

IN THE SUPREME COURT OF THE STATE OF NEVADA

FARMERS INSURANCE EXCHANGE,  
Petitioner,

vs.

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

Respondents,

and

JAMES F. LISOWSKI, SR., UNITED  
STATES BANKRUPTCY PANEL  
TRUSTEE, BY ASSIGNMENT BY  
OPERATION OF LAW FROM JODY  
PRUITT, BANKRUPTCY DEBTOR,  
Real Party in Interest.

No. 47789

**FILED**

NOV 16 2006

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

ORDER DENYING PETITION FOR  
WRIT OF MANDAMUS OR PROHIBITION

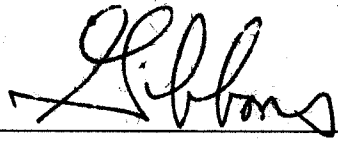
This original petition for a writ of mandamus or prohibition challenges district court orders denying a motion to dismiss and denying a motion to disqualify counsel for the real party in interest. We have considered this petition and the answer thereto, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted,<sup>1</sup>

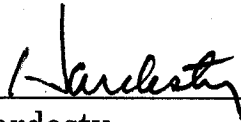
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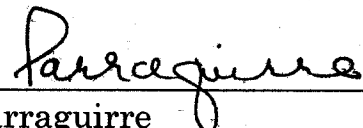
<sup>1</sup>See Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997) (stating that this court generally will not consider writ petitions that challenge district court orders denying motions to dismiss); Waid v. Dist. Ct., 121 Nev. 605, 609, 119 P.3d 1219, 1222 (2005) (noting that the "district court has broad discretion in attorney disqualification matters,  
*continued on next page . . .*

particularly in light of the conclusion of the underlying personal injury proceedings and the termination of Laurie Robinson's employment.<sup>2</sup> Accordingly, we deny the petition.<sup>3</sup>

It is so ORDERED.

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Jennifer Togliatti, District Judge  
Chapman, Popik & White LLP  
Tharpe & Howell  
G. Dallas Horton & Associates  
Clark County Clerk

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*... continued*

and this court will not overturn its decision absent an abuse of that discretion”).

<sup>2</sup>See NCAA v. University of Nevada, 97 Nev. 56, 57-58, 624 P.2d 10, 10-11 (1981) (holding that “the duty of every judicial tribunal is to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions,” and noting that “[c]ases presenting real controversies at the time of their institution may become moot by the happening of subsequent events”).

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