

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMTRUST FINANCIAL SERVICES,  
INC.; AND SECURITY NATIONAL  
INSURANCE COMPANY,  
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
CRYSTAL ELLER, DISTRICT JUDGE,  
Respondents,

and

GABOR VICZKO, INDIVIDUALLY AND  
AS TRUSTEE OF THE LETOSKETI  
TRUST; BALAZS LEVY; L/P  
INSURANCE SERVICES, INC.; AND  
DIANA DECKER,  
Real Parties in Interest.

No. 82671

**FILED**

DEC 29 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

***ORDER DENYING PETITION FOR WRIT OF MANDAMUS***

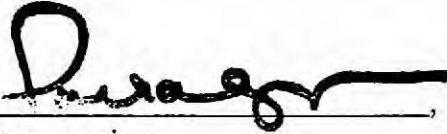
This original petition for a writ of mandamus challenges district court orders (1) denying a motion to enforce a settlement agreement, (2) denying a motion for reconsideration, and (3) granting a motion to enforce a partial settlement.

A writ of mandamus is available to compel a district court to perform an act the law requires or to control an arbitrary or capricious exercise of discretion. NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Mandamus is an extraordinary remedy, and the decision to entertain a petition requesting such is within this court's discretion. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991). A writ petition is a

proper avenue for relief “where there is not a plain, speedy and adequate remedy in the ordinary course of law.” NRS 34.170. However, this court has consistently held that “the right to appeal is generally an adequate legal remedy that precludes writ relief.” *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Petitioners carry the burden to demonstrate to this court that extraordinary writ relief is warranted. *Id.* at 228, 88 P.3d at 844.

Having reviewed the petition, answers, reply, and supporting documentation, we are not convinced that our intervention by extraordinary relief is warranted in this matter. The petitioners have an adequate remedy in the form of an appeal from any final adverse judgment. *Pan*, 120 Nev. at 225, 88 P.3d at 841. Accordingly, we

ORDER the petition DENIED.

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

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

  
\_\_\_\_\_, J.  
Silver

cc: Hon. Crystal Eller, District Judge  
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas  
Christensen Law Offices, LLC  
Hall Jaffe & Clayton, LLP  
Eighth District Court Clerk