

IN THE SUPREME COURT OF THE STATE OF NEVADA

TNP PROPERTIES, LLC, SUCCESSOR-
IN-INTEREST TO WESTBAY, LLC,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
JEROME T. TAO, DISTRICT JUDGE,

Respondents,

and

OPHTHALMIC ASSOCIATES, LLP;
KEVIN N. MILLER, M.D.; GRACE S.
SHIN, M.D.; EMILY L. FANT, M.D.;
AND TUSHINA A. REDDY, M.D.,
Real Parties in Interest.

No. 59156

FILED

SEP 15 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Tracie K. Lindeman*
DEPUTY CLERK

ORDER DENYING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of prohibition or mandamus challenges a district court order granting a motion in limine. Specifically, by the terms of this order, petitioner is precluded from arguing at the upcoming trial that it is not liable for any damages for breaching a lease because, it alleges, it is merely the property manager, not the landlord. Having reviewed the petition and supporting documents, we are not persuaded that this court's intervention by way of extraordinary relief is warranted at this time. NRS 34.160; NRS 34.320; Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991); see also NRAP 21(b)(1). Petitioner

remains free to raise these issues on appeal from any final judgment.
Accordingly, we

ORDER the petition DENIED.¹

Douglas, J.
Douglas

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

cc: Hon. Jerome T. Tao, District Judge
Santoro, Driggs, Walch, Kearney, Holley & Thompson/Las Vegas
Martin & Allison, Ltd.
Eighth District Court Clerk

¹We deny petitioner's emergency stay request as moot in light of this order.