

IN THE SUPREME COURT OF THE STATE OF NEVADA

HEALTH PLAN OF NEVADA, INC.;  
SIERRA HEALTH SERVICES, INC.;  
SIERRA HEALTH AND LIFE  
INSURANCE COMPANY, INC.; SIERRA  
HEALTHCARE OPTIONS, INC.;  
UNITED HEALTHCARE INSURANCE  
COMPANY; AND UNITED  
HEALTHCARE SERVICES, INC.,  
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
TIMOTHY C. WILLIAMS, DISTRICT  
JUDGE,

Respondents,

and

HELEN MEYER, AN INDIVIDUAL;  
AND BONNIE J. AND CARL  
BRUNSON, INDIVIDUALLY, AND AS  
HUSBAND AND WIFE,  
Real Parties in Interest.

No. 62483

**FILED**

JAN 25 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *R. Malmo*  
DEPUTY CLERK

ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges district court decisions granting two motions in limine.

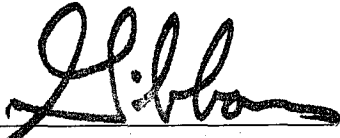
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control an arbitrary or capricious exercise of discretion. See NRS 34.160; International Game Tech. v. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). This court may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the district court's jurisdiction. See NRS



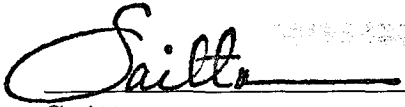
34.320; Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Writ relief is generally not available, however, when the petitioner has a plain, speedy, and adequate remedy at law. See NRS 34.170; NRS 34.330; International Game Tech., 124 Nev. at 197, 179 P.3d at 558. An appeal is typically an adequate legal remedy precluding writ relief. Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004).

Having considered the petition, we conclude that petitioners have a speedy and adequate remedy available in that, in the event they are aggrieved by the final judgment, they may challenge the district court's interlocutory rulings on the motions addressed in this petition in the context of an appeal from that judgment. Id.; Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998) (explaining that a party may challenge an interlocutory order in the context of an appeal from a final judgment); see also NRAP 3A(b)(1); Lee v. GNLV Corp., 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). Accordingly, we deny the petition.

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

  
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Gibbons J.

  
\_\_\_\_\_  
Douglas J.

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

<sup>1</sup>Real parties in interest's motion for leave to file an opposition to petitioners' emergency stay motion in excess of ten pages is granted. The clerk of this court is directed to file the opposition, which was provisionally received in this court on January 24, 2013. In light of this order, we deny as moot petitioners' emergency motion to stay trial of the underlying matter.

cc: Hon. Timothy C. Williams, District Judge  
Holland & Hart LLP/Las Vegas  
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC  
Eglet Wall  
Kemp, Jones & Coulthard, LLP  
Eighth District Court Clerk