

IN THE SUPREME COURT OF THE STATE OF NEVADA

OSAMA HAIKAL, M.D., LTD. D/B/A
DIGESTIVE DISEASE SPECIALISTS, A
NEVADA CORPORATION,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
JENNIFER TOGLIATTI, DISTRICT
JUDGE,

Respondents,

and

MOHAMMED SHAFI AND ELWYN
PETERSON,
Real Parties in Interest.

No. 40969

FILED

APR 27 2004

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

ORDER DENYING PETITION

This original petition for a writ of mandamus or prohibition challenges a district court order denying petitioner's motion for summary judgment. Generally, this court will not exercise its discretion to consider writ petitions that challenge district court orders denying motions for summary judgment.¹ Having reviewed petitioner's arguments, we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.² The issue of whether the district court properly

¹Smith v. District Court, 113 Nev. 1343, 1344, 950 P.2d 280, 281 (1997).


²See State v. Dist. Ct., 116 Nev. 953, 957, 11 P.3d 1209, 1211 (2000) (observing that petitions for writ relief are within the discretion of this court, and generally may only issue when there is no plain, speedy, and adequate remedy at law).

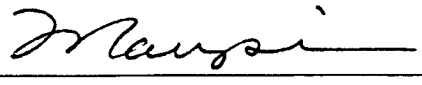
permitted the amendment of the complaint can be addressed on appeal, if necessary, when the facts have been fully developed.

Accordingly, we

ORDER the petition DENIED.

 _____, C.J.
Shearing

 _____, J.
Rose

 _____, J.
Maupin

cc: Hon. Jennifer Togliatti, District Judge
Georgeson Thompson & Angaran, Chtd.
Dennett & Winspear, LLP
Keith E. Galliher Jr.
Vannah Costello Canepa Riedy Rubino & Lattie
Clark County Clerk