

IN THE SUPREME COURT OF THE STATE OF NEVADA

NANYAH VEGAS, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Appellant,

vs.

SIG ROGICH, A/K/A SIGMUND
ROGICH, INDIVIDUALLY, AND AS
TRUSTEE OF THE ROGICH FAMILY
IRREVOCABLE TRUST; ELDORADO
HILLS, LLC, A NEVADA LIMITED
LIABILITY COMPANY; TELD, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; PETER ELIADES,
INDIVIDUALLY AND AS TRUSTEE OF
THE ELIADES SURVIVOR TRUST OF
10/30/08; AND IMITATIONS, LLC; A
NEVADA LIMITED LIABILITY
COMPANY,

Respondents.

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-Appellant,

vs.

NANYAH VEGAS, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Cross-Respondent,
and

ELDORADO HILLS, LLC, A NEVADA
LIMITED LIABILITY COMPANY;
TELD, LLC, A NEVADA LIMITED
LIABILITY COMPANY; AND PETER
ELIADES, INDIVIDUALLY AND AS
TRUSTEE OF THE ELIADES
SURVIVOR TRUST OF 10/30/08,

No. 79917

FILED

APR 07 2021

ELIZABETH A. BRYAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

Respondents,
NANYAH VEGAS, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Appellant,

No. 81038

vs.

SIG ROGICH, A/K/A SIGMUND
ROGICH AS TRUSTEE OF THE
ROGICH FAMILY IRREVOCABLE
TRUST; ELDORADO HILLS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; TELD, LLC, A NEVADA
LIMITED LIABILITY COMPANY;
PETER ELIADES, INDIVIDUALLY
AND AS TRUSTEE OF THE ELIADES
SURVIVOR TRUST OF 10/30/08; AND
IMITATIONS, LLC, A NEVADA
LIMITED LIABILITY COMPANY,

Respondents.

NANYAH VEGAS, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Appellant,

No. 81238

vs.

SIG ROGICH, A/K/A SIGMUND
ROGICH AS TRUSTEE OF THE
ROGICH FAMILY IRREVOCABLE
TRUST; ELDORADO HILLS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; TELD, LLC, A NEVADA
LIMITED LIABILITY COMPANY;
PETER ELIADES, INDIVIDUALLY
AND AS TRUSTEE OF THE ELIADES
SURVIVOR TRUST OF 10/30/08; AND
IMITATIONS, LLC, A NEVADA
LIMITED LIABILITY COMPANY,

Respondents.

ORDER TO SHOW CAUSE

Nanyah Vegas, LLC, has filed a notice of bankruptcy, informing this court that it has filed a voluntary Chapter 11 bankruptcy case in the

United States Bankruptcy Court, District of Nevada, case no. 21-50226-btb. As a general rule, the filing of a bankruptcy petition operates to stay, automatically, the "continuation" of any "judicial . . . action . . . against the debtor." 11 U.S.C. § 362(a)(1). An appeal, for purposes of the automatic stay, is considered a continuation of the action in the trial court. Consequently, an appeal is automatically stayed if the debtor was the defendant in the underlying trial court action. See *Ingersoll-Rand Financial Corp. v. Miller Mining, Co. Inc.*, 817 F.2d 1424 (9th Cir. 1987). Here, however, it appears that Nanyah Vegas, LLC, was a plaintiff in the lower court. Thus, the action does not appear to have been against the debtor, but rather, it appears to have been brought by the debtor, such that the automatic stay may not be applicable.

Accordingly, Nanyah Vegas, LLC, shall, within 21 days from the date of this order, show cause why the automatic stay is applicable to these appeals such that they should be dismissed without prejudice. The remaining parties shall have 14 days from service of Nanyah's response to file and serve replies.

Briefing of these appeals is suspended pending further order of this court.

It is so ORDERED.

1. J. J. Kennedy, C.J.

cc: Bailey Kennedy
Simons Hall Johnston PC/Reno
Hutchison & Steffen, LLC/Las Vegas