

IN THE SUPREME COURT OF THE STATE OF NEVADA

KB HOME NEVADA INC.,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE

JERRY A. WIESE, DISTRICT JUDGE,

Respondents,

and

LIBERTY AT PARADISE COMMUNITY  
ASSOCIATION; ALDO E.

VINNETTILLI; FANNIE B.

VINNETTILLI; LOVELLE-CRAMBLIT

LIVING TRUST; JODY FORD

REVOCABLE LIVING TRUST; JOHN D.

LEE; LEO J. MEYER, III; MARGARET

E. MEYER, III; LORI KLABACHA;

LYNDA M. BEAM; MIRNA A.

VALLEJO; NANCY WARDZINSKI;

ALISON A. RICHARDS; RANDY A.

NEAR; RICHARD J. CIOLFI; ROBERT

J. FRANKO; JANET E. FRANKO;

SHANE D. PETERSON; STEVE

JOHNSON; AND KAREN JOHNSON,

Real Parties in Interest.

No. 73861

**FILED**

NOV 30 2017

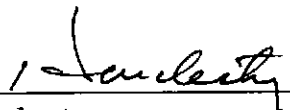
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

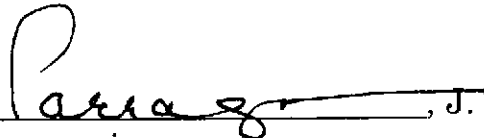
*ORDER DENYING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION*


This original petition for a writ of mandamus or prohibition challenges a district court order determining that NRS Chapter 40 notice requirements were met in a construction defect action. Having considered the petition and appendix filed in this matter, we are not persuaded that our extraordinary and discretionary intervention is warranted at this time.

*Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991); see NRAP 21(b)(1). In particular, the district court has not yet considered or ruled upon the impact of AB 125 (2015) on this litigation. Accordingly, we

ORDER the petition DENIED, without prejudice to petitioner's ability to renew the petition, if appropriate.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Stiglich

cc: Hon. Jerry A. Wiese, District Judge  
Wood, Smith, Henning & Berman, LLP/Las Vegas  
Pisanelli Bice, PLLC  
Angius & Terry LLP/Las Vegas  
Eighth District Court Clerk