

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREENLAND SUPER MARKET, INC.,
A NEVADA CORPORATION,
Appellant,
vs.
KL VEGAS, LLC, A NEVADA LIMITED
LIABILITY COMPANY,
Respondent.

No. 68191

FILED

OCT 09 2015

JACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order granting a motion to dismiss appellant's complaint, in part. Eighth Judicial District Court, Clark County; Susan Scann, Judge.


Respondent has filed a motion to dismiss this appeal, arguing that this court lacks jurisdiction over this appeal. Appellant has filed an opposition¹ and respondent has filed a reply.

The district court has not entered a final written judgment adjudicating all the rights and liabilities of all the parties, and the district court did not certify its order as final pursuant to NRCP 54(b). *Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000); *KDI Sylvan Pools v. Workman*, 107 Nev. 340, 810 P.2d 1217 (1991); *Rae v. All American Life & Cas. Co.*, 95 Nev. 920, 605 P.2d 196 (1979). The following claims appear to remain below: appellant's claims for declaratory relief, breach of contract,

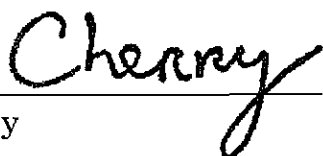
¹In its opposition, appellant asks that in the alternative, this court "convert" the appeal into a petition for writ of mandamus and/or prohibition. We note that appellant filed a petition in this regard that was docketed in this court as docket no. 68697. That petition was denied by this court's order of September 11, 2015. Accordingly, respondent's request to "convert" this appeal into a writ petition is denied.

breach of the implied covenant of good faith and fair dealing, and for attorney fees. Because we lack jurisdiction over this appeal, we grant respondent's motion, and we

ORDER this appeal DISMISSED.²


Parraguirre, J.


Douglas, J.


Cherry, J.

cc: Hon. Susan Scann, District Judge
Lansford W. Levitt, Settlement Judge
McDonald Carano Wilson LLP/Las Vegas
Perelman & Fink
Michael B. Lee
Eighth District Court Clerk

²Respondent's request for sanctions pursuant to NRAP 38 is denied.