

IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILLIP J. FAGAN, JR., AN
INDIVIDUAL AND AS TRUSTEE OF
THE PHILLIP J. FAGAN, JR. 2001
TRUST,

Appellants,

vs.

AAL-JAY, INC., A NEVADA
CORPORATION; CHRISTIANO DE
CARLO, AN INDIVIDUAL; AND LAIL
LEONARD, AN INDIVIDUAL,

Respondents.

No. 84699

FILED

DEC 22 2022


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

ORDER REGARDING RESPONDENTS

On December 13, 2022, this court entered an order that, among other things, directed the parties to inform this court, by December 20, 2022, whether Christiano de Carlo and Lail Leonard are proper respondents to this appeal. *See Valley Bank of Nevada v. Ginsburg*, 110 Nev. 440, 448, 874 P.2d 729, 735 (1994) (explaining that to qualify as a party within the meaning of NRAP 3A(a), a person must have been served with process, appeared in the district court, and been named as a party of record). The order cautioned that failure to timely comply would result in the removal of de Carlo and Leonard as respondents. Respondents have filed a response, asserting that de Carlo and Leonard are not proper respondents because they were not served with process, did not appear in the district court, and did not waive service. Appellants have not filed a response. It therefore appears that de Carlo and Leonard are not proper respondents in this

matter. The clerk shall remove de Carlo and Leonard as respondents in this matter and modify the caption accordingly.

It is so ORDERED.

 C.J.

cc: Black & Wadhams
Lewis Roca Rothgerber Christie LLP/Las Vegas