

IN THE SUPREME COURT OF THE STATE OF NEVADA

FAGEN DEVELOPMENT, LLC, A NEVADA  
LIMITED LIABILITY COMPANY,  
Petitioner,

vs.

THE FIFTH JUDICIAL DISTRICT COURT OF  
THE STATE OF NEVADA, IN AND FOR THE  
COUNTY OF NYE, AND THE HONORABLE  
JOHN P. DAVIS, DISTRICT JUDGE,  
Respondents,

and

JAMES R. ISERN, AN INDIVIDUAL; AND  
ELIZABETH A. ISERN, AN INDIVIDUAL,  
Real Parties in Interest.

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TAHOE GOLD, LLC, A NEVADA LIMITED  
LIABILITY COMPANY; AND TAHOE PETRO,  
LLC, A NEVADA LIMITED LIABILITY  
COMPANY,  
Petitioners,

vs.

THE FIFTH JUDICIAL DISTRICT COURT OF  
THE STATE OF NEVADA, IN AND FOR THE  
COUNTY OF NYE, AND THE HONORABLE  
JOHN P. DAVIS, DISTRICT JUDGE,  
Respondents,

and

ISERN OIL NEVADA, LLC, A NEVADA LIMITED  
LIABILITY COMPANY; ISERN OIL CO., INC., A  
KANSAS CORPORATION; FRONTERA  
RESOURCES, LTD., A NEVADA LIMITED  
LIABILITY COMPANY; ELIZABETH ISERN, AN  
INDIVIDUAL; AND MELODY FLETCHER, AN  
INDIVIDUAL,  
Real Parties in Interest.

No. 55227

**FILED**

APR 09 2010

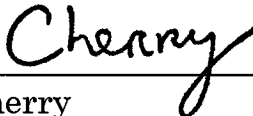
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

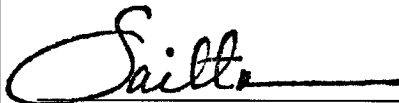
ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION


This original petition for a writ of mandamus or prohibition challenges several interlocutory rulings by the district court in the underlying actions.

Mandamus and prohibition are extraordinary remedies, and whether a petition will be considered is solely within this court's discretion. See Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Based on our review of the documents before us, we conclude that our intervention by way of extraordinary relief is not warranted. Accordingly, we deny the petition. See id. at 679, 818 P.2d at 853; NRAP 21(b)(1).

It is so ORDERED.<sup>1</sup>

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

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. John P. Davis, District Judge  
Brooke Shaw Zumpft  
Melody Fletcher  
Elizabeth A. Isern  
James R. Isern  
Nye County Clerk

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<sup>1</sup>As we deny this petition, and no answer from real parties in interest was directed, the clerk of this court shall return, unfiled, the January 14, 2010, objection to this petition and the February 12, 2010, objection to the supplement to the petition.