

IN THE SUPREME COURT OF THE STATE OF NEVADA

RENO A & E, A NEVADA
CORPORATION,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, AND THE HONORABLE
BRIDGET ROBB PECK, DISTRICT
JUDGE,

Respondents,
and

LIEN HUYNH,
Real Party in Interest.

No. 48694

FILED

JAN 11 2007

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

ORDER DENYING PETITION FOR WRITS
OF MANDAMUS AND PROHIBITION

This original petition for writs of mandamus and prohibition challenges a district court order denying a motion to dismiss or for summary judgment, with respect to a complaint for negligent hiring, supervision, and retention.

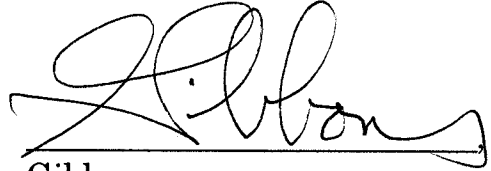
This court will not exercise its discretion to consider petitions for extraordinary writ relief that challenge district court orders denying motions to dismiss or for summary judgment, unless no disputed factual issues exist and dismissal or summary judgment is clearly required by a statute or rule, or an important issue of law requires clarification.¹ It is

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

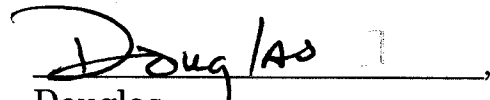
petitioner's burden to show that our intervention by way of extraordinary relief is warranted.²

We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.³ Accordingly, we deny the petition.⁴

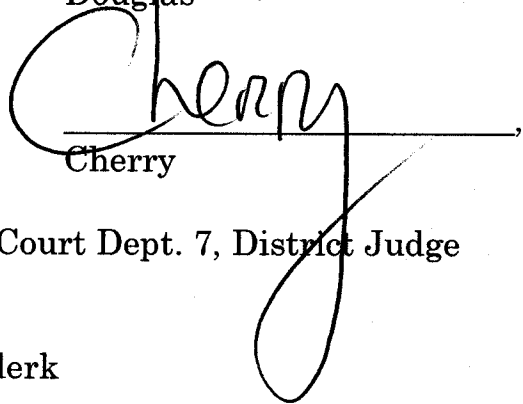
It is so ORDERED.



Gibbons J.



Douglas J.



Cherry J.

cc: Second Judicial District Court Dept. 7, District Judge
Watson Rounds
Kenneth J. McKenna
Washoe District Court Clerk

²Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

³See, e.g., Aviation Ventures v. Joan Morris, Inc., 121 Nev. 113, 119, 110 P.3d 59, 63 (2005) (recognizing that, generally, summary judgment motions are appropriate only after the opposing party has had an opportunity to conduct discovery); Hall v. SSF, Inc., 112 Nev. 1384, 1391, 930 P.2d 94, 98 (1996) (reviewing a complaint to determine whether it asserted a viable claim for negligent hiring, training, supervision, and retention).

⁴See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).