

IN THE SUPREME COURT OF THE STATE OF NEVADA

FARMERS GROUP, INC., AND
FARMERS INSURANCE EXCHANGE,
Petitioners,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, AND THE HONORABLE
STEVEN R. KOSACH, DISTRICT
JUDGE,

Respondents,

and

SUNG MAN PAK, AS PERSONAL
REPRESENTATIVE OF THE ESTATE
OF VIVIAN PAK; AND NANCY PAK,
Real Parties in Interest.

No. 38493

FILED

SEP 10 2002

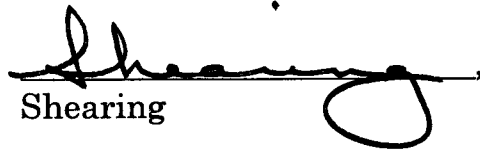
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

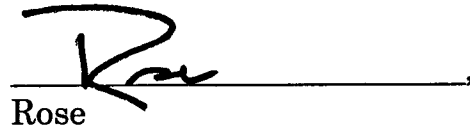
ORDER DENYING PETITION
FOR WRIT OF MANDAMUS AND PROHIBITION


This original petition for a writ of mandamus and a writ of prohibition challenges the district court's certification of a class action lawsuit. We have considered the petition and answer, and we conclude that the district court has not manifestly abused its discretion in certifying

the class.¹ Thus, our intervention by way of extraordinary relief is not warranted.² Accordingly, we

ORDER the petition DENIED.

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Steven R. Kosach, District Judge
Barger & Wolen LLP
Lemons Grundy & Eisenberg
Choate, Guinn & Springmeyer
Carol P. LaPlant
Leverty & Associates
Washoe District Court Clerk

¹See Deal v. 999 Lakeshore Association, 94 Nev. 301, 306, 579 P.2d 775, 778-79 (1978) (noting that the decision to certify a class is within the district court's discretion).

²See NRS 34.170; NRS 34.330; Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (noting that "the issuance of a writ of mandamus or prohibition is purely discretionary with this court").