

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARSHALLS OF NEVADA, INC., A  
NEVADA CORPORATION; AND THE  
TJX COMPANIES, INC., 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  
TIMOTHY C. WILLIAMS, DISTRICT  
JUDGE,

Respondents,

and

LINDA CALDERA BREDESON,

Real Party in Interest.

No. 71349

**FILED**

NOV 18 2016

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT

BY *[Signature]*  
DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*

This original petition for a writ of mandamus challenges a district court order granting reconsideration of a summary judgment in a tort action.

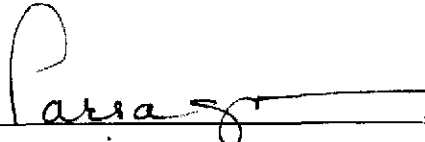
The district court granted reconsideration of the summary judgment, reasoning that with the reopening of the bankruptcy case petitioner had standing to pursue the tort action on behalf of the bankruptcy estate. Based on the petition and the appendix provided,<sup>1</sup> we are not persuaded that the district court's reasoning was arbitrary or capricious or in contravention of clearly established law such that our


---

<sup>1</sup>Petitioners did not include in their appendix copies of the bankruptcy trustee's response to the motion for reconsideration or the challenged district court order.

extraordinary and discretionary intervention is warranted. NRS 34.160; NRAP 21(a)(4); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997) (noting that this court will generally not consider writ petitions challenging orders denying summary judgment); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991). Accordingly, we

ORDER the petition DENIED.

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

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

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

cc: Hon. Timothy C. Williams, District Judge  
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas  
Law Office of Neal Hyman  
Eighth District Court Clerk