

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WESTERN CAB COMPANY, DULY
AUTHORIZED TO CONDUCT
BUSINESS IN THE STATE OF
NEVADA; AND ARAI TECLEMICHAEL,
Petitioners,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE ROB
BARE, DISTRICT JUDGE,
Respondents,
and
RICHARD V. DAHL,
Real Party in Interest.

No. 69666

FILED

MAR 29 2016

TRAVIS K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Williams*
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

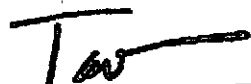
This is an original petition for a writ of mandamus challenging district court decisions regarding expert witness testimony. A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious 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). Writ relief is typically not available, however, when the petitioner has a plain, speedy, and adequate remedy at law. See NRS 34.170; NRS 34.330; *Int'l Game Tech.*, 124 Nev. at 197, 179 P.3d at 558. Moreover, the Nevada Supreme Court has explained that writ relief is generally inappropriate to address "evidentiary rulings, as those rulings are discretionary and there typically is an adequate remedy in the form of

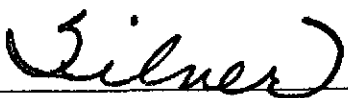
an appeal following an adverse final judgment.” *Williams v. Eighth Judicial Dist. Court*, 127 Nev. 518, 525, 262 P.3d 360, 365 (2011).

Having considered the petition and appendix, we conclude that petitioners have not met their burden of demonstrating that extraordinary writ relief is warranted in this matter. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). As a result, we deny the petition. *See* NRAP 21(b); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (explaining that whether to consider a writ petition is within the court’s discretion).

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Rob Bare, District Judge
Rogers, Mastrangelo, Carvalho & Mitchell, Ltd.
George T. Bochanis, Ltd.
Eighth District Court Clerk