

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA  
COMMISSIONER OF INSURANCE, AS  
RECEIVER OF LEWIS AND CLARK  
LTC RISK RETENTION GROUP, INC.,  
Appellants,

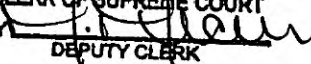
vs.

ROBERT CHUR; STEVE FOGG; MARK  
GARBER; CAROL HARTER; ROBERT  
HURLBUT; BARBARA LUMPKIN;  
JEFF MARSHALL; ERIC STICKELS;  
UNI-TER UNDERWRITING  
MANAGEMENT CORP.; UNI-TER  
CLAIMS SERVICES CORP.; AND U.S.  
RE CORPORATION,  
Respondents.

No. 85668

**FILED**

MAY 10 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER TO SHOW CAUSE*

This is an appeal from a district court order granting respondents Robert Chur, Steve Fogg, Mark Garber, Carol Harter, Robert Hurlburt, Barbara Lumpkin, Jeff Marshall, and Eric Stickels' judgment on the pleadings pursuant to NRCP 12(c) and related interlocutory orders. Appellant also seeks to appeal numerous interlocutory orders resolving issues distinct to respondents Uni-Ter Underwriting Management Corp., Uni-Ter Claims Services Corp., and U.S. Re Corporation ("corporate defendants"). Preliminary review of the docketing statement and the documents submitted to the court pursuant to NRAP 3(g) reveals a potential jurisdictional defect.

It appears appellant is not aggrieved with respect to the interlocutory orders relating solely to the corporate defendants. Although an interlocutory order is generally not independently appealable, it may be

properly heard by this court as part of an appeal from the final judgment. *Consolidated Generator-Nev., Inc. v. Cummins Engine Co., Inc.*, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998). However, the party bringing such an appeal must be aggrieved by a final, appealable judgment or order. *Jacinto v. PennyMac Corp.*, 129 Nev. 300, 303, 300 P.3d 724, 726 (2013); see also NRAP 3A(a). A party is aggrieved when they are adversely and substantially affected by a district court's decision. *Valley Bank of Nev. v. Ginsberg*, 110 Nev. 440, 446 874 P.2d 729, 734 (1994). A prevailing party is not aggrieved by the district court's judgment, and thus does not have jurisdiction to challenge interlocutory orders preceding the judgment. See e.g. *Webb ex rel. Webb v. Clark Cty. Sch. Dist.*, 125 Nev. 611, 617, 218 P.3d 1239, 1244 (2009). Following a jury trial, the district court entered judgment against corporate defendants on all claims and granted appellant her requested relief. It does not appear this court has jurisdiction over the challenged interlocutory orders as they preceded appellant's successful litigation of the claims involving corporate defendants.

Accordingly, appellant shall have 30 days from the date of this order within which to show cause why the identified portions of this appeal should not be dismissed for lack of jurisdiction. Failure to demonstrate that this court has jurisdiction may result in this court's dismissal of this appeal with respect to the interlocutory orders relating only to corporate defendants. The deadlines for filing documents in this appeal shall be suspended pending further order of this court. Respondents may file any reply within 14 days from the date that appellant's response is served.

It is so ORDERED.

                    Siglin                    , C.J.

cc: Hutchison & Steffen, LLC/Las Vegas  
Lipson Neilson P.C.  
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