## 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.

No. 85915

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CLERK OF GUPRENK OF PT

SUPREME COURT OF NEVADA

73-37318

PARKER, INDIVIDUALLY: MICHAEL 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 TRUST: DOMINIC YIN. 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 GUPTA. INDIVIDUALLY: FREDRICK FISH, INDIVIDUALLY; LISA FISH,

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INDIVIDUALLY; ROBERT A. WILLIAMS, INDIVIDUALLY; JACQUELIN PHAM, INDIVIDUALLY; MAY ANN HOM, AS TRUSTEE OF THE MAY ANN HOM TRUST: MICHAEL HURLEY, INDIVIDUALLY; DOMINIC YIN, INDIVIDUALLY; DUANE 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, Respondents/Cross-Appellants.

MEI-GSR HOLDINGS, LLC, A NEVADA LIMITED LIABILITY COMPANY; AMGSR 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

No. 86092

SUPREME COURT OF NEVADA

A. HENDERSON, INDIVIDUALLY; CHRISTINE E. HENDERSON, INDIVIDUALLY; LOREN D. PARKER, INDIVIDUALLY; SUZANNE C. PARKER, INDIVIDUALLY; MICHAEL 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 TRUST: DOMINIC YIN, 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 GUPTA, INDIVIDUALLY; FREDRICK FISH, INDIVIDUALLY: LISA FISH, INDIVIDUALLY: ROBERT A. WILLIAMS, INDIVIDUALLY; JACQUELIN PHAM, INDIVIDUALLY: MAY ANN HOM, AS TRUSTEE OF THE MAY ANN HOM TRUST; MICHAEL HURLEY, INDIVIDUALLY; DOMINIC YIN, INDIVIDUALLY; DUANE 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, Respondents/Cross-Appellants.

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

No. 86985

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 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 TRUST; DOMINIC YIN, 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 GUPTA, INDIVIDUALLY; FREDRICK FISH, INDIVIDUALLY; LISA FISH, INDIVIDUALLY: ROBERT A. WILLIAMS, INDIVIDUALLY; JACQUELIN PHAM, INDIVIDUALLY: MAY ANN HOM. AS TRUSTEE OF THE MAY ANN HOM TRUST; MICHAEL HURLEY, INDIVIDUALLY; DUANE 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, Respondents/Cross-Appellants. 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; JANE DUNLAP; JOHN DUNLAP; BARRY HAY; MARIE-ANNIE ALEXANDER, AS TRUSTEE OF THE MARIE-ANNE 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; HENRY NUNN: MADELYN VAN DER BOKKE: LEE VAN DER BOKKE: DONALD SCHREIFELS; ROBERT R. PEDERSON. INDIVIDUALLY AND AS TRUSTEE OF THE PEDERSON 1990 TRUST; LOU ANN PEDERSON, INDIVIDUALLY

AND AS TRUSTEE OF THE

No. 87243 V

PEDERSON 1990 TRUST: LORI ORDOVER: WILLIAM A. HENDERSON, INDIVIDUALLY: CHRISTINE E. HENDERSON; LOREN D. PARKER; SUZANNE C. PARKER: MICHAEL IZADY; STEVEN TAKAKI; FARAD TORABKHAN; SAHAR TAVAKOL; M&Y HOLDINGS, LLC; JL&YL HOLDINGS, LLC; SANDI RAINES; R. RAGHURAM; USHA RAGHURAM: LORI K. TOKUTOMI; GARRET TOM; ANITA TOM: RAMON FADRILAN: FAYE FADRILAN; PETER K. LEE AND MONICA L. LEE, AS TRUSTEES OF THE LEE FAMILY 2002 REVOCABLE TRUST: ELIAS SHAMIEH: JEFFREY QUINN: BARBARA ROSE QUINN: KENNETH RICHE; MAXINE RICHE; NORMAN CHANDLER; BENTON WAN: TIMOTHY D. KAPLAN; SILKSCAPE INC., A CALIFORNIA CORPORATION; PETER CHENG: ELISA CHENG: GREG A. CAMERON; TMI PROPERTY GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; RICHARD LUTZ; SANDRA LUTZ; MARY A. KOSSICK: MELVIN H. CHEAH: DI SHEN: NADINE'S REAL ESTATE INVESTMENTS, LLC: AJIT GUPTA: SEEMA GUPTA: FREDRICK FISH; LISA FISH; ROBERT A. WILLIAMS; JACQUELIN PHAM; MAY ANN HOM, AS TRUSTEE OF THE MAY ANN HOM TRUST: MICHAEL HURLEY: DOMINIC YIN: DUANE WINDHORST; MARILYN WINDHORST; VINOD BHAN: ANNE BHAN: GUY P. BROWNE; GARTH A. WILLIAMS; PAMELA Y. ARATANI; DARLENE LINDGREN: LAVERNE ROBERTS: DOUG MECHAM; CHRISINE

MECHAM; KWANGSOO SON: SOO YEUN MOON; JOHNSON AKINDODUNSE: IRENE WEISS, AS TRUSTEE OF THE WEISS FAMILY TRUST: PRAVESH CHOPRA: TERRY POPE; NANCY POPE; JAMES TAYLOR; RYAN TAYLOR; KI HAM; YOUNG JA CHOI; SANG DAE SOHN; KUK HYUNG (CONNIE) YOO; SANG SOON (MIKE) YOO: BRETT MENMUIR, AS TRUSTEE OF THE CAYENNE TRUST: WILLIAM MINER, JR.: CHANH TRUONG: ELIZABETH ANDERS MECUA: SHEPARD MOUNTAIN, LLC, A TEXAS LIMITED LIABILITY COMPANY; ROBERT BRUNNER: AMY BRUNNER: JEFF RIOPELLE; PATRICIA M. MOLL; AND DANIEL MOLL, Respondents/Cross-Appellants.

MEI-GSR HOLDINGS, LLC, A NEVADA LIMITED LIABILITY COMPANY; GRAND SIERRA RESORT UNIT OWNERS' ASSOCIATION, A NEVADA NONPROFIT CORPOBATION; AM-GSR HOLDINGS, LLC, A NEVADA LIMITED LIABILITY COMPANY; AND GAGE VILLAGE COMMERCIAL DEVELOPMENT, LLC, A NEVADA LIMITED LIABILITY COMPANY, Appellants.

VS.

ALBERT THOMAS; JANE DUNLAP; JOHN DUNLAP; BARRY HAY; MARIE-ANNIE ALEXANDER, AS TRUSTEE OF THE MARIE-ANNE 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; No. 87303

SUPREME COURT OF NEVADA

D'ARCY NUNN; HENRY NUNN; MADELYN VAN DER BOKKE; LEE VAN DER BOKKE; DONALD SCHREIFELS; 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; WILLIAM A. HENDERSON, INDIVIDUALLY: CHRISTINE E. HENDERSON: LOREN D. PARKER: SUZANNE C. PARKER; MICHAEL IZADY; STEVEN TAKAKI; FARAD TORABKHAN; SAHAR TAVAKOL; M&Y HOLDINGS, LLC; JL&YL HOLDINGS, LLC; SANDI RAINES; R. RAGHURAM; USHA RAGHURAM; LORI K. TOKUTOMI: GARRET TOM: ANITA TOM; RAMON FADRILAN; FAYE FADRILAN: PETER K. LEE AND MONICA L. LEE, AS TRUSTEES OF THE LEE FAMILY 2002 REVOCABLE TRUST: ELIAS SHAMIEH: JEFFREY QUINN; BARBARA ROSE QUINN; KENNETH RICHE; MAXINE RICHE; NORMAN CHANDLER; BENTON WAN; TIMOTHY D. KAPLAN; SILKSCAPE INC., A CALIFORNIA CORPORATION; PETER CHENG: ELISA CHENG: GREG A. CAMERON: TMI PROPERTY GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY: RICHARD LUTZ: SANDRA LUTZ: MARY A. KOSSICK; MELVIN H. CHEAH; DI SHEN; NADINE'S REAL ESTATE INVESTMENTS, LLC; AJIT GUPTA: SEEMA GUPTA: FREDRICK FISH; LISA FISH; ROBERT A. WILLIAMS; JACQUELIN PHAM; MAY ANN HOM, AS TRUSTEE OF THE MAY

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

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,

VS.

ALBERT THOMAS; JANE DUNLAP; JOHN DUNLAP; BARRY HAY; MARIE-ANNIE ALEXANDER, AS TRUSTEE OF THE MARIE-ANNE ALEXANDER LIVING TRUST; MELISSA No. 87566

SUPREME COURT OF NEVADA

NEVADA

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; HENRY NUNN; MADELYN VAN DER BOKKE; LEE VAN DER BOKKE; DONALD SCHREIFELS; 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: WILLIAM A. HENDERSON, INDIVIDUALLY; CHRISTINE E. HENDERSON; LOREN D. PARKER; SUZANNE C. PARKER; MICHAEL IZADY: S'TEVEN TAKAKI: FARAD TORABKHAN; SAHAR TAVAKOL; M&Y HOLDINGS, LLC; JL&YL HOLDINGS, LLC; SANDI RAINES; R. RAGHURAM; USHA RAGHURAM; LORI K. TOKUTOMI; GARRET TOM; ANITA TOM: RAMON FADRILAN: FAYE FADRILAN; PETER K. LEE AND MONICA L. LEE, AS TRUSTEES OF THE LEE FAMILY 2002 REVOCABLE TRUST: ELIAS SHAMIEH: JEFFREY QUINN: BARBARA ROSE QUINN: KENNETH RICHE; MAXINE RICHE; NORMAN CHANDLER; BENTON WAN; TIMOTHY D. KAPLAN; SILKSCAPE INC., A CALIFORNIA CORPORATION; PETER CHENG; ELISA CHENG; GREG A. CAMERON; TMI PROPERTY GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY: RICHARD LUTZ; SANDRA LUTZ; MARY A. KOSSICK; MELVIN H. CHEAH; DI SHEN; NADINE'S REAL

ESTATE INVESTMENTS, LLC; AJIT GUPTA: SEEMA GUPTA: FREDRICK FISH: LISA FISH: ROBERT A. WILLIAMS: JACQUELIN PHAM: MAY ANN HOM, AS TRUSTEE OF THE MAY ANN HOM TRUST; MICHAEL HURLEY: DOMINIC YIN: DUANE WINDHORST: MARILYN WINDHORST: VINOD BHAN; ANNE BHAN; GUY P. BROWNE; GARTH A. WILLIAMS: PAMELA Y. ARATANI; DARLENE LINDGREN: LAVERNE ROBERTS: DOUG MECHAM; CHRISINE MECHAM: KWANGSOO SON: SOO YEUN MOON: JOHNSON AKINDODUNSE: IRENE WEISS, AS TRUSTEE OF THE WEISS FAMILY TRUST: PRAVESH CHOPRA: TERRY POPE; NANCY POPE; JAMES TAYLOR; RYAN TAYLOR; KI HAM; YOUNG JA CHOI: SANG DAE SOHN: KUK HYUNG (CONNIE) YOO; SANG SOON (MIKE) YOO; BRETT MENMUIR, AS TRUSTEE OF THE CAYENNE TRUST: WILLIAM MINER, JR.; CHANH TRUONG; ELIZABETH ANDERS MECUA: SHEPARD MOUNTAIN, LLC, A TEXAS LIMITED LIABILITY COMPANY; ROBERT BRUNNER: AMY BRUNNER: JEFF RIOPELLE: PATRICIA M. MOLL: AND DANIEL MOLL, Respondents.

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,

VS.

No. 87567

SUPREME COURT

ALBERT THOMAS; JANE DUNLAP; JOHN DUNLAP; BARRY HAY; MARIE-ANNIE ALEXANDER, AS TRUSTEE OF THE MARIE-ANNE 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; HENRY NUNN; MADELYN VAN DER BOKKE; LEE VAN DER BOKKE; DONALD SCHREIFELS: 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; WILLIAM A. HENDERSON, INDIVIDUALLY; CHRISTINE E. HENDERSON; LOREN D. PARKER; SUZANNE C. PARKER; MICHAEL IZADY: STEVEN TAKAKI: FARAD TORABKHAN; SAHAR TAVAKOL; M&Y HOLDINGS, LLC; JL&YL HOLDINGS, LLC; SANDI RAINES; R. RAGHURAM; USHA RAGHURAM; LORI K. TOKUTOMI: GARRET TOM: ANITA TOM: RAMON FADRILAN: FAYE FADRILAN: PETER K. LEE AND MONICA L. LEE, AS TRUSTEES OF THE LEE FAMILY 2002 REVOCABLE TRUST; ELIAS SHAMIEH; JEFFREY QUINN: BARBARA ROSE QUINN: KENNETH RICHE; MAXINE RICHE; NORMAN CHANDLER: BENTON WAN: TIMOTHY D. KAPLAN; SILKSCAPE INC., A CALIFORNIA CORPORATION; PETER CHENG; ELISA CHENG; GREG A. CAMERON; TMI PROPERTY

GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; RICHARD LUTZ; SANDRA LUTZ; MARY A. KOSSICK: MELVIN H. CHEAH: DI SHEN: NADINE'S REAL ESTATE INVESTMENTS, LLC: AJIT GUPTA; SEEMA GUPTA; FREDRICK FISH; LISA FISH; ROBERT A. WILLIAMS; JACQUELIN PHAM; MAY ANN HOM. AS TRUSTEE OF THE MAY ANN HOM TRUST: MICHAEL HURLEY: DOMINIC YIN: DUANE WINDHORST: MARILYN WINDHORST: VINOD BHAN; ANNE BHAN; GUY P. BROWNE; GARTH A. WILLIAMS; PAMELA Y. ARATANI; DARLENE LINDGREN: LAVERNE ROBERTS: DOUG MECHAM: CHRISINE MECHAM: KWANGSOO SON: SOO YEUN MOON; JOHNSON AKINDODUNSE; IRENE WEISS, AS TRUSTEE OF THE WEISS FAMILY TRUST: PRAVESH CHOPRA: TERRY POPE: NANCY POPE: JAMES TAYLOR; RYAN TAYLOR: KI HAM: YOUNG JA CHOI; SANG DAE SOHN; KUK HYUNG (CONNIE) YOO; SANG SOON (MIKE) YOO: BRETT MENMUIR, AS TRUSTEE OF THE CAYENNE TRUST: WILLIAM MINER, JR.; CHANH TRUONG: ELIZABETH ANDERS MECUA; SHEPARD MOUNTAIN, LLC, A TEXAS LIMITED LIABILITY COMPANY; ROBERT BRUNNER; AMY BRUNNER; JEFF RIOPELLE; PATRICIA M. MOLL; AND DANIEL MOLL. Respondents.

## ORDER TO SHOW CAUSE

These are appeals and cross-appeals from various orders and judgments in a contract and tort action in which a receiver was appointed.

In Docket No. 86092, when our preliminary review of the documents before this court revealed potential jurisdictional defects, we directed appellants and cross-appellants to show cause why the appeal and cross-appeal should not be dismissed for lack of jurisdiction. In particular, we noted that, while the district court's amended judgment appears to have resolved all of the damages claims asserted below, the receivership imposed pursuant to cross-appellants' complaint remains pending, such that it is unclear whether a final, appealable judgment has been entered per NRAP 3A(b)(1), or whether the receivership proceedings might be collateral to the claims resolved by the amended judgment. See Lee v. GNLV Corp., 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment); Martin & Co. v. Kirby, 34 Nev. 205, 214, 117 P. 2, 4 (1911) (recognizing that a final judgment in a receivership action is one that approves or rejects all of the items in the receiver's final account and directs distribution of any remaining funds). We also questioned whether the January and March 2023 orders may be challenged in the context of the appeal and cross-appeal from that amended judgment, as they appear merely to direct turnover of a receivership asset at the request of the receiver and appellants did not name the receiver as a respondent to the appeal.

The parties timely filed responses and supplemental responses to the show cause order. Among other arguments, cross-appellants asserted that we have jurisdiction because, after the show cause order was issued, the district court granted their motion for NRCP 54(b) certification. The district court's June 28, 2023, order granting their motion for certification



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does not, however, make an express determination that there is no just reason for delay and direct entry of any final judgment, both of which are required by NRCP 54(b). It is therefore ineffective. Hern v. Erhardt, 113 Nev. 1330, 1334 n.4, 948 P.2d 1195, 1197 n.4 (1997); Aldabe v. Evans, 83 Nev. 135, 425 P.2d 598 (1967).

Because it appears that the district court intended to certify the amended judgment as final pursuant to NRCP 54(b) and a proper NRCP 54(b) certification may assist this court in resolving the jurisdictional issues presented in these appeals, the parties shall have 14 days from the date of this order within which to seek from the district court, and provide to this court, an amended NRCP 54(b) certification reflecting the district court's express determination that there is no just reason for delay and that expressly directs entry of final judgment. If the parties decline to move the district court for such an amended certification or if the district court declines to enter one, they shall indicate such to this court within the same time period. The deadline for requesting transcripts and the briefing schedules in these appeals shall remain suspended, or alternatively shall be suspended, as applicable, pending further order of this court. We defer ruling on the pending motions in each appeal.

It is so ORDERED.

SUPREME COURT

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