

IN THE SUPREME COURT OF THE STATE OF NEVADA

MANDALAY BAY CORPORATION D/B/A  
MANDALAY BAY RESORT AND CASINO,

No. 37698

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA, IN AND FOR  
THE COUNTY OF CLARK, AND THE  
HONORABLE NANCY M. SAITTA,  
DISTRICT JUDGE,

**FILED**

JUN 20 2001

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

Respondents,

and

RAYMOND BUXSEL,

Real Party in Interest.

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This petition for a writ of prohibition challenges the district court's denial of petitioner's motion to dismiss the underlying intentional tort action for lack of subject matter jurisdiction, based on workers' compensation exclusive remedy and immunity provisions. We have reviewed the petition, the answer and the documents appended to both, and we are not satisfied that this court's intervention by way of extraordinary writ is warranted at this time.<sup>1</sup> Accordingly, we

ORDER the petition DENIED.<sup>2</sup>

*Shearing*  
\_\_\_\_\_  
Shearing J.

*Agosti*  
\_\_\_\_\_  
Agosti J.

*Rose*  
\_\_\_\_\_  
Rose J.

<sup>1</sup>See Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997); Barjesteh v. Faye's Pub, 106 Nev. 120, 787 P.2d 405 (1990).

<sup>2</sup>NRAP 21(b).

cc: Hon. Nancy M. Saitta, District Judge  
Schreck Brignone & Godfrey  
James J. Ream  
Clark County Clerk