

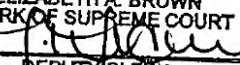
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

7-ELEVEN, INC.,
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
RICHARD BEASLEY; AND J.S.DEO,
INC.,
Real Parties in Interest.

No. 87177-COA

FILED

SEP 14 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

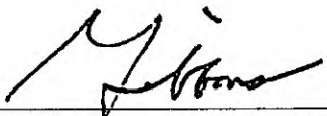
This emergency petition for a writ of mandamus challenges a district court order granting a motion to compel discovery. Specifically, petitioner asserts that the district court should not have compelled the discovery absent a protective order and failed to complete a proportionality analysis under NRCP 26(b).

Whether to issue extraordinary writ relief is solely within this court's discretion, *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991), and it is petitioner's burden to demonstrate that such relief is warranted, *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). "Discovery matters are within the district court's sound discretion, and we will not disturb a district court's ruling regarding discovery unless the court has clearly abused its discretion." *Club Vista Fin. Servs., LLC v. Eighth Judicial Dist. Court*, 128 Nev. 224, 228, 276 P.3d 246, 249 (2012). As a result, unless the challenged order is issued

without regard to the requirements of NRCP 26(b) or requires disclosure of privileged information and thus is likely to cause irreparable harm, we generally decline to consider writ petitions challenging discovery orders.

Having reviewed the petition and supporting documents under these standards, we conclude that petitioner has not demonstrated that our extraordinary intervention is warranted and therefore decline to intervene. Nothing in this order, however, prevents petitioner from filing a future motion for a protective order before the district court in accordance with NRCP 26(c). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Mark R. Denton, District Judge
Backus | Burden
Cloward Trial Lawyers
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Eighth District Court Clerk