

IN THE SUPREME COURT OF THE STATE OF NEVADA

HORIZON JUNCTION, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Appellant,

vs.

HORIZON VILLAGE SQUARE, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; B/W INVESTMENTS, LLC,
A NEVADA LIMITED LIABILITY
COMPANY D/B/A BUFFALO WILD
WINGS GRILL AND BAR,
Respondents.

No. 51713

FILED

DEC 04 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Ingersoll*
DEPUTY CLERK


ORDER OF AFFIRMANCE


This is an appeal from a district court post-judgment order awarding attorney fees. Eighth Judicial District Court, Clark County; Mark R. Denton, Judge.

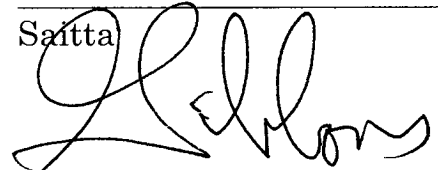
Having reviewed the briefs and appendices, we conclude that the district court did not abuse its discretion in determining that respondents were the prevailing parties and awarding attorney fees pursuant to the parties' contract. NRS 18.010(4); McCarran Int'l Airport v. Sisolak, 122 Nev. 645, 673, 137 P.3d 1110, 1129 (2006); Sack v. Tomlin, 110 Nev. 204, 214, 871 P.2d 298, 305 (1994). Also, the district court properly applied the Brunzell factors, and we are not persuaded that the

amount awarded was unreasonable. Brunzell v. Golden Gate Nat'l Bank, 85 Nev. 345, 349-50, 455 P.2d 31, 33 (1969). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


Cherry, J.


Saitta, J.


Gibbons, J.

cc: Hon. Mark R. Denton, District Judge
Stephen E. Haberfeld, Settlement Judge
Flangas McMillan Law Group, Inc.
Morris Peterson/Las Vegas
Eighth District Court Clerk

¹We deny respondents' request for an attorney fees award under NRAP 38. Respondents remain free, pursuant to the contract, to seek attorney fees incurred in this appeal in the district court. Musso v. Binick, 104 Nev. 613, 614, 764 P.2d 477, 477-78 (1988). We reject appellant's remaining arguments as meritless.