

IN THE SUPREME COURT OF THE STATE OF NEVADA

DENA BROTT AND AL JOHNSON,
Appellants,
vs.
JOSEPH N. CATALDO AND APEX
BULK COMMODITIES, INC.,
Respondents.

No. 51424

FILED

OCT 02 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court special order after final judgment awarding attorney fees in a personal injury case. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

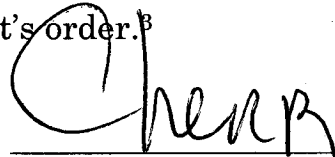
In a prior appeal arising from the underlying district court case, this court reversed the district court's order awarding attorney fees to appellants and remanded to the district court, directing the court to evaluate the factors set forth in Brunzell v. Golden Gate National Bank¹ for determining the attorney fees award. The district court then entered a revised order awarding attorney fees to appellants. This appeal followed.


Appellants argue that the district court did not evaluate the Brunzell factors when determining the attorney fees award and that a higher award is appropriate; that by not following this court's directives, the district court is in contempt of this court's prior order; and that appellants are entitled to prejudgment interest on the fee award.

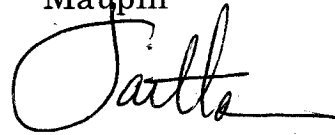
¹85 Nev. 345, 455 P.2d 31 (1969).

This court reviews the district court's award of attorney fees for an abuse of discretion.² After considering the parties' arguments and reviewing the appellants' appendix, we conclude that the district court appropriately considered the Brunzell factors and did not abuse its discretion in determining the attorney fees award. We further conclude that appellants' additional arguments lack merit and we deny any further relief requested by appellants. Accordingly, we

AFFIRM the district court's order.³


_____, J.
Cherry


_____, J.
Maupin


_____, J.
Saitta

cc: Hon. Michelle Leavitt, District Judge
Persi J. Mishel, Settlement Judge
Benjamin B. Childs
Kenneth L. Hall
Toschi, Sidran, Collins, and Doyle
Eighth District Court Clerk

²Miller v. Jones, 114 Nev. 1291, 1300, 970 P.2d 571, 577 (1998).

³Pursuant to NRAP 34(f)(1), we have determined that oral argument is not warranted in this appeal.