



IN THE SUPREME COURT OF THE STATE OF NEVADA

TAMMARIA NIKILAKAYOVENIA
MORGAN AND CONFECTION
INDUSTRIES D/B/A LAS VEGAS
BAKERY,
Petitioners,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK
AND THE HONORABLE TINA TALIM,
Respondents,
and
CLAIR LINDSAY STEWART,
Real Party in Interest.

No. 90645

*ORDER GRANTING IN PART AND DENYING IN PART PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION*

This is an original petition for a writ of mandamus or prohibition challenging two district court orders permitting an NRCP 35 neuropsychological examination under certain conditions pursuant to NRS 629.620 and disclosing examination data subject to a protective order. In *Powers v. Eighth Jud. Dist. Ct.*, 142 Nev., Adv. Op. 35, 589 P.3d 638, 642 (2026), we held that to the extent NRS 629.620 conflicts with NRCP 35, the statute is unconstitutional. Because the district court here relied on NRS 629.620 in setting the examination conditions, it erred.

We also held in *Powers* that disclosure of examination data, including examiner questions, subject to a protective order, may be ordered pursuant to NRCP 16.1 and NRCP 35. *Powers*, 142 Nev., Adv. Op. 35, 589 P.3d at 647. Doing so permits plaintiff's counsel "to prepare for cross-examination, which includes effectively scrutinizing data collection." *Id.* at 648. Therefore, the district court did not abuse its discretion by permitting

disclosure of the raw data to Stewart's counsel and neuropsychologist expert, subject to a protective order.¹ Accordingly, we

ORDER the petition GRANTED IN PART AND DENIED IN PART AND DIRECT THE CLERK OF THIS COURT TO ISSUE A WRIT OF MANDAMUS instructing the district court to vacate its February 13, 2025, order in part and to resolve the dispute over the examination conditions consistent with *Powers*.²



Herndon, C.J.



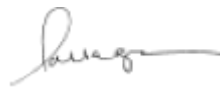
Pickering, J.



Bell, J.



Cadish, J.



Parraguirre, J.



Stiglich, J.



Lee, J.

cc: Hon. Gloria Sturman, District Judge
Chief Judge, Eighth Judicial District Court
Womble Bond Dickinson (US) LLP/Las Vegas
Hall Jaffe & Clayton, LLP
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas
The Schnitzer Law Firm
Bighorn Law/Las Vegas
Eighth District Court Clerk

¹ We have carefully considered the parties' remaining arguments and conclude they are without merit.

² In light of this order, Morgan's alternative request for a writ of prohibition is denied.