

IN THE SUPREME COURT OF THE STATE OF NEVADA

TAKEDA PHARMACEUTICALS  
AMERICA, INC.; TAKEDA  
PHARMACEUTICALS NORTH  
AMERICA, INC.; TAKEDA  
PHARMACEUTICALS COMPANY  
LIMITED; AND DUSTIN HINDMARCH,  
Petitioners,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF CLARK;  
AND THE HONORABLE KERRY  
EARLEY, DISTRICT JUDGE,  
Respondents,  
and  
BERTHA E. TRIANA; HIRAMA TRIANA;  
AND DELORES M. CIPRIANO,  
Real Parties in Interest.

No. 64614

**FILED**

DEC 31 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY R. Malone  
DEPUTY CLERK

*ORDER GRANTING IN PART MOTION TO FILE DOCUMENTS  
UNDER SEAL AND DENYING WRIT PETITION*

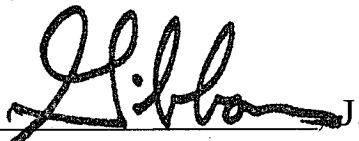
This original petition for a writ of mandamus challenges a district court order granting a motion to consolidate real parties in interest's district court actions and an oral ruling denying reconsideration of the order granting consolidation.

As an initial matter, petitioners have moved to seal the writ petition and the appendix in this matter. In sealing court records, we must use the least restrictive means of sealing, and seal only as much of the record as is necessary to protect any confidential information. See SRCR 3(6). Here, we conclude that the least restrictive means is to seal only those portions of the petition and appendix that include references to confidential information. See SRCR 3(4) (identifying permissible grounds for sealing court records); see also SRCR 7 (providing that "[c]ourt records sealed in the trial court shall be sealed from public access in the Nevada

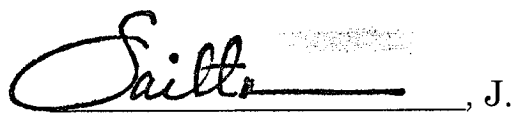
Supreme Court subject to further order of that court”). Therefore, having considered the motion and reviewed the petition, and appendix, we grant the motion in part. Accordingly, the clerk of this court shall file under seal only pages 7-13 and 25-26 of the December 16, 2013, writ petition and pages 629-1227 of petitioners’ appendix, which was filed in this court on that same date.

Further, having considered the writ petition and the appendix, we decline to exercise our discretion to intervene in this matter by way of extraordinary writ relief. See NRS 34.160 (explaining that 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); *Int’l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008) (noting that writ relief is typically not available when the petitioner has a plain, speedy, and adequate at law); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (providing that petitioners bear the burden of demonstrating that extraordinary relief is warranted). Accordingly, we deny the petition. See NRAP 21(b)(1); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that it is within this court’s discretion to determine whether writ relief will issue).

It is so ORDERED.

  
\_\_\_\_\_  
Gibbons

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

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

cc: Hon. Kerry Earley, District Judge  
Snell & Wilmer, LLP/Las Vegas  
Eglet Wall Christiansen  
Kemp, Jones & Coulthard, LLP  
Eighth District Court Clerk