

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

NATALIE S. GOULD, INDIVIDUALLY;
AND WOMEN'S CANCER CENTER OF
NEVADA, INC., A NEVADA
CORPORATION,

Petitioners,

vs.

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

Respondents,

and

ANNIS LIME; AND RICHARD LIME,
Real Parties in Interest.

No. 71667

FILED

DEC 13 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This is an original petition for a writ of mandamus challenging a district court order striking an expert witness.


Having considered the petition and supporting documents, we conclude that petitioners have failed to meet their burden of demonstrating that extraordinary writ relief is warranted. *See* NRS 34.160 (providing 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); NRS 34.170 (explaining that writ relief is generally not available when the petitioner has a plain, speedy, and adequate remedy at law); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioners carry the burden of demonstrating that extraordinary relief is warranted."). In this case, petitioners have an adequate remedy in the form of an appeal from the


16-901474

final judgment in the underlying matter. See *Williams v. Eighth Judicial Dist. Court*, 127 Nev. 518, 524-25, 262 P.3d 360, 364-65 (2011) (explaining that the opportunity to appeal generally precludes writ relief to challenge pretrial evidentiary decisions); *Pan*, 120 Nev. at 224, 88 P.3d at 841 (holding that an appeal is generally an adequate remedy precluding writ relief). Accordingly, we deny the petition. See NRAP 21(b); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (providing that whether to consider a writ petition is discretionary).

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. James Crockett, District Judge
John H. Cotton & Associates, Ltd.
Benson, Bertoldo, Baker & Carter, Chtd.
Eighth District Court Clerk