

IN THE SUPREME COURT OF THE STATE OF NEVADA

NETVERSANT-NEVADA, INC., A
NEVADA CORPORATION, AS
SUCCESSOR IN INTEREST OF
SOUTHWESTERN
COMMUNICATIONS,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
MICHAEL CHERRY, DISTRICT
JUDGE,

Respondents,

and

CREDITEK, LLC, A DELAWARE
LIMITED LIABILITY COMPANY,
Real Party in Interest.

No. 45169

FILED

MAY 19 2005

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK


ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges a district court order that denied petitioner's motion to dismiss the real party in interest's collection action. We have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Specifically, this court will not consider a writ petition that challenges the denial of a motion to dismiss unless either (1) there are no disputed factual issues and dismissal is required by law; or (2) an

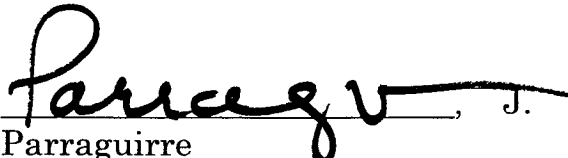
important legal issue requires clarification.¹ Neither circumstance is present here.²

Accordingly, we deny the petition.³

It is so ORDERED.


Maupin


Douglas


Parraguirre

cc: Hon. Michael A. Cherry, District Judge
Lionel Sawyer & Collins/Las Vegas
Law Offices of Richard I. Dreitzer, Chtd.
Clark County Clerk

¹Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997).

²See NRS 86.5483(1)(h) (providing that debt collection does not constitute “transacting business in this state”); cf. Executive Mgmt. v. Tigor Title Ins. Co., 118 Nev. 46, 49, 38 P.3d 872, 874 (2002) (stating that whether a foreign corporation is “doing business” is a fact-intensive inquiry).

³NRS 34.160; NRAP 21(b).