

IN THE SUPREME COURT OF THE STATE OF NEVADA

ZJ&R PROPERTIES, LLC,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
SALLY L. LOEHRER, DISTRICT  
JUDGE,  
Respondents,  
and  
IKE BOROWSKY INDIVIDUALLY AND  
D/B/A CAMERA TECH,  
Real Party in Interest.

No. 50886

**FILED**

JAN 23 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY: *[Signature]*  
DEPUTY CLERK

ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges a district court order granting an objection to a discovery commissioner's report and recommendations.

A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust or station, or to control a manifest abuse of discretion.<sup>1</sup> We may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions, when such proceedings are in excess of the district court's jurisdiction.<sup>2</sup> Both mandamus and prohibition are extraordinary

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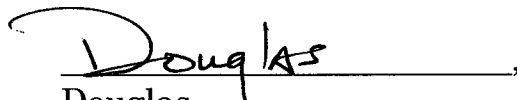
<sup>1</sup>See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981).

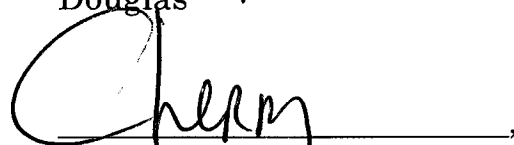
<sup>2</sup>See NRS 34.320.

remedies, and whether a petition for extraordinary relief will be considered is solely within our discretion.<sup>3</sup> We will generally not entertain an extraordinary writ challenging a discovery order.<sup>4</sup> There are, however, two exceptions to this rule.<sup>5</sup> We may consider entertaining a petition for a writ that challenges a district court order that either (1) is a blanket discovery order without regard to relevance, or (2) compels the disclosure of privileged information.<sup>6</sup> It appears that neither of these exceptions applies in this case. Accordingly, our intervention by way of extraordinary relief is not warranted, and we deny the petition.<sup>7</sup>

It is so ORDERED.<sup>8</sup>

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

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

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

<sup>4</sup>Clark County Liquor v. Clark, 102 Nev. 654, 730 P.2d 443, (1986).

<sup>5</sup>Id.

<sup>6</sup>Id.

<sup>7</sup>See NRAP 21(b); Smith, 107 Nev. 674, 818 P.2d 849.

<sup>8</sup>In light of this order, we deny as moot petitioner's request for a stay.

cc: Hon. Sally L. Loehrer, District Judge  
McCormick, Barstow, Sheppard, Wayte & Carruth, LLP  
Parker Nelson & Arin, Chtd.  
Eighth District Court Clerk