

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOE BILLS, AND THE CAMPING
COMPANIES, INC., AN ARIZONA
CORPORATION,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
SUSAN JOHNSON, DISTRICT JUDGE,
Respondents,

and

COMMUNITY ONE GROUP, LLC,
D/B/A COMMUNITY ONE FEDERAL
CREDIT UNION,
Real Party in Interest.

No. 49995

FILED

NOV 16 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying a motion for a good faith settlement determination.

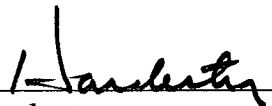
A writ of mandamus is available to compel the performance of an act that the law requires, or to control a manifest abuse or arbitrary or capricious exercise of discretion.¹ Mandamus is an extraordinary remedy, however, and the decision to entertain such a petition is addressed to this

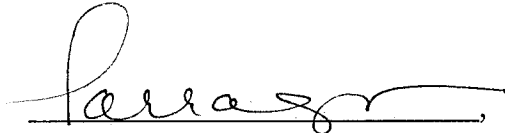
¹See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).


court's sole discretion.² Mandamus relief generally is not available when the petitioner has a plain, speedy, and adequate remedy in the ordinary course of law.³ Petitioners have the burden of demonstrating that our extraordinary intervention is warranted.⁴

Having reviewed the petition and supporting documentation, we conclude that petitioners have not met their burden to show that this court's extraordinary intervention is warranted, and, since petitioners have an adequate legal remedy by way of an appeal from any adverse final judgment, we decline to exercise our discretion to intervene. Accordingly, we

ORDER the petition DENIED.⁵


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

²See Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982).

³NRS 34.170; Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004).

⁴Pan, 120 Nev. at 228, 88 P.3d at 844.

⁵See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

cc: Hon. Susan Johnson, District Judge
Pyatt Silvestri & Hanlon
Alverson Taylor Mortensen & Sanders
Eighth District Court Clerk