THE SUPREME COURT OF THE STATE OF NEVADA

G7P&T, A NEVADA GENERAL PARTNERSHIP,
Appellant,
vs.
DOUGLAS R. JOHNSON; DEBRA A. JOHNSON; PHILLIP J. ANDREWS; JOHNSON INVESTMENT, LLC; JAMD, INC.; AND TARKANIAN FAMILY LTD. PARTNERSHIP,
Respondents.

No. 45195

FILED

SEP 26 2005

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY [signature]
CHIEF DEPUTY CLERK

ORDER DENYING MOTION TO REQUIRE SUPERSEDEAS BOND

This is an appeal from district court orders granting summary judgment and expunging a lis pendens in a real estate contract dispute.

Although no stay was requested of the district court or this court, respondents have filed a motion to require appellant to post a supersedeas bond. Respondents argue that even without a formal stay, a letter received from appellant's attorney has effectively placed a cloud upon their title.[1] Respondents contend, therefore, that appellant should be required to post a supersedeas bond in the amount of $25 million, pending appeal.

[1]The May 9, 2005 letter from J. Randall Jones, Esq., warns respondents' attorneys that it would be imprudent for respondents to make substantial investments in the disputed property or commit to a particular project in light of the intended appeal to this court.

05-19041

Respondents have not demonstrated that a supersedeas bond is warranted or even available when the lis pendens has been expunged and no stay has been requested or issued. Accordingly, we deny the motion.

It is so ORDERED.

_____, J.
Maupin

_____, J.
Gibbons

_____, J.
Hardesty

cc: Hon. Elizabeth Goff Gonzalez, District Judge
Harrison Kemp & Jones, LLP
McDonald Carano Wilson LLP/Las Vegas
Daniel J. Tarkanian
Clark County Clerk