

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 86298

LARIAN STUDIOS US INC., A
DELAWARE COMPANY; LARIAN
STUDIOS, A BELGIUM COMPANY,
A/K/A ARRAKIS NAAMLOZE
VENNOOTSCHAP,

Appellants,

vs.

STREAMLINE MEDIA GROUP, INC., A
DELAWARE COMPANY; STREAMLINE
STUDIOS MALAYSIA SDN BHD, A
MALAYSIAN PRIVATE LIMITED
COMPANY; AND STREAMFRAME
CORPORATION, A DELAWARE
CORPORATION,

Respondents.

FILED

AUG 25 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion for attorney fees. Eighth Judicial District Court, Clark County; Joanna Kishner, Judge.

When initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect, this court ordered appellants to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, while an order denying a motion for attorney fees is generally appealable as a special order after final judgment, in this case, it did not appear that the district court had entered a final judgment where the claims against Tomoko Choo remain pending in the district court. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). In the absence of a final judgment there can be no special order after final judgment.

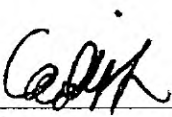
In response, appellants do not dispute that claims against Tomoko Choo remain pending in the district court. They contend that a writ of

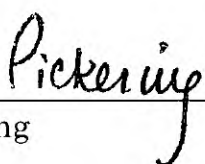
prohibition entered by this court earlier in the underlying litigation is a final judgment and the challenged order is appealable as a special order after final judgment. Appellants assert that because this court's order directed the district court to dismiss the claims against appellants, NRCP 54(b) certification of the challenged order is unavailable. And, they argue, any failure to obtain a formal certification of finality under NRCP 54(b) is harmless error.


"[A] final judgment is one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney's fees and costs." *Id.* Here, as appellants appear to concede, the claims against Choo remain pending in the district court. While the claims against appellants may have been resolved with finality, other claims—those against Choo—remain pending. Therefore, no final judgment has been entered because not all issues presented in the case have been disposed. And this court disagrees with appellant's assertion that certification under NRCP 54(b) is unavailable. Without a final judgment, the challenged order is not appealable as a special order after final judgment under NRAP 3A(b)(8).

No other statute or court rule appears to authorize an appeal from the challenged order. *See Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court "may only consider appeals authorized by statute or court rule"). Accordingly, this court lacks jurisdiction and

ORDERS this appeal DISMISSED.


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Bell

cc: Hon. Joanna Kishner, District Judge
Dana Jonathon Nitz, Settlement Judge
Hutchison & Steffen, LLC/Reno
Fierst Bloomberg Ohm, LLP / Massachusetts
Hutchison & Steffen, LLC/Las Vegas
McDonald Carano LLP/Las Vegas
McDonald Carano LLP/Reno
Eighth District Court Clerk