

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETE WHITE CONCRETE, INC., D/B/A  
WHITE EAGLE CONCRETE; CEDAR  
ROOFING, INC.; DAN BRADLEY'S  
GLASS SHOP; LA PAZ CERAMIC TILE;  
CENTRAL VALLEY INSULATION;  
WORLD AIR CONDITIONING; AND  
TIME ELECTRIC, INC.,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA, IN  
AND FOR THE COUNTY OF CLARK,  
AND THE HONORABLE NANCY M.  
SAITTA, DISTRICT JUDGE,

Respondents,

and

WILLIAM AND PATRICIA CHALMERS,  
INDIVIDUALLY; STEVEN AND JANET  
CHRIST, INDIVIDUALLY; DEDE FELIZ,  
INDIVIDUALLY; TERRY ROGERS,  
INDIVIDUALLY; RUTH DELUCCHI,  
INDIVIDUALLY; AZELLE MOORE,  
INDIVIDUALLY AND THE SAME ON  
THEIR OWN BEHALF AND ON BEHALF  
OF ALL OTHERS SIMILARLY  
SITUATED; KEITH AND JAN RHODES,  
INDIVIDUALLY; JEWELLENE RAMOZ,  
INDIVIDUALLY; FRANK AND KAZUE  
OLMA, INDIVIDUALLY; HARRY VAN  
GORP, INDIVIDUALLY; DAVID AND  
MELBA HOBBS, INDIVIDUALLY;  
JOSEPH LAVECCIA, INDIVIDUALLY;  
BRIAN AND VALERIE SMITH,  
INDIVIDUALLY; TIMMY AND SANDRA  
MCCREARY, INDIVIDUALLY; GEORGE  
MILLER, INDIVIDUALLY; GEORGE  
SWIFT, INDIVIDUALLY; THOMAS AND  
CATHLEEN WOODARD,  
INDIVIDUALLY; LYNDA STRONG,  
INDIVIDUALLY; DARRELL AND DIANA  
HINDE, INDIVIDUALLY; MARY

No. 41046

**FILED**

JUN 24 2003

JANET E. ALCOCK  
CLERK OF SUPREME COURT  
DEPUTY CLERK

YOUNG, INDIVIDUALLY; BRENT AND DEBRA STOKKE, INDIVIDUALLY; EVAN AND HOLLY HANNAH, INDIVIDUALLY; VICKIE FORT, INDIVIDUALLY; JEFFERY AND JOANNE HYBARGER, INDIVIDUALLY; VITO AND LOUISE DAPRIZIO, INDIVIDUALLY; CRAIG CHRISTIANS, INDIVIDUALLY; MARK AND DIANE ANNETT, INDIVIDUALLY; MIKE HOULE AND CINDY HEJNA, INDIVIDUALLY; MACLEOD AND FONG TRUST OF 1998; THOMAS AND SHEILA CARRANZA, INDIVIDUALLY; CHRISTOPHER AND LORNA O'CONNELL, INDIVIDUALLY; RAYMOND AND RANDIE CRUMP, INDIVIDUALLY; JOHN REANDON, INDIVIDUALLY; VERN AND VONDA SALYER, INDIVIDUALLY; STEPHAN AND JANET WHITE, INDIVIDUALLY; JOHN AND JENNIE ELLSWORTH, INDIVIDUALLY; WILLIAM TOWN, INDIVIDUALLY; THE ROBERT JONES COMPANY, A NEVADA CORPORATION; THE ROBERT V. JONES CORPORATION, A NEVADA CORPORATION; GEORGE F. TIBSHERANY, INC.; ESI ENGINEERS AND SURVEYORS, INC.; MENDENHALL SMITH, INC.; H.H. IRBY & ASSOCIATES; ABF ENGINEERS; VEG ENTERPRISES, INC.; ARTISTIC STAIRS; A.R. ORNAMENTAL IRON, INC.; MARTINEZ MASONRY; DAVEN PRODUCTS; ACTION FABRICATING; J & R FLOORING, INC.; OWENS PLASTERING COMPANY; TRIANGLE PACIFIC; CLASSIC PLUMBING; DISTINCTIVE MARBLE, INC.; C & F DISTRIBUTORS; AND KLEINFELDER, INC.,  
Real Parties in Interest.


ORDER DENYING PETITION FOR WRIT OF  
MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges a district court order that denied petitioners' motion to strike an arbitration demand.

We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.<sup>1</sup> Accordingly, we


ORDER the petition DENIED.<sup>2</sup>

  
\_\_\_\_\_, J.  
Shearing

  
\_\_\_\_\_, J.  
Leavitt

BECKER, J., dissenting:

I would grant this petition and therefore dissent.

  
\_\_\_\_\_, J.  
Becker

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<sup>1</sup>See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

<sup>2</sup>In light of this order, we deny as moot Pete White Concrete's March 18, 2003 motion to consolidate this petition with Owens Plastering Company's petition in Docket No. 40987.

cc: Hon. Nancy M. Saitta, District Judge  
Bennion Cardone & Clayson  
Helm & Helm  
Parker Nelson & Arin, Chtd.  
Phillips, Spallas & Fotouhi, LLP  
Brady, Vorwerck, Ryder & Caspino  
Bremer, Whyte, Brown & O'Meara, LLP  
Drage & Olson  
Earley Savage  
Haney, Woloson & Mullins  
Law Offices of Melissa P. Harris  
Lorber/Pengilly  
Mainor Harris  
Martin & Allison, Ltd.  
Prince and Keating, LLP  
Ryan, Marks, Johnson & Todd  
Springel & Fink  
Thorndal Armstrong Delk Balkenbush & Eisinger/Las Vegas  
Wieczorek & Associates  
William C. Turner & Associates  
Clark County Clerk