

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARMINE VENTO, TRUSTEE OF THE  
CARMINE VENTO AND ANN M.  
VENTO REVOCABLE FAMILY TRUST,  
Appellant,  
vs.  
DOUBLE PLAY ENTERPRISES, LLC, A  
NEVADA LIMITED LIABILITY  
COMPANY,  
Respondent.

No. 49700

**FILED**

**AUG 06 2010**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court judgment in a real property action and a post-judgment order awarding attorney fees. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge.

Based on the parties' briefs and our review of the record, we conclude that, with respect to the disputed property's valuation, the district court properly interpreted and applied our prior order in Double Play Enterprises, LLC v. Vento (Docket No. 41673) (Order Affirming in Part, Reversing in Part and Remanding, May 26, 2006), and that the district court's findings of fact and conclusions of law regarding the purchase price for the tavern, tavern lot, and notch are supported by substantial evidence and are not clearly erroneous. Edwards Indus. v. DTE/BTE, Inc., 112 Nev. 1025, 1031, 923 P.2d 569, 573 (1996). Additionally, we conclude that the district court did not abuse its discretion in determining that Double Play was the prevailing party in both trials and awarding fees and costs to it as the parties' agreement

required. Flamingo Realty v. Midwest Development, 110 Nev. 984, 991, 879 P.2d 69, 73-74 (1994). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Pickering, J.  
Pickering

cc: Hon. Douglas W. Herndon, District Judge  
Kravitz, Schnitzer, Sloane, Johnson & Eberhardy, Chtd.  
Gordon & Silver, Ltd.  
Eighth District Court Clerk