

IN THE SUPREME COURT OF THE STATE OF NEVADA

DESERT LAND LOAN ACQUISITION, LLC, A NEVADA LIMITED LIABILITY COMPANY; DESERT LAND, LLC, A NEVADA LIMITED LIABILITY COMPANY; HOWARD BULLOCH, AN INDIVIDUAL; DAVID GAFFIN, AN INDIVIDUAL; THE HOWARD AND CRISTI BULLOCH FAMILY TRUST DATED 09/14/1995; THE HOWARD BULLOCH SEPARATE FAMILY TRUST DATED 03/28/2003; THE CRISTI BULLOCH SEPARATE PROPERTY TRUST DATED 03/28/2003; THE BULLOCH HERITAGE TRUST; THE GULF STREAM IRREVOCABLE TRUST DATED 06/30/2000; AND COMPASS INVESTMENTS, LLC, A NEVADA LIMITED LIABILITY COMPANY,

Appellants/Cross-Respondents,

vs.

SHER DEVELOPMENT, LLC, A NEVADA LIMITED LIABILITY COMPANY; THE PAUL L. GARCELL AND PAMELA HERTZ REVOCABLE FAMILY TRUST, PAUL L. GARCELL AND PAMELA HERTZ, TRUSTEES; THE JOSEPH D. EYSTAD AND MARY ANN ARMINIO REVOCABLE TRUST DATED 09/03/03, MARY ANN ARMINIO AND JOSEPH D. EYSTAD, TRUSTEES; THE FRANK ARMINIO AND MARY ARMINIO REVOCABLE LIVING TRUST, MARY ARMINIO, TRUSTEE; ANGELO JOHN ARMINIO, AN INDIVIDUAL; PAULA M. ARMINIO, AN INDIVIDUAL; ANDREA DEANEAN GLENN, AN INDIVIDUAL; LINDA JEAN LUND, AN INDIVIDUAL; THE

No. 76934


FILED

APR 17 2020

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

SUPREME COURT
OF
NEVADA

CLERK'S ORDER

(0)-1947 

20-14815


DONDERO SURVIVOR'S TRUST, ALAN G. DONDERO, TRUSTEE; TERRY L. BELL IRREVOCABLE TRUST, TERRY L. BELL, TRUSTEE; THE NEWBY 1984 TRUST, JILL M. COLQUITT AND DONALD E. NEWBY, TRUSTEES; JOANNA POLLARD LIVING TRUST, JOANNA POLLARD, TRUSTEE; VIVIAN A. WEBER LIVING TRUST, VIVIAN WEBER, TRUSTEE; THE JOE P. SCHWAN FAMILY TRUST, JOE SCHWAN, TRUSTEE; WALTER BROELAND AND CAROL BROELAND REVOCABLE TRUST, WALT BROELAND, TRUSTEE; MARK E. JONAH; VERONICA C. WOLF TRUST, VERONICA WOLF, TRUSTEE; BARON H. WINDHAM, JR., IRA; JAMES P. PEABODY; HELEN L. PEABODY; YARG, LLC; PATRICK AND CLARA CARMEN DERMODY FAMILY TRUST, PATRICK DERMODY, TRUSTEE; MACK CLAYTON; TRACY L. CLAYTON; TERRY WAGNER; CATHERINE WAGNER; JAMES C. CHACHAS TRUST, JAMES CHACHAS, TRUSTEE; GEORGE CHACHAS; BESSIE CHACHAS; WILLIAM MARSHALL; JANINE MARSHALL; LEWIS ROY SHER LIVING TRUST; GREGG S. LAWRENCE SUBTRUST OF CLIFFORD LAWRENCE AND CAROLYN LAWRENCE REVOCABLE FAMILY TRUST DTD 9/30/96 COUNTERCLAIM,

Respondents/Cross-Appellants,
and

BRADLEY ANDERSON; MARJORIE K. ANDERSON; THE PRINCE FAMILY TRUST DATED 10/06/1997; ELIZABETH S. ANDERSON; MICHAEL

SUPREME COURT
OF
NEVADA

CLERK'S ORDER

(0)-1947 

ASHE; GREGORY ASHE; THE 1991
BARRON REVOCABLE FAMILY
TRUST, DTD OCTOBER 2, 1991,
CLIFFORD L. BARRON AND INEZ L.
BARRON, TRUSTEES; JON G.
BASSETT; THE JOSEPH AND HELEN
BENOUALID TRUST DTD 9/30/96;
JERRY ALAN BLANCKAERT JR.
LIVING TRUST 2001 DTD 6/20/01;
TAMARA A. BOHN; JONATHAN
BOLTER; ZOE BROWN FAMILY
TRUST DTD 9/28/89; KIMBERLY A.
CASEY; JOHN M. CLAYTON; L.W. AND
ELIZABETH T. CLAYTON
REVOCABLE TRUST DTD 12/23/80;
THE DONNA J. CLINE LIVING TRUST;
DENISE O. CROTTS, CUSTODIAN FOR
ANDREW C. CROTTS, NICHOLAS E.
CROTTS AND ZACHARY T. CROTTS;
DENISE O. CROTTS, CUSTODIAN FOR
JACOB R. CROTTS; DENISE CROTTS,
CUSTODIAN FOR FBO KALE CROTTS;
DANIEL M & M 1991 LIVING TRUST;
DAVIDSON 1992 TRUST; WILLIAM H.
DELANEY; THE ELKINS FAMILY 1994
REVOCABLE LIVING TRUST DTD
03/22/94; THE ELLSWORTH 1981
FAMILY TRUST DTD 05/20/81; ERIC
ALAN EVANS; FIRST CAPITAL TRUST
LLC; LYNDA C. FLEMING, TRUSTEE
OF THE LYNDA C. FLEMING
REVOCABLE TRUST DATED 8/22/02;
STEVE FRANKS; A. RENEE FRANKS;
TIMOTHY B. GALLAGHER LIVING
TRUST DTD 2/12/04; THE ARTHUR J.
AND MARGARET L. GILBERT
REVOCABLE FAMILY TRUST 1986
DTD 5/30/86; GLASER LIVING TRUST
UT JANUARY 26, 1978; LISA R.
GORLICK, CUSTODIAN FOR
NICHOLAS GORLICK; GREENWOOD

SUPREME COURT
OF
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CLERK'S ORDER

(O)-1947



FAMILY TRUST; HOWARD WILLIAM HAMILTON III LIVING TRUST DATED JUNE 1, 2005; GEORGE L. HARDIN TRUST DTD FEBRUARY 2, 1994; FIRST SAVINGS BANK CUSTODIAN FBO KENNETH W. HAROUFF IRA; AVECE M. HIGBEE SEPARATE PROPERTY TRUST DTD 10/17/01; GARY HOPKINS; DENISE HOPKINS; STEVE R. HOWELL; SALLY S. HYATT TRUST DTD 05/02/02; JOHN C. JEFFREY; TROY KELL; ROBBIE R. KELL; THE C.E. LANGFORD TRUST U/A DTD 10/25/97; PAUL LANTZ; RONALD R. LAUDIE; SHANNON D. LAUDIE; WADE LEAVITT AND CAROLYN LEAVITT FAMILY LIMITED PARTNERSHIP; LEE MAEN; JEANNIE L. MAGDEFRAU; LEON H. MARX; NYDA D. MARX; MCCONNELL CAPITAL, LLC; MCCOMAS FAMILY TRUST DTD 5/28/02; RICHARD GENE MCCORMICK; STEVEN M. MCKENNA AND MICHELLE K. MCKENNA, TRUSTEES OF THE MCKENNA FAMILY TRUST DATED DECEMBER 19, 2002; GLENN N. MILLER; NINA MILLER; KENNETH GRIFFYN MORGAN LIVING TRUST DTD 4/7/03; DANIEL C. MUHA; FIRST SAVINGS BANK CUSTODIAN FBO DEBORAH L. MUHA IRA; MICHAEL NESLER; PHYLLIS NESLER; NANCY G. O'NEIL; OKLAHOMA SUNRISE INVESTMENT LIMITED PARTNERSHIP; ROBERT L. OLDEN; THE MARIE PALU TRUST; RONALD S. PHELAN; LEONARD H. RAIZIN AND CAROL A. RAIZIN, TRUSTEES OF THE RAIZIN FAMILY TRUST DTD 8/4/77; ROBERT READER; DUANGCHAI THONGMEELARK;

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FISERV ISS AND COMPANY FBO
CLYDE ROGER REYNOLDS IRA; RICE
CONSTRUCTION COMPANY PROFIT
SHARING AND TRUST; THE ROGERS-
BARNETT FAMILY TRUST DTD
11/28/03; MARK COLUSSY, TRUSTEE
OF THE ROYAL LIVING TRUST
DATED OCTOBER 30, 1996; RONALD
W. RUTHE, SR.; IDA A. RUTHE;
MARIA ELENA SALAZAR; RAYMOND
SALAZAR; LEWIS R. SHER; ROBERT
M. SHERWOOD; CARLA SHERWOOD;
LT. COL. MICHAEL P. SLATER;
DARLENE L. SLATER; MANUEL G.
CALHAU; ROSELIE J. CALHAU;
SISSON ENTERPRISES INC.; DAVID
A. SMITH; THE MARIAN SMITHSON
TRUST DTD 04/25/96; BRUCE E.
SNYDER; JULIE E. SNYDER; KEVIN
SPEIRS; BRYAN STEIN; DAVID
STOEBLING, ESQ.; GANESAN
SUBBARAMAN; MARIA
SUBBARAMAN; MEENAKSHI
SUBBARAMAN; RUTH G. SWINNEY,
TRUSTEE FOR THE SWINNEY-
REIGER FAMILY TRUST DTD MAY 8,
2001; FION M. TANG; MYLINH TANG;
TELL EXEMPTION TRUST DATED
JUNE 8, 1999; MATTHEW T.
TERRACIN; THERESA TORDJMAN;
1989 WALKER FAMILY TRUST; THE
WOLF 1988 TRUST DTD 3/29/88;
MAXINE ZELKIND TRUST DTD
1/24/97; ADAM ZELKIND 401K PROFIT
SHARING PLAN; FLORENCE
BOLATIN LIVING TRUST DTD
10/28/93; ROBERT M. PESICK, ESTATE
OF; ROGER D. COX; PATRICIA E. COX;
C. J. HANSEL; TOM E. HANSEN; AND
STACIE L. HANSEN,

Respondents.

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DESERT LAND LOAN ACQUISITION, LLC, A NEVADA LIMITED LIABILITY COMPANY; DESERT LAND, LLC, A NEVADA LIMITED LIABILITY COMPANY; HOWARD BULLOCH, AN INDIVIDUAL; DAVID GAFFIN, AN INDIVIDUAL; THE HOWARD AND CRISTI BULLOCH FAMILY TRUST DATED 09/14/1995; THE HOWARD BULLOCH SEPARATE FAMILY TRUST DATED 03/28/2003; THE CRISTI BULLOCH SEPARATE PROPERTY TRUST DATED 03/28/2003; THE BULLOCH HERITAGE TRUST; THE GULF STREAM IRREVOCABLE TRUST DATED 06/30/2000; AND COMPASS INVESTMENTS, LLC, A NEVADA LIMITED LIABILITY COMPANY,

Appellants,


vs.

SHER DEVELOPMENT, LLC, A NEVADA LIMITED LIABILITY COMPANY; THE PAUL L. GARCELL AND PAMELA HERTZ REVOCABLE FAMILY TRUST, PAUL L. GARCELL AND PAMELA HERTZ, TRUSTEES; THE JOSEPH D. EYSTAD AND MARY ANN ARMINIO REVOCABLE TRUST DATED 09/03/03, MARY ANN ARMINIO AND JOSEPH D. EYSTAD, TRUSTEES; THE FRANK ARMINIO AND MARY ARMINIO REVOCABLE LIVING TRUST, MARY ARMINIO, TRUSTEE; ANGELO JOHN ARMINIO, AN INDIVIDUAL; PAULA M. ARMINIO, AN INDIVIDUAL; ANDREA DEANEAN GLENN, AN INDIVIDUAL; LINDA JEAN LUND, AN INDIVIDUAL; THE DONDERO SURVIVOR'S TRUST, ALAN G. DONDERO, TRUSTEE; TERRY L. BELL IRREVOCABLE TRUST, TERRY

L. BELL, TRUSTEE; THE NEWBY 1984 TRUST, JILL M. COLQUITT AND DONALD E. NEWBY, TRUSTEES; JOANNA POLLARD LIVING TRUST, JOANNA POLLARD, TRUSTEE; VIVIAN A. WEBER LIVING TRUST, VIVIAN WEBER, TRUSTEE; THE JOE P. SCHWAN FAMILY TRUST, JOE SCHWAN, TRUSTEE; WALTER BROELAND AND CAROL BROELAND REVOCABLE TRUST, WALT BROELAND, TRUSTEE; MARK E. JONAH; VERONICA C. WOLF TRUST, VERONICA WOLF, TRUSTEE; BARON H. WINDHAM, JR., IRA; JAMES P. PEABODY; HELEN L. PEABODY; YARG, LLC; PATRICK AND CLARA CARMEN DERMODY FAMILY TRUST, PATRICK DERMODY, TRUSTEE; MACK CLAYTON; TRACY L. CLAYTON; TERRY WAGNER; CATHERINE WAGNER; JAMES C. CHACHAS TRUST, JAMES CHACHAS, TRUSTEE; GEORGE CHACHAS; BESSIE CHACHAS; WILLIAM MARSHALL; JANINE MARSHALL; LEWIS ROY SHER LIVING TRUST; GREGG S. LAWRENCE SUBTRUST OF CLIFFORD LAWRENCE AND CAROLYN LAWRENCE REVOCABLE FAMILY TRUST DTD 9/30/96 COUNTERCLAIM; BRADLEY ANDERSON; MARJORIE K. ANDERSON; THE PRINCE FAMILY TRUST DATED 10/06/1997; ELIZABETH S. ANDERSON; MICHAEL ASHE; GREGORY ASHE; THE 1991 BARRON REVOCABLE FAMILY TRUST, DTD OCTOBER 2, 1991, CLIFFORD L. BARRON AND INEZ L. BARRON, TRUSTEES; JON G.

SUPREME COURT
OF
NEVADA

CLERK'S ORDER

(O)-1947 

BASSETT; THE JOSEPH AND HELEN
BENOUALID TRUST DTD 9/30/96;
JERRY ALAN BLANCKAERT JR.
LIVING TRUST 2001 DTD 6/20/01;
TAMARA A. BOHN; JONATHAN
BOLTER; ZOE BROWN FAMILY
TRUST DTD 9/28/89; KIMBERLY A.
CASEY; JOHN M. CLAYTON; L.W. AND
ELIZABETH T. CLAYTON
REVOCABLE TRUST DTD 12/23/80;
THE DONNA J. CLINE LIVING TRUST;
DENISE O. CROTTS, CUSTODIAN FOR
ANDREW C. CROTTS, NICHOLAS E.
CROTTS AND ZACHARY T. CROTTS;
DENISE O. CROTTS, CUSTODIAN FOR
JACOB R. CROTTS; DENISE CROTTS,
CUSTODIAN FOR FBO KALE CROTTS;
DANIEL M & M 1991 LIVING TRUST;
DAVIDSON 1992 TRUST; WILLIAM H.
DELANEY; THE ELKINS FAMILY 1994
REVOCABLE LIVING TRUST DTD
03/22/94; THE ELLSWORTH 1981
FAMILY TRUST DTD 05/20/81; ERIC
ALAN EVANS; FIRST CAPITAL TRUST
LLC; LYNDA C. FLEMING, TRUSTEE
OF THE LYNDA C. FLEMING
REVOCABLE TRUST DATED 8/22/02;
STEVE FRANKS; A. RENEE FRANKS;
TIMOTHY B. GALLAGHER LIVING
TRUST DTD 2/12/04; THE ARTHUR J.
AND MARGARET L. GILBERT
REVOCABLE FAMILY TRUST 1986
DTD 5/30/86; GLASER LIVING TRUST
UT JANUARY 26, 1978; LISA R.
GORLICK, CUSTODIAN FOR
NICHOLAS GORLICK; GREENWOOD
FAMILY TRUST; HOWARD WILLIAM
HAMILTON III LIVING TRUST DATED
JUNE 1, 2005; GEORGE L. HARDIN
TRUST DTD FEBRUARY 2, 1994;
FIRST SAVINGS BANK CUSTODIAN

SUPREME COURT
OF
NEVADA

CLERK'S ORDER



FBO KENNETH W. HAROUFF IRA;
AVECE M. HIGBEE SEPARATE
PROPERTY TRUST DTD 10/17/01;
GARY HOPKINS; DENISE HOPKINS;
STEVE R. HOWELL; SALLY S. HYATT
TRUST DTD 05/02/02; JOHN C.
JEFFREY; TROY KELL; ROBBIE R.
KELL; THE C.E. LANGFORD TRUST
U/A DTD 10/25/97; PAUL LANTZ;
RONALD R. LAUDIE; SHANNON D.
LAUDIE; WADE LEAVITT AND
CAROLYN LEAVITT FAMILY LIMITED
PARTNERSHIP; LEE MAEN; JEANNIE
L. MAGDEFRAU; LEON H. MARX;
NYDA D. MARX; MCCONNELL
CAPITAL, LLC; MCCOMAS FAMILY
TRUST DTD 5/28/02; RICHARD GENE
MCCORMICK; STEVEN M. MCKENNA
AND MICHELLE K. MCKENNA,
TRUSTEES OF THE MCKENNA
FAMILY TRUST DATED DECEMBER
19, 2002; GLENN N. MILLER; NINA
MILLER; KENNETH GRIFFYN
MORGAN LIVING TRUST DTD 4/7/03;
DANIEL C. MUHA; FIRST SAVINGS
BANK CUSTODIAN FBO DEBORAH L.
MUHA IRA; MICHAEL NESLER;
PHYLLIS NESLER; NANCY G. O'NEIL;
OKLAHOMA SUNRISE INVESTMENT
LIMITED PARTNERSHIP; ROBERT L.
OLDEN; THE MARIE PALU TRUST;
RONALD S. PHELAN; LEONARD H.
RAIZIN AND CAROL A. RAIZIN,
TRUSTEES OF THE RAIZIN FAMILY
TRUST DTD 8/4/77; ROBERT READER;
DUANGCHAI THONGMEELARK;
FISERV ISS AND COMPANY FBO
CLYDE ROGER REYNOLDS IRA; RICE
CONSTRUCTION COMPANY PROFIT
SHARING AND TRUST; THE ROGERS-
BARNETT FAMILY TRUST DTD

SUPREME COURT
OF
NEVADA

CLERK'S ORDER

11/28/03; MARK COLUSSY, TRUSTEE OF THE ROYAL LIVING TRUST DATED OCTOBER 30, 1996; RONALD W. RUTHE, SR.; IDA A. RUTHE; MARIA ELENA SALAZAR; RAYMOND SALAZAR; LEWIS R. SHER; ROBERT M. SHERWOOD; CARLA SHERWOOD; LT. COL. MICHAEL P. SLATER; DARLENE L. SLATER; MANUEL G. CALHAU; ROSELIE J. CALHAU; SISSON ENTERPRISES INC.; DAVID A. SMITH; THE MARIAN SMITHSON TRUST DTD 04/25/96; BRUCE E. SNYDER; JULIE E. SNYDER; KEVIN SPEIRS; BRYAN STEIN; DAVID STOEBLING, ESQ.; GANESAN SUBBARAMAN; MARIA SUBBARAMAN; MEENAKSHI SUBBARAMAN; RUTH G. SWINNEY, TRUSTEE FOR THE SWINNEY-REIGER FAMILY TRUST DTD MAY 8, 2001; FION M. TANG; MYLINH TANG; TELL EXEMPTION TRUST DATED JUNE 8, 1999; MATTHEW T. TERRACIN; THERESA TORDJMAN; 1989 WALKER FAMILY TRUST; THE WOLF 1988 TRUST DTD 3/29/88; MAXINE ZELKIND TRUST DTD 1/24/97; ADAM ZELKIND 401K PROFIT SHARING PLAN; FLORENCE BOLATIN LIVING TRUST DTD 10/28/93; ROBERT M. PESICK, ESTATE OF; ROGER D. COX; PATRICIA E. COX; C. J. HANSEL; TOM E. HANSEN; AND STACIE L. HANSEN,
Respondents.

ORDER DISMISSING APPEALS

Pursuant to the stipulation of the parties, these appeals are dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

CLERK OF THE SUPREME COURT
ELIZABETH A. BROWN

BY: 

cc: Hon. Elizabeth Goff Gonzalez, District Judge
Hutchison & Steffen, LLC/Las Vegas
Bradley Anderson
Hejmanowski & McCrea LLC
David Stoebeling
Dickinson Wright PLLC
Kevin Speirs
Marjorie K. Anderson
Ruth G. Swinney
Eighth District Court Clerk

