 81238. Appeal of the district court's award of fees and/or
13 costs in favor of Eldorado, the Eliades Parties¹ and the Rogich Parties.
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15 Appellant's Opening Brief and Appendix are currently due in Appeal 81038
16 on August 21, 2020.
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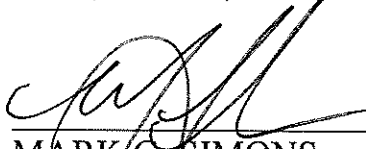
18 Consolidation is appropriate in this matter since the issues are interrelated
19 and the analysis of the primary issues in the main appeal (79917) will impact and
20 control the issues addressed in the appeals of the fee and cost awards.
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26 ¹ The district court entered a subsequent order addressing the award issued
to the Eliades Parties' in the initial order giving rise to appeal number 81038.

1 As a result, Appellant requests the Court consolidate all three appeals,
2 suspend the current briefing schedule in appeals 81038 and 81238 and establish a
3 uniform briefing schedule applicable to all three appeals.
4

5 Dated this 17 day of July, 2020.

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10 MARK G. SIMONS

11 *Attorney for Appellant Nanyah Vegas, LLC*
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CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I certify that I am an employee of SIMONS HALL JOHNSTON PC, and that on this date I caused to be served a true copy of the **MOTION TO CONSOLIDATE APPEALS 79917, 81038 AND 81238 AND EXTEND BRIEFING SCHEDULE CURRENTLY SET IN 81038MOTION TO EXTEND BRIEFING SCHEDULE** on all parties to this action by the method(s) indicated below:

☒ by using the Supreme Court Electronic Filing System:

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Las Vegas, Nevada 89145

Attorneys for Sigmund Rogich, Individually and as Trustee of the Rogich Family Irrevocable Trust and Imitations, LLC

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8984 Spanish Ridge Avenue
Las Vegas, NV 89148-1302

Attorneys for Eldorado Hills, LLC, Teld, LLC, a Nevada limited liability company; Peter Eliades, individually and as Trustee of the The Eliades Survivor Trust of 10/30/08

DATED: This 17 day of July, 2020.


JODI ALHASAN

EXHIBIT 2

EXHIBIT 2

1 MARK G. SIMONS, ESQ.
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Eliades Survivor Trust of 10/30/08;
19 and IMITATIONS, LLC, a Nevada
20 limited liability company,

21 Respondents.

Supreme Court No.: 81238
(District Court Case No. A686303)

22 **MOTION TO CONSOLIDATE APPEALS**

23 **79917, 81038 AND 81238**

24 **AND**

25 **EXTEND BRIEFING SCHEDULE CURRENTLY SET IN 81238**

1 Pursuant to NRAP 3(b)(2), appellant Nanyah Vegas, LLC, ("Nanyah"), by
2 and through its undersigned counsel, hereby moves this Court for an order
3 consolidating Appeal Numbers 79917, 81038 and 81238 as these three (3) appeals
4 stem from the same underlying district court action. Concurrently, Nanyah moves
5 to extend the time to file its Opening Brief and Appendix in this matter and in
6 Appeal No. 81038 based upon the same briefing schedule as set in the main appeal
7 (No. 79917). There have been no prior extensions in this matter.
8

9
10 Counsel for Respondents/Counter appellants Eldorado Hills, LLC
11 ("Eldorado"), Teld, LLC, Peter Eliades, individually and as Trustee of The Eliades
12 Survivor Trust of 10/30/08 (hereinafter collectively the "Eliades Parties") has
13 agreed to enter into a Stipulation for Consolidation (the "Stipulation"). However,
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2 dismissing Nanyah’s claims in total. The briefing schedule in this
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10 Eliades Parties.
11
12 • Case No. 81238. Appeal of the district court’s award of fees and/or
13 costs in favor of Eldorado, the Eliades Parties¹ and the Rogich Parties.
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16 Appellant’s Opening Brief and Appendix are currently due in Appeal 81238
17 on September 30, 2020.

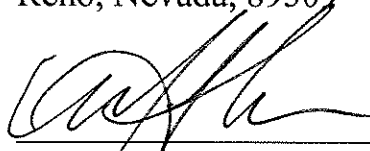
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26 ¹ The district court entered a subsequent order addressing the award issued
to the Eliades Parties’ in the initial order giving rise to appeal number 81038.

1 As a result, Appellant requests the Court consolidate all three appeals,
2 suspend the current briefing schedule in appeals 81038 and 81238 and establish a
3 uniform briefing schedule applicable to all three appeals.
4

5 Dated this 17th day of July, 2020.

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10 MARK G. SIMONS

11 *Attorney for Appellant Nanyah Vegas, LLC*
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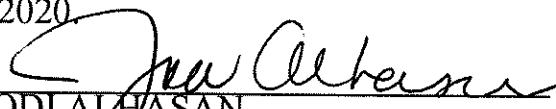
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