

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREYSTONE NEVADA, LLC, A
DELAWARE COMPANY; AND U.S.
HOME CORPORATION, A DELAWARE
CORPORATION,

Petitioners,

vs.

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

Respondents,

and

GERALD FOSTER; MICHAEL N.
BALLESTEROS TRUST; SALVATORE
BARTOLOMEO; MARIA
BARTOLOMEO, HUSBAND & WIFE;
BERTOLI FAMILY TRUST; BETTINA
BROWN; FAITH ANNE ELIAS-
VANDYKE; JEREMY BURNINGHAM;
KALLI BURNINGHAM, HUSBAND &
WIFE; RUSSELL COLLETTA; JOYCE
COLLETTA, HUSBAND & WIFE;
MELVIN DEROLF, JR.; MADALYNE
DEROLF, HUSBAND & WIFE; LORI
FACCINTO; SHEILA GAISER;
THOMAS J. GEARING LIVING TRUST;
10224 BLACK FRIAR COURT TRUST;
SATICOY BAY LLC SERIES 7342
TANGLEWOOD PARK; DAISY TRUST;
CHRISTOPHER BRIAN HARRIS;
SCOTT KING; CATHERINE KING,
HUSBAND & WIFE; ANDREW E.
LANZINO, III; MARYSOL LUNA;
ROSHAL MADDIES; MCKINNON
FAMILY TRUST; JASON MEVORAH;
SUZIE MEVORAH, HUSBAND & WIFE;
PETER PENNOCK; DARLENE

No. 73570

FILED

DEC 22 2017

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

PENNOCK, HUSBAND & WIFE;
MARIO PEREZ; ANTONIA SOLIS DE-
BOLIVAR, HUSBAND & WIFE;
JANEITHIA PROFIT; ALEXIAN
RAMOS; ANNABELLE NUDO,
HUSBAND & WIFE; RENEE RAMSEY;
DAVID RATHBUN; TINA MARIE
REBELLO; ROBONE REVOCABLE
LIVING 1991 TRUST; RCM LIVING
TRUST; DARREN SHEPARD; RACHEL
EALY, HUSBAND & WIFE; STEPHEN
TORSKY; KANIKA TOSTON; CID
VICENTE; RACHEL VICENTE,
HUSBAND & WIFE; JAMES
WHEELER; MARK YOUNG; SADIE
HOCKENHULL; 7233 BEACHWOOD
LLC; DXY FUND LLC; MARTIN
AGUILAR; FRANK ALTERMAN;
LORETTA ALTERMAN, HUSBAND &
WIFE; ZACHARY BALL; KIMBERLY
BALL, HUSBAND & WIFE; DANIEL
BURKHART; DUSTIN CASSIDAY;
ROGER CLUCK; ELENA CLUCK,
HUSBAND & WIFE; TIFFANY DIAZ;
VALERIE DIXON; MATTHEW DIXON;
DKNC INVESTMENTS INC.; LEE
GAINES; BETTY GAINES, HUSBAND
& WIFE; DEZMAN GALWAY; PATRICK
GILL; HONEYLYN GODINEZ;
BREONA GRAY; MATHIEU GRISBY;
SVEIN HALAND; TINA HALAND,
HUSBAND & WIFE; ROBERT HATCH;
GERTRUD HATCH, HUSBAND &
WIFE; GREGORY HJELSTROM; CRAIG
HOLMES; DEBRA HOLMES,
HUSBAND & WIFE; CHRISTOPHER
HYNES; CARLEE RICHARDS,
HUSBAND & WIFE; ROBERT
JAMISON; STACEY JAMISON,
HUSBAND & WIFE; JASON JORY;
ANNA KISON; ALDEN KISON,

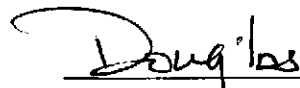
HUSBAND & WIFE; KATHERINE LEWIS; DIANE LEWIS; JEFFREY LISTON; JANICE LISTON, HUSBAND & WIFE; WILLIAM LUBITZ; AMY LUBITZ, HUSBAND & WIFE; LESLIE LUCERO; RYAN LUCERO; MA & PA FAMILY TRUST; ALFREDO MACIAS; JUVENAL MAGANA-SALINAS; ROBERT MONTGOMERY; JILL MONTGOMERY, HUSBAND & WIFE; THEODORE MORRIS, JR.; ANGELA MORRIS, HUSBAND & WIFE; MOST FAMILY TRUST; ASHLEY LYNN ORTEGA; KUN HO PAK; RICHARD DAVID PETRAS, III; JAMES PICCINETTI; DEREK PLYMATE; PATRICIA PLYMATE, HUSBAND & WIFE; WAYNE REILLY; NANCY REILLY, HUSBAND & WIFE; DAWN RICCI; LINDA SAENZ; LON SALZMAN; CATHERINE SALZMAN, HUSBAND & WIFE; EDWIN R. SCHULER MANAGEMENT TRUST; CRAIG SEIDEL; MICHELLE SIBRIE; ARMAND JOSEPH TETREAULT; JOHANNA WALTER; TRAVIS WIDEEN; WILLOW BRUSH BUSINESS TRUST; DAVID WILMOTH; AMY WILMOTH, HUSBAND & WIFE; TOMMY ZYP; AND JANICE ZYP, HUSBAND & WIFE, Real Parties in Interest.

ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges district court orders partially denying a motion to dismiss and granting a motion for partial reconsideration in a construction defect action.

Having reviewed the parties' briefs and the record, we are not persuaded that the district court arbitrarily or capriciously exercised its

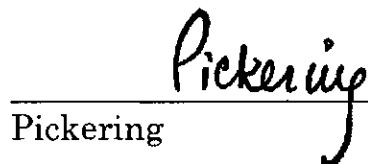
discretion so as to warrant our extraordinary and discretionary intervention at this time. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991); *Int'l Game Tech, Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Accordingly, we
ORDER the petition DENIED.

 _____, J.

Douglas

 _____, J.

Gibbons

 _____, J.

Pickering

cc: Hon. Susan Johnson, District Judge
Payne & Fears LLP
Canepa Riedy Abele
Lattie Malanga Libertino, LLP
Eighth District Court Clerk