

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN C. WHITE, INDIVIDUALLY,
AND IN HIS CAPACITY AS MEMBER
AND MANAGER OF AFFIRMED
TECHNOLOGIES, LLC; JOEL QUAID,
IN HIS CAPACITY AS MANAGER OF
AFFIRMED TECHNOLOGIES, LLC;
AND WILLIAM MILKS, IN HIS
CAPACITY AS MANAGER OF
AFFIRMED TECHNOLOGIES, LLC,

Appellants,

vs.

DWIGHT J. BAUM, AS TRUSTEE FOR
THE DWIGHT C. AND HILDAGARDE
E. BAUM TRUST, INDIVIDUALLY AND
DERIVATIVELY ON BEHALF OF
AFFIRMED TECHNOLOGIES, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; ROBERT BENJAMIN;
DIANE BENJAMIN; JOE
MLOGANOSKI; NANCY SKALLERUP;
DAN SKINNER; DENISE SKINNER;
GERALD SKINNER; JEFF YONCE;
AND JOYCE YONCE, INDIVIDUALLY,

Respondents.

STEVEN C. WHITE, INDIVIDUALLY,
AND IN HIS CAPACITY AS MEMBER
AND MANAGER OF AFFIRMED
TECHNOLOGIES, LLC; JOEL QUAID,
IN HIS CAPACITY AS MANAGER OF
AFFIRMED TECHNOLOGIES, LLC;
AND WILLIAM MILKS, IN HIS
CAPACITY AS MANAGER OF
AFFIRMED TECHNOLOGIES, LLC

Appellants,

vs.

DWIGHT J. BAUM, AS TRUSTEE FOR
THE DWIGHT C. AND HILDAGARDE
E. BAUM TRUST, INDIVIDUALLY AND

No. 71199

FILED

JUN 12 2017

CLERK OF THE SUPREME COURT
B. J. MILKOP DEPUTY CLERK

✓ No. 71314

DERIVATIVELY ON BEHALF OF
AFFIRMED TECHNOLOGIES, LLC A
NEVADA LIMITED LIABILITY
COMPANY; ROBERT BENJAMIN;
DIANE BENJAMIN; JOE
MLOGANOSKI; NANCY SKALLERUP;
DAN SKINNER; DENISE SKINNER;
GERALD SKINNER; JEFF YONCE;
AND JOYCE YONCE, INDIVIDUALLY,
Respondents.

*ORDER DISMISSING APPEAL IN DOCKET NO. 71314 AND
REINSTATNING BRIEFING IN DOCKET NO. 71199*


Docket No. 71314 is an appeal from an amended final judgment entered after an order confirming an arbitration award. Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge. We previously entered an order directing appellants to show cause why that appeal should not be dismissed for lack of jurisdiction because it appeared that the amended final judgment was not appealable where it was substantively identical to the original final judgment. *See Morrell v. Edwards*, 98 Nev. 91, 92, 640 P.2d 1322, 1324 (1982). The parties have submitted a joint response in which they agree that the amended final judgment is not appealable because it is substantively identical to the original final judgment.¹ Accordingly, we conclude that we lack jurisdiction over the appeal in Docket No. 71314 and order that appeal dismissed.

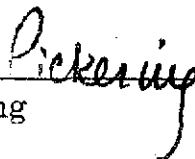
¹The parties explain that the amended final judgment includes exhibits referenced in the original final judgment but inadvertently not attached to it.

Briefing of the appeal in Docket No. 71199 is reinstated. Appellants shall have 90 days from the date of this order to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1). We caution the parties that failure to comply with this order may result in the imposition of sanctions. NRAP 31(d).

It is so ORDERED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. Linda Marie Bell, District Judge
Dana Jonathon Nitz, Settlement Judge
Garman Turner Gordon
Fennemore Craig, P.C./Las Vegas
Fennemore Craig P.C./Reno
Eighth District Court Clerk