

IN THE SUPREME COURT OF THE STATE OF NEVADA

H & H OF NEVADA LLC; AND
PODERES NATURALES, INC., A
NEVADA CORPORATION,
Appellants,
vs.
DAVID SAXE PRODUCTIONS, INC.,
Respondent.

No. 51954

FILED

MAY 03 2010

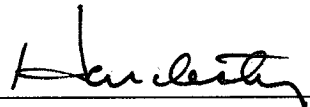
TRACIE M. LINDEMAN
CLERK OF SUPREME COURT
BY JR 610
DEPUTY CLERK


ORDER OF REVERSAL AND REMAND

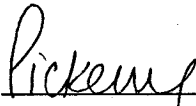
This is an appeal from a district court summary judgment in a breach of contract action. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

After review, we conclude that summary judgment was improper in light of the questions as to issues of material fact, the release agreement, and ownership of the entities involved in this case. Wood v. Safeway, Inc., 121 Nev. 724, 121 P.3d 1026 (2005). Although the release agreement might have precluded appellants Bruce Woolf and possibly Richard Heftel from prosecuting the claim as individuals, the entities involved in this appeal were not named in the release agreement of the contract. In the absence of specific corporate liability (i.e., piercing the corporate veil), NRS 78.747; Polaris Industrial Corp. v. Kaplan, 103 Nev. 598, 601-02, 747 P.2d 884, 887 (1987), the terms of the release agreement cannot be extended to the entities on the record now before this court. Accordingly, we

ORDER the judgment of the district court REVERSED and
REMAND this matter to the district court for proceedings consistent with
this order.


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Pickering

cc: Hon. Valorie Vega, District Judge
Paul H. Schofield, Settlement Judge
Kummer Kaempfer Bonner Renshaw & Ferrario/Las Vegas
Goodman Law Group
Eighth District Court Clerk