

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN A. RITTER,
Appellant,

No. 65225

vs.

BUILDER'S CAPITAL, INC., A
NEVADA CORPORATION,
Respondent.

SOUTHWEST DESERT EQUITIES,
LLC, A NEVADA CORPORATION,
Appellant,

No. 66268

vs.

BUILDER'S CAPITAL, INC., A
NEVADA CORPORATION,
Respondent.

FILED

JAN 14 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

These are consolidated appeals from a district court final judgment in a breach of guaranty action (Docket No. 65225) and a district court final judgment in a breach of contract action (Docket No. 66268). Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh and Mark R. Denton, Judges.

Having considered the parties' arguments and the record, we conclude that the reassignments that respondent executed to the members of the Lender's Group were effective to achieve the purpose of NRCP 17(a). *See generally Easton Bus. Opportunities v. Town Exec. Suites*, 126 Nev. 119, 125-27, 230 P.3d 827, 831-32 (2010) (observing, among other things, that the purpose of NRCP 17(a) "is simply to protect the defendant against

a subsequent action by the party actually entitled to recover" (quotation omitted)). Accordingly, we

ORDER the judgments of the district court AFFIRMED.¹

Hardesty, J.
Hardesty

Saitta, J.
Saitta

Pickering, J.
Pickering

cc: Hon. Jessie Elizabeth Walsh, District Judge
Hon. Mark R. Denton, District Judge
Robert F. Saint-Aubin, Settlement Judge
Reid Rubinstein Bogatz
Techlaw LLP
Marquis Aurbach Coffing
Eighth District Court Clerk

¹Because appellants have indicated that they "choose to abandon the appeal of the Subordination Agreement-related issues," we necessarily affirm the judgment against Southwest Desert Equities in Docket No. 66268 and the dismissal of John Ritter's counterclaims in Docket No. 65225.