

IN THE SUPREME COURT OF THE STATE OF NEVADA

FEDERAL HOUSING FINANCE
AGENCY, IN ITS CAPACITY AS
CONSERVATOR FOR THE FEDERAL
NATIONAL MORTGAGE
ASSOCIATION,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
MARK R. DENTON, DISTRICT JUDGE,
Respondents,

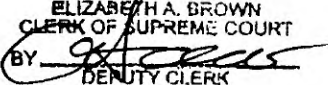
and

WESTLAND LIBERTY VILLAGE, LLC;
WESTLAND VILLAGE SQUARE, LLC;
AND FEDERAL NATIONAL
MORTGAGE ASSOCIATION,
Real Parties in Interest.

No. 82666

FILED

OCT 17 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This original petition for a writ of prohibition challenges a district court order granting a preliminary injunction.¹

¹The preliminary injunction was entered by Judge Kerry Earley, who has since retired. As set forth in petitioner's April 2, 2021, notice regarding department reassignment, the case is currently assigned to Judge Mark R. Denton.

The district court issued a preliminary injunction that prevented Federal National Mortgage Association (Fannie Mae) and other “Enjoined Parties” from foreclosing on, interfering with, or taking other specified actions against Westland Liberty Village, LLC, and Westland Village Square, LLC. Federal Housing Finance Agency (FHFA), in its capacity as conservator for Fannie Mae, sought to intervene.

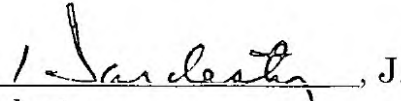
Prior to the district court permitting FHFA’s intervention in the underlying matter, FHFA filed the instant writ petition requesting that this court dissolve the preliminary injunction. FHFA argues that the district court exceeded its jurisdiction under federal law, specifically 12 U.S.C. § 4617(f), and unlawfully restrained FHFA’s ability to carry out its duties as conservator of Fannie Mae. FHFA additionally argues that the district court exceeded its jurisdiction under Nevada law by purporting to bind parties that were not before the court and by issuing an impermissibly vague order.

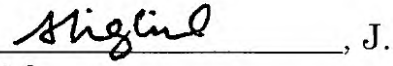
This court recently reversed the underlying preliminary injunction in *Federal National Mortgage Association v. Westland Liberty Village, LLC*, 138 Nev., Adv. Op. 57, ___ P.3d ___ (2022). Given that the preliminary injunction was reversed, we need not reach the issues raised in this writ petition. See *Degraw v. Eighth Judicial Dist. Court*, 134 Nev. 330, 332, 419 P.3d 136, 139 (2018) (explaining that this court’s duty is to resolve justiciable controversies and that we generally may not give opinions on writ petitions that are moot).


Therefore, we decline to exercise our discretion to consider the extraordinary relief requested and

ORDER the petition DENIED.²


Parraguirre, J.


Hardesty, J.


Stiglich, J.


Cadish, J.


Pickering, J.


Herndon, J.

cc: Hon. Mark R. Denton, District Judge
Fennemore Craig P.C./Reno
Arnold & Porter Kaye Scholer LLP/Washington DC
Snell & Wilmer, LLP/Las Vegas
Cooper & Kirk PLLC/Washington DC
Campbell & Williams
Law Offices of John Benedict
John W. Hofsaess
Holland & Hart LLP/Las Vegas
Snell & Wilmer, LLP/Reno
Eighth District Court Clerk

²The Honorable Abbi Silver having retired, this matter was decided by a six-justice court.