

IN THE SUPREME COURT OF THE STATE OF NEVADA

JILL GRAGSON, AS TRUSTEE OF THE
GRAGSON FAMILY PROTECTION
TRUST; NOAH GRAGSON AND
ADDISON GRAGSON, AS
BENEFICIARIES OF THE GRAGSON
FAMILY PROTECTION TRUST; AND
GRAGSON DATA SS, LLC,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DAVID M. JONES, DISTRICT JUDGE,
Respondents,

and

CHRISTOPHER BENTLEY,
Real Party in Interest.

No. 83769

FILED

NOV 24 2021

ELIZABETH A. FORTAN
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

*ORDER DENYING PETITION
FOR WRIT OF PROHIBITION OR MANDAMUS*

This emergency, original petition for a writ of prohibition or mandamus challenges an oral district court decision denying summary judgment regarding the alter ego claim asserted against petitioner Gragson Data SS, LLC, as well as the district court's jurisdiction to proceed with that claim in light of the LLC's sole member being a spendthrift trust.

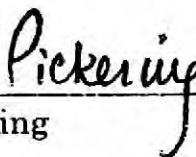
Having considered the petition and its supporting documentation,¹ we are not persuaded that our extraordinary and discretionary intervention is warranted at this time. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). Generally, we will not consider writ petitions challenging orders denying summary judgment, and we are not persuaded that any exception to the general rule applies here. *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344-45, 950 P.2d 280, 281 (1997) (discussing writ petitions challenging denials of summary judgment). Further, trial is scheduled to commence next week, and petitioner Gragson Data SS, LLC, has an adequate and speedy legal remedy in the form of an appeal from any adverse final judgment, precluding writ relief. *See* NRS 34.170; NRS 34.330; *Pan*, 120 Nev. at 224, 88 P.3d at 841 (“[T]he right to appeal is generally an adequate legal remedy that precludes writ relief.”). Should trust assets be impacted by any future court order, the remaining

¹Petitioners’ motion for leave to file volumes III and IV of the appendix under seal, because they were filed under seal based on a protective order in the district court, is granted. SRCR 3(4)(b). The clerk of this court shall file under seal volumes III and IV of the appendix, provisionally received in this court on November 15, 2021.

petitioners, who apparently have not moved to intervene below, can seek appropriate relief at that point. Accordingly, we

ORDER the petition DENIED.²


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Herndon

cc: Hon. David M. Jones, District Judge
Lewis Roca Rothgerber Christie LLP/Las Vegas
Solomon Dwiggin & Freer, Ltd.
Pisanelli Bice, PLLC
Morris Sullivan Lemkul/Las Vegas
Kemp Jones, LLP
Eighth District Court Clerk

²In light of this order, real party in interest's motion to dismiss and petitioners' countermotion for a stay and to direct entry of written order are denied as moot.