

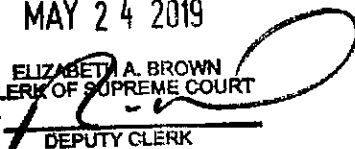
IN THE SUPREME COURT OF THE STATE OF NEVADA

ARCHON CORPORATION; PAUL W.  
LOWDEN; AND SUZANNE LOWDEN,  
Petitioners,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
MARK R. DENTON, DISTRICT JUDGE,  
Respondents,  
and  
DAN RAIDER,  
Real Party in Interest.

No. 74270

**FILED**

MAY 24 2019


ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DENYING PETITION*


Original petition for a writ of mandamus or prohibition challenging a district court order compelling disclosure of a confidential settlement agreement.

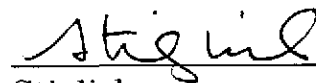
Whether a writ of mandamus or prohibition will be issued is within this court's sole discretion. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). A writ of mandamus is available "to compel the performance of an act," NRS 34.160, that the law requires "or to control an arbitrary or capricious exercise of discretion," *International Game Technology, Inc. v. Second Judicial District Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). A writ of prohibition may be warranted when a district court acts without or in excess of its jurisdiction. NRS 34.320; *Club Vista Fin. Servs., LLC v. Eighth Judicial Dist. Court*, 128 Nev. 224, 228, 276 P.3d 246, 249 (2012). Neither of these writs will issue if the petitioner has "a plain, speedy and adequate remedy in the ordinary course of law." NRS 34.170; NRS 34.330.


Having considered the petition, we are not persuaded that our extraordinary and discretionary intervention is warranted at this time in light of this court's recent amendments to the Nevada Rules of Civil Procedure, effective March 1, 2019. See NRCP 26(b)(1). Accordingly, we ORDER the petition DENIED.<sup>1</sup>

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

  
\_\_\_\_\_, J.  
Pickering

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

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

  
\_\_\_\_\_, Sr.J.  
Shearing

cc: Hon. Mark R. Denton, District Judge  
Dickinson Wright PLLC  
Goren, Goren & Harris, P.C.  
Law Offices of Steven J. Parsons  
Eighth District Court Clerk

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<sup>1</sup>The Honorable Ron D. Parraguirre, Justice, is disqualified from participation in the decision of this matter. The Honorable Elissa F. Cadish, Justice, and the Honorable Abbi Silver, Justice, did not participate in the decision of this matter.