

NEVADA

Gonski v. Second Judicial District Court Ex Rel. County of Washoe

126 Nev. 551 · Decided December 30, 2010

SUMMARY

The Supreme Court of Nevada held that arbitration provisions in a home purchase agreement and limited warranty were unconscionable as applied to the homeowners' construction-defect claims. The provisions were procedurally unconscionable because they were not sufficiently conspicuous or explained, and substantively unconscionable because they imposed arbitration costs and purported to waive protections and remedies under NRS Chapter 40. The court granted mandamus relief and directed the district court to vacate its order compelling arbitration.

CASE DETAILS

JURISDICTION	Nevada
DECIDED	December 30, 2010