

IN THE SUPREME COURT OF THE STATE OF NEVADA

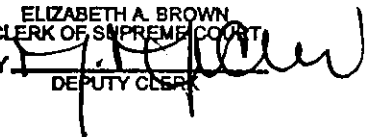
DANNY, LLC, A NEVADA LIMITED
LIABILITY COMPANY,
Appellant,
vs.
NEWREZ LLC D/B/A SHELLPOINT
MORTGAGE SERVICING, A
DELAWARE LIMITED LIABILITY
COMPANY REGISTERED WITH THE
NEVADA SECRETARY OF STATE,
Respondent.

NEWREZ LLC D/B/A SHELLPOINT
MORTGAGE SERVICING, A
DELAWARE LIMITED LIABILITY
COMPANY REGISTERED WITH THE
NEVADA SECRETARY OF STATE,
Appellant,
vs.
DANNY, LLC, A NEVADA LIMITED
LIABILITY COMPANY,
Respondent.

No. 89928 ✓

FILED

NOV 24 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

No. 90444

*ORDER PARTIALLY GRANTING MOTION TO DISMISS,
DECONSOLIDATING APPEALS, AND REINSTATING BRIEFING*

Docket No. 89928 is an appeal from a district court order granting in part a motion for summary judgment, to vacate preliminary injunction as void, for declaratory relief and injunctive relief, and to expunge lis pendens. The opening brief has not yet been filed.

Danny, LLC moves to voluntarily dismiss the appeal, with each party to bear its own fees and costs. In doing so, Danny, LLC explains that it was only seeking to challenge that portion of the judgment granting relief under the unjust enrichment theory of liability. Conceding that the

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judgment amount was de minimus, Danny, LLC now wishes to abandon that appeal as judicial and party resources will be best served by the dismissal. NewRez LLC D/B/A Shellpoint Mortgage Servicing (Shellpoint) has filed a limited opposition, representing that it does not oppose dismissal provided that the dismissal is conditioned upon this court: (1) directing the district court clerk to remit the judgment amount to Shellpoint from injunction bonds interplead in the district court in 2022, (2) providing Shellpoint with an opportunity to move for attorney's fees and costs under NRAP 38 in Docket No. 89928, and (3) allowing the appeal in Docket No. 90444 to proceed. Danny, LLC has replied. Having considered the parties' filings, we order as follows.

Danny, LLC's motion to voluntarily dismiss is granted in part. The appeal in Docket No. 89928 is dismissed. Shellpoint may file a motion for attorney fees and costs under NRAP 38 within 7 days of the date of this order, if deemed warranted.¹ Any relief regarding the injunction bonds should be sought in the district court.

Given the dismissal of Docket No. 89928, the clerk shall deconsolidate these appeals. Shellpoint shall have 30 days from the date of this order to file and serve the opening brief and appendix in Docket No. 90444. Thereafter, briefing shall proceed in accordance with NRAP

¹This court expresses no opinion at this time regarding the merits of any such motion.

31(a)(1). Failure to timely file the opening brief and appendix may result in the dismissal of the appeal in Docket No. 90444.

It is so ORDERED.

	<u>Pickering</u> , J.	
	Pickering	
<u>Cadish</u> , J.		<u>Lee</u> , J.
Cadish		Lee

cc: Hon. Mark R. Denton, District Judge
James A. Kohl, Settlement Judge
Akerman LLP/Las Vegas
Hong & Hong
Eighth District Court Clerk