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DISTRICT COURT

CLARK COUNTY, NEVADA

DOMINIQUE ARNOULD,

Plaintiff,

vs.

12 CLEMENT MUNNEY; CHEF EXEC
 13 SUPPLIERS, LLC; and DOES I through X,
 14 inclusive; and ROE CORPORATIONS I through
 15 X, inclusive,

Defendants,

And related counterclaims.

Case No.: A-19-803488-B
 Dept. No.: 27

**ORDER DENYING
 DEFENDANTS/COUNTER-CLAIMANTS'
 MOTION FOR STAY PENDING APPEAL**

17 Defendants/Counter-Claimants' Motion for Stay Pending Appeal ("Motion") came before
 18 this Court for hearing via BlueJeans video on June 9, 2021 at 9:30 a.m., with Tabetha Martinez,
 19 Esq. of Marquis Aurbach Coffing appearing on behalf of the plaintiff Dominique Arnould
 20 ("Arnould"), and Robert Kern, Esq. appearing for defendant/counter-claimant Clement Muney
 21 ("Muney") and defendant Chef Exec Suppliers, LLC ("CES").

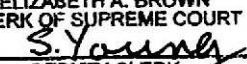
22 NOW, THEREFORE, having reviewed the Motion, all briefing related thereto, pleadings
 23 on file herein, and arguments of counsel at the time of the above identified hearing, being fully
 24 advised on the matter, and good cause appearing therefore, the Court hereby finds as follows:

- 25 1. On whether to issue a stay, the Nevada Supreme Court considers: (1) whether the object
 26 of the appeal or writ petition will be defeated if the stay is denied; (2) whether
 27 appellant/petitioner will suffer irreparable or serious injury if the stay is denied; (3)
 28 whether respondent/real party in interest will suffer irreparable or serious injury if the

Nos. 81354/81355/81356

FILED

JUN 28 2021

ELIZABETH A. BROWN
 CLERK OF SUPREME COURT
 BY 
 DEPUTY CLERK

21-18546

1 stay is granted; and (4) whether appellant/petitioner is likely to prevail on the merits in
2 the appeal or writ petition. Rules App. Proc., Rule 8(c); *Hansen v. Eighth Jud. Dist. Ct.*
3 *ex rel. Cty. of Clark*, 116 Nev. 650, 6 P.3d 982 (2000).

- 4 2. Here, the Court finds that Munev failed to meet its burden under the aforementioned
5 factors for a stay. Moreover, the Court does not see a basis for a stay because the trial
6 can proceed on Arnould's second cause of action regardless of Munev's pending
7 appeal. Thus, should the Supreme Court reverse the Court's previous decision, then it
8 may be dealt with in the ordinary course.

9 Based on the foregoing, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that
10 Defendants/Counter-Claimants' Motion for Stay Pending Appeal is hereby DENIED.

11 IT IS SO ORDERED.

12 June 17,

Dated this 17th day of June, 2021

Nancy L Allf

DISTRICT COURT JUDGE

TW

0A8 1BF 4CB7 DEF1

Nancy Allf

District Court Judge

16 Submitted By:

Approved as to Form:

17 MARQUIS AURBACH COFFING

KERN LAW, LTD.

19 By: /s/ Alexander K. Calaway

By: /s/ Robert Kern

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2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

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5
6 Dominique Arnould, Plaintiff(s)

CASE NO: A-19-803488-B

7 vs.

DEPT. NO. Department 27

8 Clement Munev, Defendant(s)

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 6/17/2021

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