

IN THE SUPREME COURT OF THE STATE OF NEVADA

CASCADE TANKS, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
GLORIA STURMAN, DISTRICT
JUDGE,

Respondents,

and

SARAH ANN DAVIS; AND TITE
WATER ENERGY, LLC, AN
OKLAHOMA LIMITED LIABILITY
COMPANY,

Real Parties in Interest.

No. 64949

FILED

JUN 24 2014

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


ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges a district court order granting a motion to dismiss for lack of personal jurisdiction in a trade secret and injunctive relief action.

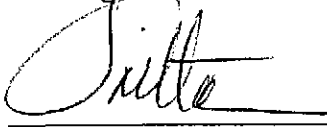
A writ of mandamus is available to compel the performance of an act that the law requires or to control an arbitrary or capricious exercise of discretion. NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Whether a petition for mandamus relief will be considered is purely discretionary with this court. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). It is petitioner's burden to demonstrate that our extraordinary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition, we conclude that petitioner has not shown that our intervention by way of extraordinary relief is warranted. NRAP 21(b)(1); *Pan*, 120 Nev. at 228, 88 P.3d at 844; *Smith*, 107 Nev. at 677, 818 P.2d at 851; *see also Walden v. Fiore*, 517 U.S. ___, ___, 134 S. Ct. 1115, 1122 (2014) (holding that jurisdiction was not proper in Nevada where the defendant's only contact with Nevada was his contact with plaintiffs who were Nevada citizens, because the plaintiff cannot be the only link between the defendant and the forum state as it is "the defendant's conduct that must form the necessary connection with the forum State that is the basis for its jurisdiction over him"). Accordingly, we

ORDER the petition DENIED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Gloria Sturman, District Judge
Robison Belaustegui Sharp & Low
Lewis Roca Rothgerber LLP/Las Vegas
Markowitz, Herbold, Glade & Mehlhaf, PC
Eighth District Court Clerk