

IN THE SUPREME COURT OF THE STATE OF NEVADA

SPANISH HEIGHTS ACQUISITION
COMPANY, LLC; SJC VENTURES
HOLDING COMPANY, LLC, d/b/a SJC
VENTURES, LLC,

Petitioners,

v.

CBC PARTNERS I, LLC; CBC
PARTNERS, LLC; 5148 SPANISH
HEIGHTS, LLC; KENNETH ANTOS
AND SHEILA NEUMANN-ANTOS;
DACIA, LLC,

Respondents.

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Elizabeth A. Brown
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Supreme Court No. 82868
District Court Case No. A-20-813439-B

**JOINT MOTION TO STAY CASE PENDING
COMPLETION OF SETTLEMENT**

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JOINT MOTION TO STAY CASE PENDING COMPLETION OF SETTLEMENT

Respondents and Appellants (collectively the “Parties”), by and through their respective counsel of record Michael R. Mushkin of the law firm of Mushkin & Coppedge and Joseph A. Gutierrez and Danielle J. Barraza of the law firm of Maier Gutierrez & Associates hereby file this Joint Motion for Stay Case Pending Settlement.

Good cause supports the granting of this motion for the following reasons:

1. On May 7, 2021 Appellants filed their Notice of Appeal, appealing the Findings of Fact and Conclusions of Law entered into the Eighth Judicial District Court on April 6, 2021.

2. The case was transferred to the Settlement Program; the parties were unable to reach a settlement. As such, the briefing was reinstated by the Order filed on July 29, 2021.

3. The underlying district court case was still moving forward to resolve the remaining issues not addressed in the May 7, 2021 Findings of Fact and Conclusions of Law.

4. On November 16, 2021, the Parties reached a settlement agreement on all claims, and the material terms were placed on the record.¹

5. As part of the settlement the Parties have agreed to move this Court for a stay pending all settlement payments to be made pursuant to agreement.

6. The final settlement payment is to be issued on or before April 5, 2020.

¹ See Order Granting the Parties Joint Oral Motion to Vacate the Trial Date and Stay the District Court Case Pending a Settlement between the Parties; **Exhibit 1**

7. Should the settlement payment not be made timely the Parties will move this Court to reinstate the briefing schedule.

8. No party will be prejudiced by the granting of the requested stay, which is sought in an effort to allow completion of the Parties' Settlement Agreement.

9. The parties believe that a stay of proceedings is appropriate to avoid potentially unnecessary further litigation and to conserve judicial resources.

10. The parties therefore respectfully request that this Court exercise its discretion to stay this case for 120 days.

Respectfully submitted this 10th day of December, 2021.

MUSHKIN & COPPEDGE

MAIER GUTIERREZ & ASSOCIATES

/s/Michael R. Mushkin
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CERTIFICATE OF SERVICE

Pursuant to NRAP 25(d), I certify that on this 10th day of December, 2021, I served a true and correct copy of the foregoing **Joint Motion to Stay Case Pending Completion of Settlement** as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☒ via electronic means by operation of the Court's electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk;
- ☐ via hand-delivery to the addressee listed below;
- ☐ via facsimile;
- ☐ by transmitting via email to the email address set forth below.

/s/Karen L. Foley
An Employee of
Mushkin & Coppedge