

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

K-KEL, INC.,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
DAVID M. JONES, DISTRICT JUDGE,  
Respondents,

and

RONIQUE SMITH; KRYSTAL  
CAMPBELL; JACQUELINE  
FRANKLIN; AND JANE DOE  
DANCERS I-XII,  
Real Parties in Interest.

No. 72896

FILED

JUN 26 2017

FOR ABIGAIL BROWN  
CLERK OF THE COURT  
BY *[Signature]*  
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 limited discovery and a trial on arbitrability in a labor law matter.

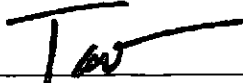
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). This court may issue a writ of prohibition to arrest the proceedings of a district court exercising its judicial functions when such proceedings are in excess of the district court's jurisdiction. *See* NRS 34.320; *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioner bears the burden

of demonstrating that extraordinary relief is warranted. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

Having considered the petition and supporting documents, we conclude that petitioner has failed to meet its burden of demonstrating that extraordinary writ relief is warranted. *See id.* Accordingly, we deny the petition. *See* NRAP 21(b)(1); *Smith*, 107 Nev. at 677, 818 P.2d at 851.

It is so ORDERED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Silver

  
\_\_\_\_\_, J.  
Tao

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

cc: Hon. David M. Jones, District Judge  
Lambrose Brown  
Morris Anderson  
Eighth District Court Clerk

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<sup>1</sup>In light of our denial of this petition, we deny as moot petitioner's May 2, 2017, motion for a stay of the underlying proceedings.