

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ARIZONA PIPELINE COMPANY; AND
CHRISTOPHER DAVID HART, AN
INDIVIDUAL,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
LINDA MARIE BELL, DISTRICT
JUDGE,

Respondents,

and

ALMA CORONA, AN INDIVIDUAL;
BERTHA PELAYO MORALES, AN
INDIVIDUAL; ANGELICA PADILLA, AN
INDIVIDUAL; AND LESLIE PALAYO
MORALES, AN INDIVIDUAL,

Real Parties in
Interest.

No. 72138

FILED

JAN 25 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

*ORDER DENYING PETITION
AND EMERGENCY MOTION FOR STAY*

This is an original petition for a writ of mandamus challenging the district court's affirmance and adoption of the discovery commissioner's report and recommendation regarding the taking of a deposition.¹ Although our supreme court has recognized that a writ of mandamus may be issued to compel the district court to vacate or modify a discovery order, extraordinary writs are generally not available to review

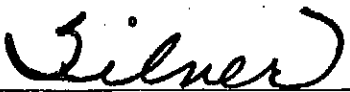
¹That deposition is currently scheduled for January 25, 2017, at 2 p.m.

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discovery orders. *Wardleigh v. District Court*, 111 Nev. 345, 350–51, 891 P.2d 1180, 1183 (1995); *Clark County Liquor v. Clark*, 102 Nev. 654, 659, 730 P.2d 443, 447 (1986); *Clark v. District Court*, 101 Nev. 58, 64, 692 P.2d 512, 516 (1985); *Schlatter v. District Court*, 93 Nev. 189, 193, 561 P.2d 1342, 1344 (1977). In general, there have been two main situations where appellate courts have issued a writ to prevent improper discovery: blanket discovery orders with no regard to relevance, and discovery orders compelling disclosure of privileged information. See *Valley Health System, LLC v. Eighth Judicial Dist. Court*, 127 Nev. 167, 252 P.3d 676; (2011); *Clark County Liquor*, 102 Nev. at 659, 730 P.2d at 447. The discovery order at issue in this matter does not appear to raise either of those two limited situations.

Further, writ relief is generally not available when a petitioner has an adequate remedy at law. See NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Having considered the documents and arguments presented in this matter, we conclude that our extraordinary intervention is not warranted. NRS 34.160; *Pan*, 120 Nev. at 228, 88 P.3d at 844. Accordingly, we deny the petition.²

It is so ORDERED.


_____, C.J.
Silver

²In light of our disposition of the petition, we deny petitioners' emergency motion for stay as moot.

Tao, J.
Tao

Gibbons, J.
Gibbons

cc: Hon. Linda Marie Bell, District Judge
Hall Jaffe & Clayton, LLP
Lewis Roca Rothgerber Christie LLP/Las Vegas
Vannah & Vannah
Eighth District Court Clerk