

IN THE SUPREME COURT OF THE STATE OF NEVADA

SICOR, INC.; TEVA PARENTERAL
MEDICINES, INC., F/K/A SICOR
PHARMACEUTICALS, INC.; AND BAXTER
HEALTHCARE CORPORATION,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF CLARK, AND
THE HONORABLE JESSIE WALSH,
DISTRICT JUDGE,

Respondents,

and

HENRY CHANIN; LORRAINE CHANIN;
DESERT SHADOW ENDOSCOPY
CENTER, LLC; GASTROENTEROLOGY
CENTER OF NEVADA, LLP; RAJAT SOOD,
M.D.; AND BOBBI GLASS-SERAN, CRNA,
Real Parties in Interest.

No. 55769

FILED

APR 08 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 orders and rulings entered in the underlying case.

Writs of mandamus and prohibition are available only when there is no plain, speedy, and adequate remedy at law. NRS 34.170; NRS 34.330. An appeal is generally a speedy and adequate remedy that precludes writ relief. Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Petitioners have indicated that trial in the underlying matter is scheduled to commence on April 12, 2010. As such, we conclude that if petitioners are aggrieved by the final district court judgment they have a

speedy and adequate remedy in the form of an appeal from the district court's judgment. Id. Further, petitioners may challenge any interlocutory rulings and orders by which they are aggrieved in the context of any appeal from the final judgment. Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998). Accordingly, we deny the petition.

It is so ORDERED.¹

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Jessie Elizabeth Walsh, District Judge
Goodwin Procter, LLP
Olson, Cannon, Gormley & Desruisseaux
Blalock & Qualey
Jimmerson Hansen
Kemp, Jones & Coulthard, LLP
Lewis Brisbois Bisgaard & Smith, LLP
MacDonald Devin, PC/Dallas
Mainor Eglet Cottle, LLP
Eighth District Court Clerk

¹In light of this order, we deny as moot petitioners' motion for a stay and we deny their motion to submit an unredacted copy of "Exhibit 18" to their petition.