

IN THE SUPREME COURT OF THE STATE OF NEVADA

LUCKY CAB COMPANY,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
ELIZABETH GOFF GONZALEZ,  
DISTRICT JUDGE,

Respondents,

and

MOHAMMAD ABBAS,  
Real Party in Interest.

No. 46006

**FILED**

NOV 17 2005

JANE M. SLOOM  
CLERK OF SUPREME COURT  
*J. Richard*  
CLERK

ORDER DENYING PETITION FOR A WRIT  
OF MANDAMUS OR PROHIBITION

This petition for a writ of mandamus or prohibition challenges a district court order denying, in part, a motion to dismiss a complaint for conversion, tortious discharge, and defamation. Although the district court dismissed real party in interest's claim for conversion, petitioner asserts that real party in interest's other claims are preempted by the National Labor Relations Act, and are otherwise not based on any recognized public policy exception to the at-will employment doctrine.

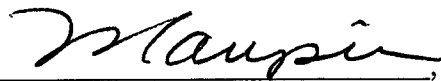
Generally, this court will not exercise its discretion to consider petitions for extraordinary writ relief that challenge district court orders denying motions to dismiss, unless dismissal is clearly required by a statute or rule, or an important issue of law requires clarification.<sup>1</sup> Further, extraordinary writs are generally available only when our

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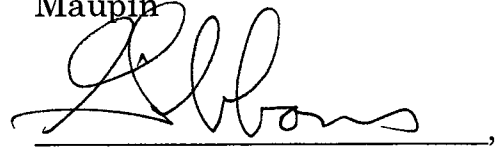
<sup>1</sup>Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997).

resolution of the legal question presented would affect all aspects of the underlying case.<sup>2</sup> We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Accordingly, we deny the petition.<sup>3</sup>

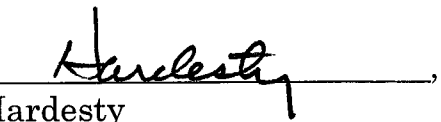
It is so ORDERED.<sup>4</sup>

 J.

Maupin

 J.

Gibbons

 J.

Hardesty

cc: Hon. Elizabeth Goff Gonzalez, District Judge  
Parsons Behle & Latimer  
Kristina S. Holman  
Clark County Clerk

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<sup>2</sup>Moore v. District Court, 96 Nev. 415, 610 P.2d 188 (1980); see also 29 U.S.C. § 158(a)(1) (2000) (providing that employers violate the National Labor Relations Act if they “interfere with, restrain, or coerce employees in the exercise of the rights guaranteed [by the Act]”); 29 U.S.C. § 157 (2000) (providing, in part, that “[e]mployees shall have the right . . . to engage in other concerted activities for the purpose of . . . mutual aid or protection”); Jordan v. State, Dep’t of Motor Vehicles, 121 Nev. \_\_, \_\_, 110 P.3d 30, 47 (2005) (discussing the elements of a claim for defamation).

<sup>3</sup>See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

<sup>4</sup>In light of this order, we deny as moot petitioner’s motion for a stay.