

Nevada Supreme Court Doubles Down On Joint Venture By Estoppel

Article By:

Keith Paul Bishop

Last March, I [wrote](#) about a decision of a panel of the Nevada Supreme Court in *In re Cay Clubs*, 130 Nev. Adv. 14 (2014). The defendants thereafter sought reconsideration by the Supreme Court sitting *en banc*. Yesterday, the Supreme Court issued its opinion. For those familiar with the panel's opinion, there are no surprises from the full court. The full Court found:

- Partnership by estoppel can be found whether the subject of the action is a partnership or a joint venture;
- The consent required for partnership by estoppel can be express or implied from conduct;
- The reference to “given credit” in NRS 87.160(1) means “giving credence to the representation by detrimentally relying on it to engage in a transaction with the purported partnership;
- The claimant must have reasonably relied on the representation of partnership or joint venture; and
- Partnership liability may be imposed with respect to non-contractual claims that implicate the reliance element.

130 Nev. Adv. 92 (2014).

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