

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF NORTH LAS VEGAS,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
MARK R. DENTON, DISTRICT JUDGE,  
Respondents,

and

5TH & CENTENNIAL, LLC, A NEVADA  
LIMITED LIABILITY COMPANY; 5TH  
& CENTENNIAL II, LLC, A NEVADA  
LIMITED LIABILITY COMPANY; 5TH  
& CENTENNIAL III, LLC, A NEVADA  
LIMITED LIABILITY COMPANY; ALL  
FOR ONE FAMILY TRUST, BRIAN A.  
LEE, AND JULIE A. LEE, TRUSTEES  
FOR THE ALL FOR ONE FAMILY  
TRUST; AND BRIAN A. LEE AND  
JULIE A. LEE,  
Real Parties in Interest.

No. 66204

**FILED**

AUG 07 2014

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 alternatively, prohibition, challenges a district court order denying a motion for a protective order and authorizing a judgment debtor examination.

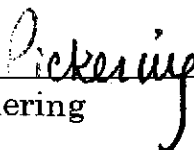
A writ of mandamus is available to compel the performance of an act that the law requires or to control an arbitrary or capricious exercise of discretion. NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). A writ of prohibition may be warranted when the district court exceeds its


jurisdiction. NRS 34.320. Either writ is an extraordinary remedy, and whether such a writ will be considered is within this court's sole discretion. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991). Moreover, 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 petitioner's arguments in light of this court's resolution of the consolidated appeals in Docket Nos. 58530 and 59162, we are not persuaded that our intervention is warranted. *Smith*, 107 Nev. at 677, 679, 818 P.2d at 851, 853; *Pan*, 120 Nev. at 228, 88 P.3d at 844. Accordingly, we

ORDER the petition DENIED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Pickering

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

cc: Hon. Mark R. Denton, District Judge  
Marquis Aurbach Coffing  
Kemp, Jones & Coulthard, LLP  
John Peter Lee Ltd.  
Eighth District Court Clerk

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<sup>1</sup>In light of our resolution of this writ petition, petitioner's emergency stay motion is denied as moot.