

IN THE SUPREME COURT OF THE STATE OF NEVADA

OREN F. FORRESTER, AN INDIVIDUAL,  
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA, IN  
AND FOR THE COUNTY OF WASHOE,  
AND THE HONORABLE ROBERT H.  
PERRY, DISTRICT JUDGE,

Respondents,

and

HUGO R. PAULSON, AN INDIVIDUAL;  
WESTERN INTERCONTINENTAL, LLC,  
A NEVADA LIMITED LIABILITY  
COMPANY; HRP LAND, LLC, A NEVADA  
LIMITED LIABILITY COMPANY; AND  
WESTERN INTERCONTINENTAL, LLC,  
A LIMITED LIABILITY COMPANY,  
Real Parties in Interest.

No. 53147

**FILED**

FEB 05 2009

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 district court orders (1) granting real parties in interest's motion to compel answers to questions propounded upon oral examination, and (2) denying petitioner's motion for reconsideration of the order granting the motion to compel.

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. See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). Mandamus is an extraordinary remedy, and whether a petition for extraordinary relief will be considered is solely within our

discretion. See Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition and the documents attached thereto, we are not satisfied that this court's intervention by way of extraordinary relief is warranted. See NRAP 21(b); Smith, 107 Nev. at 677, 818 P.2d at 851.

Accordingly, we

ORDER the petition DENIED.<sup>1</sup>

Cherry, J.  
Cherry

Saitta, J.  
Saitta

Gibbons, J.  
Gibbons

cc: Hon. Robert H. Perry, District Judge  
Stephens Knight & Edwards  
Wagner Kirkman Blaine Klomparens & Youmans, LLP  
Burton Bartlett & Glogovac, Ltd.  
Phillip M. Stone  
Washoe District Court Clerk

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<sup>1</sup>In light of this order, we deny as moot petitioner's request for a stay.