

IN THE SUPREME COURT OF THE STATE OF NEVADA


MEI-GSR HOLDINGS, LLC, A NEVADA  
LIMITED LIABILITY COMPANY; AM-  
GSR HOLDINGS, LLC, A NEVADA  
LIMITED LIABILITY COMPANY; AND  
GAGE VILLAGE COMMERCIAL  
DEVELOPMENT, LLC, A NEVADA  
LIMITED LIABILITY COMPANY,  
Appellants/Cross-Respondents,  
vs.

ALBERT THOMAS, INDIVIDUALLY;  
JANE DUNLAP, INDIVIDUALLY; JOHN  
DUNLAP, INDIVIDUALLY; BARRY  
HAY, INDIVIDUALLY; MARIE-ANNE  
ALEXANDER, AS TRUSTEE OF THE  
MARIE-ANNIE ALEXANDER LIVING  
TRUST; MELISSA VAGUJHELYI AND  
GEORGE VAGUJHELYI, AS TRUSTEES  
OF THE GEORGE VAGUJHELYI AND  
MELISSA VAGUJHELYI 2001 FAMILY  
TRUST AGREEMENT, U/T/A APRIL 13,  
2001; D' ARCY NUNN, INDIVIDUALLY;  
HENRY NUNN, INDIVIDUALLY;  
MADELYN VAN DER BOKKE,  
INDIVIDUALLY; LEE VAN DER  
BOKKE, INDIVIDUALLY; DONALD  
SCHREIFELS, INDIVIDUALLY;  
ROBERT R. PEDERSON,  
INDIVIDUALLY AND AS TRUSTEE OF  
THE PEDERSON 1990 TRUST; LOU  
ANN PEDERSON, INDIVIDUALLY AND  
AS TRUSTEE OF THE PEDERSON 1990  
TRUST; LORI ORDOVER,  
INDIVIDUALLY; WILLIAM A.  
HENDERSON, INDIVIDUALLY;  
CHRISTINE E. HENDERSON,  
INDIVIDUALLY; LOREN D. PARKER,  
INDIVIDUALLY; SUZANNE C.  
PARKER, INDIVIDUALLY; MICHAEL

No. 85915

FILED

APR 15 2024

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

IZADY, INDIVIDUALLY; STEVEN  
TAKAKI, INDIVIDUALLY; FARAD  
TORABKHAN, INDIVIDUALLY; SAHAR  
TAVAKOL, INDIVIDUALLY; M&Y  
HOLDINGS, LLC; JL&YL HOLDINGS,  
LLC; SANDI RAINES, INDIVIDUALLY;  
R. RAGHURAM, INDIVIDUALLY; USHA  
RAGHURAM, INDIVIDUALLY; LORI K.  
TOKUTOMI, INDIVIDUALLY; GARRET  
TOM, INDIVIDUALLY; ANITA TOM,  
INDIVIDUALLY; RAMON FADRILAN,  
INDIVIDUALLY; FAYE FADRILAN,  
INDIVIDUALLY; PETER K. LEE AND  
MONICA L. LEE, AS TRUSTEES OF  
THE LEE FAMILY 2002 REVOCABLE  
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INDIVIDUALLY; ELIAS SHAMIEH,  
INDIVIDUALLY; JEFFREY QUINN,  
INDIVIDUALLY; BARBARA ROSE  
QUINN, INDIVIDUALLY; KENNETH  
RICHE, INDIVIDUALLY; MAXINE  
RICHE, INDIVIDUALLY; NORMAN  
CHANDLER, INDIVIDUALLY; BENTON  
WAN, INDIVIDUALLY; TIMOTHY D.  
KAPLAN, INDIVIDUALLY; SILKSCAPE  
INC.; PETER CHENG, INDIVIDUALLY;  
ELISA CHENG, INDIVIDUALLY; GREG  
A. CAMERON, INDIVIDUALLY; TMI  
PROPERTY GROUP, LLC; RICHARD  
LUTZ, INDIVIDUALLY; SANDRA LUTZ,  
INDIVIDUALLY; MARY A. KOSSICK,  
INDIVIDUALLY; MELVIN CHEAH,  
INDIVIDUALLY; DI SHEN,  
INDIVIDUALLY; NADINE'S REAL  
ESTATE INVESTMENTS, LLC; AJIT  
GUPTA, INDIVIDUALLY; SEEMA  
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FISH, INDIVIDUALLY; LISA FISH,  
INDIVIDUALLY; ROBERT A.  
WILLIAMS, INDIVIDUALLY;  
JACQUELIN PHAM, INDIVIDUALLY;

MAY ANN HOM, AS TRUSTEE OF THE  
MAY ANN HOM TRUST; MICHAEL  
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WINDHORST, INDIVIDUALLY;  
MARILYN WINDHORST,  
INDIVIDUALLY; VINOD BHAN,  
INDIVIDUALLY; ANNE BHAN,  
INDIVIDUALLY; GUY P. BROWNE,  
INDIVIDUALLY; GARTH A. WILLIAMS,  
INDIVIDUALLY; PAMELA Y. ARATANI,  
INDIVIDUALLY; DARLENE  
LINDGREN, INDIVIDUALLY;  
LAVERNE ROBERTS, INDIVIDUALLY;  
DOUG MECHAM, INDIVIDUALLY;  
CHRISINE MECHAM, INDIVIDUALLY;  
KWANGSOO SON, INDIVIDUALLY;  
SOO YEUN MOON, INDIVIDUALLY;  
JOHNSON AKINDODUNSE,  
INDIVIDUALLY; IRENE WEISS, AS  
TRUSTEE OF THE WEISS FAMILY  
TRUST; PRAVESH CHOPRA,  
INDIVIDUALLY; TERRY POPE,  
INDIVIDUALLY; NANCY POPE,  
INDIVIDUALLY; JAMES TAYLOR,  
INDIVIDUALLY; RYAN TAYLOR,  
INDIVIDUALLY; KI HAM,  
INDIVIDUALLY; YOUNG JA CHOI,  
INDIVIDUALLY; SANG DAE SOHN,  
INDIVIDUALLY; KUK HYUNG  
(CONNIE) YOO, INDIVIDUALLY; SANG  
(MIKE) YOO, INDIVIDUALLY; BRETT  
MENMUIR, AS TRUSTEE OF THE  
CAYENNE TRUST; WILLIAM MINER,  
JR., INDIVIDUALLY; CHANH TRUONG,  
INDIVIDUALLY; ELIZABETH ANDERS  
MECUA, INDIVIDUALLY; SHEPHERD  
MOUNTAIN, LLC; ROBERT BRUNNER,  
INDIVIDUALLY; AMY BRUNNER,  
INDIVIDUALLY; JEFF RIOPELLE,  
INDIVIDUALLY; PATRICIA M. MOLL,

INDIVIDUALLY; AND DANIEL MOLL,  
INDIVIDUALLY,

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CHRISTINE E. HENDERSON,  
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INDIVIDUALLY; SUZANNE C.

No. 86092 ✓

PARKER, INDIVIDUALLY; MICHAEL  
IZADY, INDIVIDUALLY; STEVEN  
TAKAKI, INDIVIDUALLY; FARAD  
TORABKHAN, INDIVIDUALLY;  
SAHAR TAVAKOL, INDIVIDUALLY;  
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INDIVIDUALLY; R. RAGHURAM,  
INDIVIDUALLY; USHA RAGHURAM,  
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INDIVIDUALLY; SOO YEUN MOON,  
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AKINDODUNSE, INDIVIDUALLY;  
IRENE WEISS, AS TRUSTEE OF THE  
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INDIVIDUALLY; KUK HYUNG  
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SANG (MIKE) YOO, INDIVIDUALLY;  
BRETT MENMUIR, AS TRUSTEE OF  
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CHRISTINE E. HENDERSON,  
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PATRICIA M. MOLL, INDIVIDUALLY;  
AND DANIEL MOLL, INDIVIDUALLY,  
Respondents.

*ORDER DENYING MOTIONS FOR RECONSIDERATION AND STAY  
AND GRANTING MOTION FOR EXTENSION OF TIME*

Appellants have filed a petition for rehearing of our December 29, 2023, Order Resolving Motions, Dismissing and Consolidating Appeals, and Reinstating Briefing, which was filed in these three appeals and several other related appeals. Because NRAP 40 petitions for rehearing must be directed at dispositional orders of this court, NRAP 40(a)(1), and the December 29 order did not dispose of the appeals in these three dockets, the petition was construed and docketed as a motion for reconsideration with respect to these appeals. Appellants also filed a motion to maintain or reinstate stays pending consideration of this motion for reconsideration and any future petition for en banc reconsideration, and a motion to extend the deadline for filing the opening briefs and appendices in these appeals, citing personal circumstances of counsel. The motion to maintain or reinstate stays is opposed and fully briefed; the motion to extend the deadline is unopposed.

Having reviewed the motion for reconsideration and the briefing related to the motion to maintain or reinstate stays, we conclude that the requested relief is not warranted. Appellants contend that we overlooked or misapprehended binding authority explaining that a

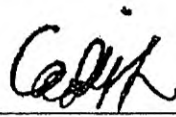
prejudgment receiver is a provisional remedy that necessarily terminates upon entry of the final judgment and thereby created a conflict within Nevada precedent. To the contrary, however, this court considered the authorities cited by appellants and determined that, for purposes of determining jurisdiction, they did not overcome the district court's intentional and express continuation of the receivership post-judgment to dissolve the association, sell the units, conduct accountings, and wind up the receivership estate, which even some of the authorities and jurisdictions relied on by appellants recognize is possible under their states' applicable laws. *E.g.*, *Stier v. Don Mar Operating Co.*, 305 N.Y.S.2d 397, 398 (N.Y. App. Div. 1969) ("Since an order was not obtained to continue the receivership, it was terminated upon final judgment and respondent now lacks standing to maintain an action for rents."). In recognizing that the district court may have had jurisdiction to continue the receivership, we stated that we expressed no opinion on the propriety of the district court's actions, leaving appellants free to challenge the district court's exercise of jurisdiction when appropriate. Appellants indeed have done so, filing a writ petition in Docket No. 88065. As this determination does not directly conflict with any Nevada authority cited by appellants, which merely describes the general nature of a prejudgment receivership, *e.g.*, *Direct Grading & Paving, LLC v. Eighth Jud. Dist. Ct.*, 137 Nev. 320, 324, 491 P.3d 13, 17 (2021) ("A provisional remedy is '[a] temporary remedy awarded before judgment and pending the action's disposition, such as a temporary restraining order, a preliminary injunction, a prejudgment receivership, or an attachment,' that 'is intended to maintain the status quo by protecting a person's safety or preserving property.'" (quoting *Remedy, provisional remedy*, *Black's Law Dictionary* (11th ed. 2019))), and as we are not persuaded by appellants' NRCP 54(b) arguments that this court is deprived

of jurisdiction over these appeals or supplied with jurisdiction over the other appeals, we deny the motion for reconsideration.

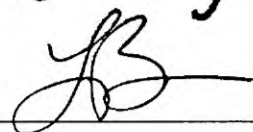
Likewise, we deny the motion to maintain or reinstate stays. This court's temporary stay granted on May 8, 2023, in Docket No. 86092, only, was effective until further order of the court. Further order of the court issued on December 29, denying the stay motion and vacating the temporary stay. Thus, there is no stay to maintain, and in light of this order, no basis to reinstate the stay in these appeals, as the stay requested pertains to January and March 2023 orders over which we lack jurisdiction. This order, which is procedural, is without prejudice to appellants' ability to seek a stay in the writ proceeding or other proceedings over which this court has jurisdiction.

Finally, we grant appellants' unopposed motion to extend the deadline for filing the opening briefs and appendices in these appeals by 60 days. Thus, the opening brief and appendix in Docket No. 85915 and the opening brief and appendix in Docket Nos. 86092/86985 are due by May 27, 2024. Briefing will thereafter proceed in accordance with NRAP 28.1(f)(1).

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Cadish

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Bell

cc: Chief Judge, The Second Judicial District Court  
Hon. Elizabeth Gonzalez, Senior Judge  
Meruelo Group LLC/Reno  
Pisanelli Bice, PLLC  
Robertson, Johnson, Miller & Williamson  
Lemons, Grundy & Eisenberg  
Washoe District Court Clerk