

IN THE SUPREME COURT OF THE STATE OF NEVADA

MOBISTUB, LLC; PASCHINI
HOLDINGS, LLC; AND MILES
PASCHINI,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
STEFANY ANN MILEY, DISTRICT
JUDGE,

Respondents,

and

TRANSACT NETWORK, LTD., A
GIBRALTER L.L.C.,
Real Party in Interest.

No. 54780

FILED

DEC 04 2009

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

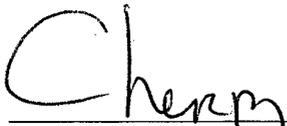
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying petitioners' motion to dismiss on forum non conveniens grounds and allowing real party in interest to conduct limited discovery regarding personal jurisdiction over petitioner Miles Paschini.

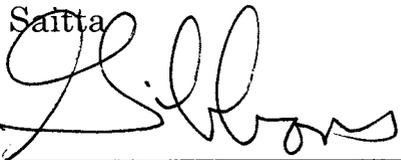
A writ of mandamus is available to compel the performance of an act that the law requires or to control a manifest abuse of discretion. See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981). Mandamus relief is available only when no speedy and adequate remedy at law exists. NRS 34.170. Additionally, mandamus is an extraordinary remedy, and it is within our discretion to determine if a petition will be considered. Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

Having reviewed the petition and supporting documents, we are not persuaded that our intervention by way of extraordinary relief is warranted. Accordingly, we deny the petition. NRAP 21(b); Smith, 107 Nev. 674, 818 P.2d 849.

It is so ORDERED.¹


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Stefany Miley, District Judge
Olson, Cannon, Gormley & Desruisseaux
Ballard Spahr Andrews & Ingersoll, LLP/Las Vegas
Eighth District Court Clerk

¹In light of this order, we deny as moot petitioners' request for a stay.