

IN THE SUPREME COURT OF THE STATE OF NEVADA

CORPORATE CTR. RESTAURANT,  
LLC, A NEVADA LIMITED LIABILITY  
COMPANY,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; THE HONORABLE SENIOR  
DISTRICT COURT JUDGE CAROLYN  
ELLSWORTH; AND THE HONORABLE  
DISTRICT COURT JUDGE JOANNA  
KISHNER,

Respondents,

and


14528 HENDERSON, LLC, A NEVADA  
LIMITED LIABILITY COMPANY,

Real Party in Interest.

No. 89285

FILED

OCT 03 2024

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

*ORDER DENYING PETITION  
FOR WRIT OF PROHIBITION OR MANDAMUS*

This original petition for a writ of prohibition or mandamus challenges a district court order denying a countermotion to dismiss a breach of contract action. Petitioner asserts that the district court lacks subject matter jurisdiction to proceed because the breach of contract action improperly attacks an arbitration award outside of the NRS Chapter 38 procedures and standards applicable to arbitration awards. Petitioner has also moved for a stay of the district court proceedings pending our consideration of this writ petition.

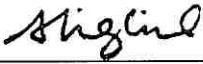
Having reviewed the petition, stay motion, and opposition to the stay motion, as well as the other documents before this court, we decline to further consider the petition. Generally, this court will not entertain writ

petitions that challenge district court orders denying motions to dismiss. *Int'l Game Tech., Inc. v. Second Jud. Dist. Ct.*, 124 Nev. 193, 197-98, 179 P.3d 556, 558-59 (2008). Although we may decide to entertain a such a petition when no factual dispute exists and dismissal is required by clear authority or when an important issue of law requires clarification and considerations of sound judicial economy favor granting the petition, *id.*, petitioner does not point to authority clearly requiring dismissal and has not demonstrated that considerations of judicial economy warrant our intervention at this time. *Pan v. Eighth Jud. Dist. Ct.*, 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). In particular, it appears that real party in interest has invoked NRS Chapter 38 remedies in the alternative to its contract claims, such that the district court will likely consider—and indeed, has to some extent already considered—real party in interest’s requested relief under both contracts and arbitration award standards. Accordingly, given the posture of this case below, it does not appear that our intervention at this time will resolve the entire matter or promote a significant efficiency in the proceedings below. *See Archon Corp. v. Eighth Jud. Dist. Ct.*, 133 Nev. 816, 824, 407 P.3d 702, 709 (2017) (“Advisory mandamus is not warranted where, as here, only part of the case is before us, and the district court has already determined that alternative, yet-to-be-developed issues exist such that our resolution of the legal issue will not dispose of the entire controversy.”).

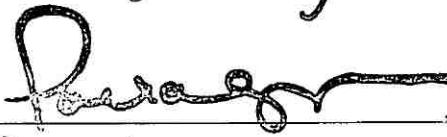
As a result, we decline to exercise our discretion to consider this petition, *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and this court has sole discretion in determining whether to grant relief),

and in light of this decision, we deny as moot petitioner's motion for stay.  
We thus

ORDER the petition DENIED.

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

  
\_\_\_\_\_, J.  
Pickering

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

cc: Chief Judge, The Eighth Judicial District Court  
Hon. Carolyn Ellsworth, Senior Judge  
Hon. Joanna Kishner, District Judge  
Pisanelli Bice, PLLC  
Snell & Wilmer, LLP/Las Vegas  
Snell & Wilmer, LLP/Reno  
Eighth District Court Clerk