

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF ESTATE OF  
THELMA AILENE SARGE AND  
ESTATE OF EDWIN JOHN SARGE.

No. 82623

ESTATE OF THELMA AILENE SARGE;  
ESTATE OF EDWIN JOHN SARGE;  
AND JILL SARGE,

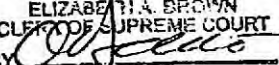
Appellants,

vs.

ZACHARY PEDERSON; MICHELLE  
PEDERSON; AND ROSEHILL, LLC,  
Respondents.

FILED

MAY 26 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER GRANTING STAY

Appellants have moved to stay the district court order appealed from pending resolution of this appeal. Respondents oppose the motion, and appellants have filed a reply.

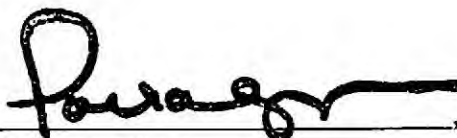
Appellants seek to reverse the district court's decision that respondents are bona fide purchasers and contend that the object of the appeal will be defeated without a stay because respondents will be free to sell the subject property. Appellants further argue that they will suffer irreparable harm from the loss of the real property. *See Dixon v. Thatcher*, 103 Nev. 414, 742 P.2d 1029 (1987) (loss of real property would result in irreparable harm for which compensatory damages would not provide adequate remedy). Meanwhile, appellants contend, the delay to respondents' abilities to market the property will not cause irreparable harm. Finally, appellants propose they are likely to prevail on the merits of their claims.

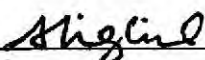
In opposition respondents largely submit their arguments in support of the summary judgment and claim appellants are not likely to

succeed on the merits and that a stay will render the title unmarketable because of the cloud on the title. Respondents further counter that appellants should be required to post a supersedeas bond in the amount of \$300,000, the purchase price of the property. Both parties note that a supersedeas bond is not required for a non-monetary judgment. Having considered the arguments of the parties and NRAP 8(c), this court concludes that a stay is warranted. Real property is considered unique, and if the property is sold, the object of the appeal will be largely defeated and appellants irreparably harmed. *Cf. McKnight Family, L.L.P. v. Adept Mgmt. Servs., Inc.*, 129 Nev. 610, 615, 310 P.3d 555, 558 (2013).

The district court's order shall be stayed pending further order of this court.

It is so ORDERED.

 J.  
Parraguirre

 J.  
Stiglich

 J.  
Silver

cc: Hon. James Todd Russell, District Judge  
Tory M. Pankopf, Ltd.  
Walsh & Rosevear  
Carson City Clerk