

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RASAKI A. OKOYA; AND FOLASHADE
OKOYA,
Appellants,
vs.
NEVADA STATE BANK, F.A., A
NEVADA CORPORATION,
Respondent.

No. 68279

FILED

DEC 29 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF LIMITED REMAND

This is an appeal from district court orders striking a request for a trial de novo and entering judgment on an arbitration award.

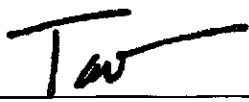
On appeal, appellants assert, among other things, that the district court abused its discretion by striking their request for a trial de novo without making the necessary written findings explaining why the court determined appellants failed to participate in the arbitration in good faith. As discussed in *Chamberland v. Labarbera*, 110 Nev. 701, 705, 877 P.2d 523, 525 (1994), when a district court strikes a request for trial de novo under NAR 22(A), its order must include "specific written findings of fact and conclusions of law" that describe "what type of conduct was at issue and how that conduct rose to the level of failed good faith participation."

In this case, the record demonstrates the district court made oral findings at the April 28, 2015, hearing, which set forth its rationale for striking the request for a trial de novo, but these findings were not included in the district court's May 15, 2015, written order striking that request. Under these circumstances, we conclude the interests of justice

will be best served by remanding this matter to the district court for the limited purpose of entering a revised order striking the request for trial de novo that includes the "specific written findings of fact and conclusions of law" required by the supreme court's decision in *Chamberland*, 110 Nev. at 705, 877 P.2d at 525. The district court shall have 30 days from the date of this order to enter its revised order and transmit a certified copy of that decision to this court.

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Jerry A. Wiese, District Judge
Lansford W. Levitt, Settlement Judge
Kurth Law Office
Jolley Urga Wirth Woodbury & Little
Eighth District Court Clerk