

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE TRUST
AGREEMENT, 23 PARTNERS TRUST I,
AN IRREVOCABLE TRUST.

No. 82991

MICHAEL T. NEDDER; AND
DOUGLAS DELUCA,
Appellants/Cross-Respondents,
vs.
JOANNE S. BRIGGS, AS PARENT AND
GUARDIAN OF JULIA ANN DELUCA
AND ALEXANDER IAN DELUCA,
PRIMARY BENEFICIARIES OF 23
PARTNERS TRUST I,
Respondent/Cross-Appellant.

FILED

NOV 23 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  CHIEF DEPUTY CLERK

ORDER GRANTING STAY

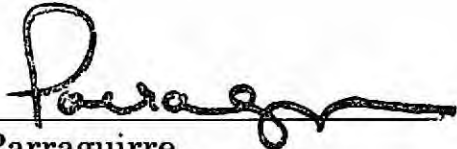
This is an appeal and cross-appeal from a district court order in a trust matter. Appellants/cross-respondents Michael Nedder and Douglas DeLuca (the Trustees) have filed a motion to stay the enforcement of the district court's April 23, 2021, order granting in part and denying in part a petition to (1) assume jurisdiction over trust, (2) conform Douglas Scott DeLuca as Trustee, (3) compel an accounting, and (4) obtain a copy of trust. Respondent/cross-appellant Joanne S. Briggs, as parent and guardian of Julia Ann DeLuca and Alexander Ian DeLuca, primary beneficiaries of the 23 Partners Trust I, has filed an opposition and the Trustees have filed a reply.

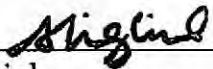
In determining whether to grant a stay pending disposition of an appeal, this court generally considers the following factors: (1) whether the object of the appeal will be defeated if the stay is denied; (2) whether the appellant will suffer irreparable or serious injury if the stay is denied;

(3) whether the respondent will suffer irreparable or serious injury if the stay is granted; and (4) whether the appellant is likely to prevail on the merits in the appeal. NRAP 8(c). No single factor is dispositive and a strong showing on some factors may counterbalance weak factors. *Mikohn Gaming Corp. v. McCrea*, 120 Nev. 248, 251, 89 P.3d 36, 38 (2004).

Applying these principles, we conclude that on balance the pertinent factors weigh in favor of the requested stay. Accordingly, we grant the Trustees' motion to stay pending the outcome of this appeal.

It is so ORDERED.

 J.
Parraguirre

 J.
Stiglich

 J.
Silver

cc: Hon. Gloria Sturman, District Judge
Hutchison & Steffen, LLC/Las Vegas
Solomon Dwiggins & Freer, Ltd.
Eighth District Court Clerk