

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOE MILAN TRUST, BY JOSEPH A.
KENNEDY, ITS TRUSTEE; AND RYAN
MILAN TRUST, BY RYAN TIBERTI,
ITS TRUSTEE,
Petitioners,

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,

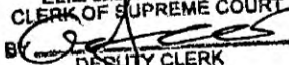
and

PAUL J. MAFFEY; MARY ANDRA
TIBERTI MAFFEY; DAVID C. MAFFEY;
MATTHEW WALTERS; J.A. TIBERTI
CONSTRUCTION COMPANY, INC., A
DOMESTIC CORPORATION; TIBERTI
HOLDINGS, LLC; AND TIBERTI
MANAGEMENT COMPANY, LLC,
Real Parties in Interest.

No. 91790

FILED

MAR 12 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

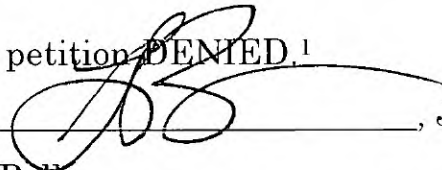
ORDER DENYING PETITION

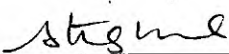
This is an original petition for a writ of mandamus or prohibition challenging a district court order granting partial summary judgment in a shareholder derivative action.

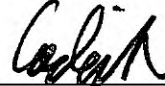
Having considered the petition, we are not persuaded that our extraordinary intervention is warranted. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *D.R. Horton, Inc. v. Eighth Jud. Dist. Ct.*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007) (recognizing that writ relief is an extraordinary remedy

and that this court has sole discretion in determining whether to entertain a writ petition). First, our review of the appendix does not demonstrate the manifest abuse of discretion or clear legal right to the relief sought that is required for extraordinary writ relief. *Walker v. Second Jud. Dist. Ct.*, 136 Nev. 678, 680-81, 475 P.3d 1194, 1196-97 (2020). Second, we generally will not consider writ petitions challenging orders granting partial summary judgment, *Renown Reg'l Med. Ctr. v. Second Jud. Dist. Ct.*, 130 Nev. 824, 828, 335 P.3d 199, 202 (2014), and we decline to deviate from that rule here, particularly because the issue presented can be raised on appeal from a final judgment. See NRS 34.170 (providing that a writ of mandamus may issue in cases where petitioners lack a plain and adequate remedy in the ordinary course of law); cf. *Hansen v. Eighth Jud. Dist. Ct.*, 116 Nev. 650, 658, 6 P.3d 982, 986-87 (2000) (recognizing, albeit in the context of a request for a stay, that the prospect of incurring litigation expenses does not rise to the level of warranting this court's intervention). Nor are we persuaded that a writ of prohibition is warranted, as petitioners fail to explain how such relief would be proper where the district court simply resolved a motion for partial summary judgment. See *Las Vegas Sands Corp. v. Eighth Jud. Dist. Ct.*, 130 Nev. 643, 649, 331 P.3d 905, 909 (2014) (recognizing that a writ of prohibition is appropriate when a district court exceeds its jurisdiction). Accordingly, we

ORDER the petition ~~DENIED~~.¹


_____, J.
Bell


_____, J.
Stiglich


_____, J.
Cadish

¹We deny petitioners' January 23, 2026, motion to extend stay.

cc: Hon. Mark R. Denton, District Judge
Garman Turner Gordon LLP
PRHLAW, LLC
Howard & Howard Attorneys PLLC/Las Vegas
Hutchison & Steffen, LLC/Las Vegas
Eighth District Court Clerk