

SUPREME COURT OF NEVADA

J. McDonald Co., Inc. v. Tropical & Losee, LLC

J. McDonald · No. 83569 · Decided October 11, 2022

SUMMARY

The Nevada Supreme Court issued an Order of Affirmance in J. McDonald Co., Inc. v. Tropical & Losee, LLC. The court affirmed the judgment of the Eighth Judicial District Court in Clark County; the order was filed on October 11, 2022.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Mark Gibbons, Senior Justice
JURISDICTION	Nevada
DECIDED	October 11, 2022
DOCKET	83569
DISPOSITION	affirmed
PROCEDURAL POSTURE	Civil appeal from a judgment of the Eighth Judicial District Court, Clark County, Nevada.
PRECEDENTIAL VALUE	published
PARTIES	J. McDonald Co., Inc. v. David E. Crowe, Fletcher Majors, Tropical & Losee, LLC

TOPICS

- appellate procedure
- commercial litigation
- commercial

PRACTICE AREAS

- appellate procedure
- commercial litigation

KEY QUOTATIONS

“ORDER the judgment of the district court AFFIRMED.”

PROCEDURAL HISTORY

J. McDonald Co., Inc. appealed the district court's judgment to the Supreme Court of Nevada. The appeal proceeded through the settlement program and briefing, but the parties did not settle. The Supreme Court of Nevada affirmed the district court's judgment by order dated October 11, 2022.

DISPOSITION

affirmed

OPINION

PER CURIAM.

83569: 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

22-32017: 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: 83569

Short Caption: J. MCDONALD CO., INC. VS. TROPICAL & LOSEE, LLC Court: Supreme Court

Related Case(s): 82504

Lower Court Case(s): Clark Co. - Eighth Judicial District - A797838 Classification: Civil Appeal - General - Other

Disqualifications: Case Status: Disposition Filed

Replacement: Panel Assigned:

Panel

To SP/Judge: 10/06/2021 / Habermeld, Stephen SP Status: Completed

Oral Argument: Oral Argument Location:

Submission Date: How Submitted:

+

Party Information

Role Party Name Represented By

AppellantJ. McDonald Co., Inc.David R. Koch
(King Scow Koch Durham LLC)
Austin Krist
(Cleveland Terrazas PLLC)
Steven B. Scow
(King Scow Koch Durham LLC)
Kevin J. Terrazas
(Cleveland Terrazas PLLC)
Bryan Jay Thomas
(Thomas & Associates/Los Angeles)

RespondentDavid E. CroweStephen R. Hackett
(Sklar Williams LLP)

RespondentFletcher MajorsStephen R. Hackett
(Sklar Williams LLP)

RespondentTropical & Losee, LLCStephen R. Hackett
(Sklar Williams LLP)

+

Due Items

Due DateStatusDue ItemDue From

11/07/2022OpenRemittitur

Docket Entries

DateTypeDescriptionPending?Document

10/05/2021Filing FeeFiling Fee Paid. \$250.00 from Koch & Scow. Check no. 4382. (SC)

10/05/2021Notice of Appeal DocumentsFiled Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.) (SC)21-28543

10/05/2021Notice/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. (SC)21-28545

10/06/2021Settlement NoticeIssued Notice: Assignment to Settlement Program. Issued Assignment Notice to NRAP 16 Settlement Program. Settlement Judge: Stephen E. Haberfeld. (SC)21-28691

10/20/2021Settlement Program ReportFiled ECAR/Appropriate for Settlement Program. This case is appropriate for mediation and a settlement conference is scheduled for December 16, 2021, at 9:00 AM. (SC)21-30143

10/25/2021Docketing StatementFiled Appellant's Civil Docketing Statement. (SC)21-30695

11/09/2021MotionFiled Motion to Associate Counsel. (Attorney Bryan J. Thomas). (SC)21-32175

11/18/2021Order/ProceduralFiled Order Granting Motion to Associate Counsel. Attorney Bryan Jay Thomas of Thomas & Associates shall be permitted to appear on behalf of appellant in this matter. Nevada attorney David R. Koch of Koch & Scow, LLC, shall be responsible for all matters presented by Mr. Thomas in this appeal. (SC)21-33265

12/17/2021Settlement Program ReportFiled Interim Settlement Program Report. The settlement process is continued to the following date: January 25, 2022, at 9:00 AM. (SC)21-36053

01/25/2022Settlement Program ReportFiled Final Report/No Settlement. The parties were unable to agree to a settlement of this matter. (SC)22-02484

01/26/2022Settlement Order/ProceduralFiled Order: No Settlement/Briefing Reinstated. The parties were unable to agree to a settlement. Appellant(s): 14 days transcript request; 90 days opening brief and appendix. (SC)22-02611

03/31/2022Transcript RequestFiled Certificate of No Transcript Request. (REJECTED PER NOTICE ISSUED 3/31/22) (SC)

03/31/2022Notice/OutgoingIssued Notice of Rejection of Filed Document. (SC)22-10026

04/20/2022BriefFiled Appellant's Opening Brief. (SC)22-12502

04/20/2022AppendixFiled Appellant's Appendix. (SC)22-12503

05/19/2022Order/Clerk'sFiled Order Granting Telephonic Extension. Respondents' Answering Brief due: June 3, 2022. (SC)22-15903

06/03/2022BriefFiled Respondents' Answering Brief. (SC)22-17775

06/30/2022BriefFiled Appellant's Reply Brief. (SC)22-20609

06/30/2022Case Status UpdateBriefing Completed/To Screening. (SC)

10/11/2022Order/DispositionalFiled Order of Affirmance. "ORDER the judgment of the district court AFFIRMED." fn1 [The Honorable Mark Gibbons, Senior Justice, participated in the decision of this matter under a general order of assignment.] RP/DH/MG. (SC)22-32017

Combined Case View

