

IN THE SUPREME COURT OF THE STATE OF NEVADA

RENEE ECHT,  
Petitioner,

vs.

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

and

ROBERT J. TROELL, M.D., F.A.C.S., AN  
INDIVIDUAL, D/B/A BEAUTY BY  
DESIGN, AN UNKNOWN ENTITY;  
AND ROBERT TROELL, M.D., LTD., A  
NEVADA LIMITED LIABILITY  
COMPANY,  
Real Parties in Interest.

No. 51405

**FILED**

MAY 08 2008

TRACIE K. LINDEMAN  
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 to disqualify counsel.

A writ of mandamus is available to compel the performance of an act that the law requires, or to control a manifest abuse of discretion.<sup>1</sup> Mandamus is an extraordinary remedy, however, and its issuance is within this court's sole discretion.<sup>2</sup> A petitioner seeking mandamus relief has the burden of demonstrating that this court's intervention is

---


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

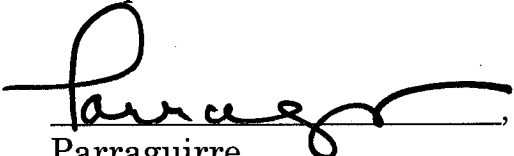
<sup>2</sup>See Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

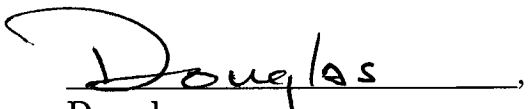
warranted.<sup>3</sup> We have consistently held that orders in counsel disqualification matters are properly challenged by way of mandamus.<sup>4</sup>

We have considered this petition, and we are not satisfied that our intervention by way of extraordinary relief is warranted. In particular, we are not persuaded that the district court manifestly abused its discretion in determining that disqualification was not warranted.<sup>5</sup> Accordingly, we deny the petition.<sup>6</sup>

It is so ORDERED.<sup>7</sup>

  
\_\_\_\_\_, J.  
Maupin

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

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

---

<sup>3</sup>Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); NRAP 21(a).

<sup>4</sup>See, e.g., Waid v. Dist. Ct., 121 Nev. 605, 119 P.3d 1219 (2005).

<sup>5</sup>See Nevada Yellow Cab Corp. v. Dist. Ct., 123 Nev. \_\_\_, \_\_\_, 152 P.3d 737, 743 (2007).

<sup>6</sup>See Smith, 107 Nev. at 677, 818 P.2d at 851.

<sup>7</sup>In light of this order, we vacate our April 11, 2008 temporary stay.

cc: Hon. Valerie Adair, District Judge  
Albert D. Massi, Ltd.  
Harris/Schwartz  
Mandelbaum & Schwarz, Ltd.  
Eighth District Court Clerk