

SUPREME COURT OF NEVADA

Resources Group, LLC v. Nevada Association Services, Inc.

2019 NV 8 (Nev. 2019) · No. 71268; 19-11364 · Decided March 14, 2019

SUMMARY

This is an en banc per curiam opinion of the Supreme Court of Nevada in a civil appeal involving Resources Group, LLC, Nevada Association Services, Inc., and Hydr-O-Dynamic Corporation. The court reversed and remanded the lower-court decision; the opinion was issued on March 14, 2019, and remittitur followed on April 9, 2019.

OPINION

PER CURIAM.

71268: Case View Nevada Appellate Courts Appellate Case Management System C-Track, the browser based CMS for Appellate Courts Case Search Participant Search Cases Case Search Participant Search 19-11364: This document is currently unavailable. If you need a copy of this document, please contact Clerk's Office at (775)684-1600. Disclaimer: The information and documents available here should not be relied upon as an official record of action.Only filed documents can be viewed.

Some documents received in a case may not be available for viewing.Some documents originating from a lower court, including records and appendices, may not be available for viewing.For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600. Case Information: 71268 Short Caption:RESOURCES GRP., LLC VS. NEVADA ASS'N SERV.'S, INC.Court:Supreme Court Lower Court Case(s):Clark Co. - Eighth Judicial District - A714027Classification:Civil Appeal - General - Other Disqualifications:Case Status:Remittitur Issued/Case Closed Replacement:Panel Assigned: En Banc To SP/Judge:10/10/2016 / Lavelle, EleissaSP Status:Completed Oral Argument:06/05/2018 at 2:00 PMOral Argument Location:Las Vegas Submission Date:06/05/2018How Submitted:After Oral Argument + Party Information RoleParty NameRepresented By AppellantResources Group, LLCMichael F. Bohn (Law Offices of Michael F. Bohn, Ltd.)

RespondentHydr-O-Dynamic CorporationJeffrey D. Patterson (Goold Patterson)
RespondentNevada Association Services, Inc.Richard J. Vilkin (Former) (Law Offices of Richard Vilkin, P.C.) Christopher V. Yergensen Docket Entries DateTypeDescriptionPending?Document
09/16/2016Filing FeeFiling fee due for Appeal. 09/16/2016Notice of Appeal DocumentsFiled
Notice of Appeal.

Appeal docketed in the Supreme Court this day.16-28772 09/16/2016Notice/OutgoingIssued Notice to Pay Supreme Court Filing Fee. No action will be taken on this matter until filing fee is paid. Due Date: 10 days.16-28775 09/30/2016Filing FeeE-Payment \$250.00 from Michael F. Bohn 10/05/2016Notice/OutgoingIssued Notice of Referral to Settlement Program. This appeal may be assigned to the settlement program.

Timelines for requesting transcripts and filing briefs are stayed. Docketing Statement mailed to counsel for appellant - due: 20 days.16-31034 10/10/2016Settlement NoticeIssued Notice: Assignment to Settlement Program. Issued Assignment Notice to NRAP 16 Settlement Program. Settlement Judge: Eleissa C. Lavelle.16-31505 10/24/2016Docketing StatementFiled Docketing Statement Civil Appeals.16-33233 11/18/2016Settlement Program ReportFiled ECAR/Appropriate for Settlement Program.

This case is appropriate for mediation and a settlement conference is scheduled for December 15, 2016, at 1:30 pm.16-36141 11/22/2016Notice/IncomingFiled Substitution Of Attorneys By Respondent Nevada Association Services, Inc. (Christopher Yergensen as counsel for the Respondent NAS).16-36467 03/27/2017Settlement Program ReportFiled Final Report/No Settlement.

The parties were unable to agree to a settlement of this matter.17-10173 03/28/2017Settlement Order/ProceduralFiled Order: No Settlement/Briefing Reinstated. The parties were unable to agree to a settlement. Appellant(s): 15 days transcript request; 90 days opening brief and appendix.17-10387 04/07/2017Transcript RequestFiled Request for Transcript of Proceedings.

Transcripts requested: 07/07/16. To Court Reporter: Yvette Sison.17-11633 06/26/2017BriefFiled Appellant's Opening Brief.17-21170 06/26/2017AppendixFiled Joint Appendix Volume 1.17-21172 06/26/2017AppendixFiled Joint Appendix Volume 2.17-21173 07/19/2017MotionFiled Stipulation to Extend Time for Respondent Hydr-O-Dynamic Corporation to File Its Answering Brief.17-23972 07/19/2017Notice/OutgoingIssued Notice Motion/Stipulation Approved.

Respondent Hydr-O-Dynamic Corporation's Answering Brief due: August 25, 2017.17-23978 08/22/2017Order/ProceduralFiled Order To File Answering Brief. To date, NAS has failed to file the answering brief. Answering Brief due: 11 days.17-28023 08/25/2017BriefFiled Respondent Hydo-O-Dynamic Corporation's Answering Brief.17-28616 09/25/2017MotionFiled Stipulation Extending the Date to File Appellant's Reply Brief.17-32313 09/27/2017Order/ProceduralFiled Order Disapproving Stipulation.

Appellant and respondent Hydr-O-Dynamic Corporation have filed a stipulation to extend the time to file appellant's reply brief. The reply brief is not yet due because respondent Nevada Association Services has not filed its answering brief.

Accordingly, the stipulation is disapproved as unnecessary.17-32784 09/29/2017Order/ProceduralFiled Order Conditionally Imposing Sanctions. Conditional sanction of \$250 due: 15 days or Answering Brief or Motion due: 11 days.17-33193 10/04/2017MotionFiled Respondent Nevada Association Services, Inc.'s Motion to Waive its Right to File an Answering Brief.17-33749 10/11/2017Order/ProceduralFiled Order.

We vacate the conditional sanctions imposed on September 29, 2017. Reply Brief due: 30 days.17-34578 11/14/2017BriefFiled Appellant's Reply Brief.17-39062 11/14/2017Case Status UpdateBriefing Completed/To Screening. 02/26/2018Order/Clerk'sFiled Order Re: Scheduling of Oral Argument. This matter will be scheduled for oral argument on the next available calendar.18-07324 02/27/2018Notice/OutgoingIssued Notice Scheduling Oral Argument.

Argument is scheduled for Monday, May 14, 2018, at 1:30 p.m. for 30 minutes in Carson City.18-07736 03/07/2018MotionFiled Respondent Hydr-O-Dynamic Corporation's Motion to Postpone Oral Argument.18-09085 03/08/2018Order/ProceduralFiled Order Granting Motion.

We hereby vacate the oral argument presently scheduled for May 14, 2018, at 1:30 p.m., and direct the clerk of this court to schedule this appeal for oral argument before the Northern Panel on the next available calendar.18-09253 05/02/2018Notice/OutgoingIssued Notice Scheduling Oral Argument. Argument is scheduled for Tuesday, June 5, 2018, at 2:00 p.m. for 30 minutes in Las Vegas.18-16654 05/22/2018Notice/OutgoingIssued Oral Argument Reminder Notice.18-19618 06/05/2018Case Status UpdateOral argument held this day.

Case submitted for decision. Before the Northern Nevada Panel. 01/28/2019Order/ProceduralFiled Order of Assignment. The Honorable Michael L. Douglas, Senior Justice, having previously participated in the above entitled matter, IT IS HEREBY ORDERED that the Honorable Michael L. Douglas, Senior Justice, is assigned to participate in the determination of this matter.

(SC)19-04222 03/14/2019Opinion/DispositionalFiled Authored Opinion. "Reversed and remanded." Fn1[The Honorable Elissa F. Cadish and the Honorable Abbi Silver did not participate in the decision of this matter. The Honorable Michael L. Douglas, Senior Justice, was appointed by the court to participate in the decision of this matter.]

Before the Court En Banc. Hardesty, J. Majority: Hardesty/Parraguirre/Stiglich/Douglas. Gibbons, C.J., concurring in part and dissenting in part. Pickering, J., dissenting. 135 Nev. Adv. Opn. No. 8. EN BANC (SC)19-11364 04/09/2019RemittiturIssued Remittitur. (SC).19-15435 04/09/2019Case Status UpdateRemittitur Issued/Case Closed. (SC). 04/23/2019RemittiturFiled Remittitur.

Received by District Court Clerk on April 12, 2019. (SC)19-15435 Combined Case View

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