

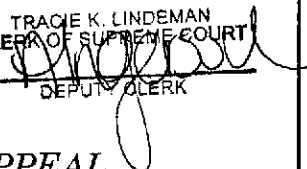
IN THE SUPREME COURT OF THE STATE OF NEVADA

CENTRAL MORTGAGE COMPANY,  
Appellant/Cross-Respondent,  
vs.  
SHERRI SILVER HALL,  
Respondent/Cross-Appellant.

No. 63230

**FILED**

**FEB 19 2014**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL AND CROSS-APPEAL*

This is an appeal and cross-appeal from a district court order on a petition for judicial review of a foreclosure mediation that concluded that respondent/cross-appellant was a proper party to the mediation and remanded the matter to the foreclosure mediation program for further mediation at appellant/cross-respondent's cost. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

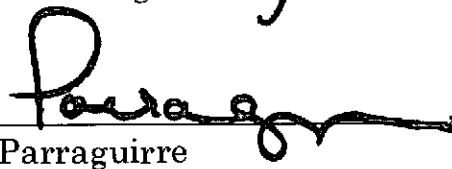
When our preliminary review of the docketing statements and the NRAP 3(g) documents revealed a potential jurisdictional defect, we ordered the parties to show cause why this appeal and cross-appeal should not be dismissed for lack of jurisdiction. Specifically, we noted, an order that resolves less than all of the claims and the rights and liabilities of all the parties is not appealable as a final judgment. NRAP 3A(b)(1); *Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000). Here, although the district court granted the petition in part, it also ordered the parties to participate in a second foreclosure mediation. Typically, an order of remand for further substantive foreclosure mediation resolves neither the claims nor the rights and liabilities of any party. *See Wells Fargo Bank, N.A. v. O'Brien*, 129 Nev. \_\_\_, 310 P.3d 581 (2013). Therefore, we

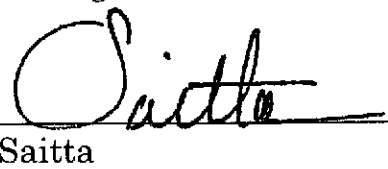
explained, it appeared that we lack jurisdiction to entertain this appeal and cross-appeal. *Id.*

Appellant/cross-respondent timely responded to our show cause order, arguing that the appealed order is final because the court essentially resolved the equitable estoppel and bad-faith sanctions issues and determined the parties' rights and obligations as related to the loan and mortgage contract, binding the parties to those decisions in any future mediation. But the order did not resolve the ultimate question regarding whether the foreclosure will be allowed to proceed, instead ordering additional mediation on that issue. Accordingly, we conclude that the order is not final and appealable. *Id.* Thus, as we lack jurisdiction, we

ORDER this appeal and cross-appeal DISMISSED.

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. Kathleen E. Delaney, District Judge  
Wright, Finlay & Zak, LLP/Las Vegas  
Spencer M. Judd  
Eighth District Court Clerk