

IN THE SUPREME COURT OF THE STATE OF NEVADA

VALVINO LAMORE, LLC, AND WYNN
RESORTS HOLDINGS, LLC,
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

MICHAEL BUSH; STEPHANIE SWAIN,
INDIVIDUALLY AND AS TRUSTEE OF
THE MARK SWAIN REVOCABLE
TRUST; PANNEE LEITCH; DENNIS B.
TOMPKINS; HARVEY D. KAGASOFF
AND KAZUKO Y. KAGASOFF; S. GLEN
HICKMAN, JR. AND ARLENE M.
HICKMAN, INDIVIDUALLY AND AS
CO-TRUSTEES OF THE S. GLEN
HICKMAN, JR. AND ARLENE M.
HICKMAN TRUST; HADI MAHMOODI;
GILBERT C. BARBIERI,
INDIVIDUALLY AND AS TRUSTEE OF
THE GILBERT C. BARBIERI TRUST;
A.L. GREENBAUM, INDIVIDUALLY
AND AS TRUSTEE OF THE A.L.
GREENBAUM DECLARATION TRUST;
SHARON M. GREENBAUM,
INDIVIDUALLY AND AS TRUSTEE OF
THE SHARON M. GREENBAUM 1998
TRUST AND AS TRUSTEE OF THE
COSTELLO FAMILY TRUST,
Real Parties in Interest.

No. 41146

FILED


MAY 07 2003

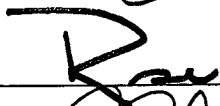
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK


ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This is an original petition for a writ of prohibition challenging a district court order that denied petitioner's motion to dismiss or for summary judgment. Although a petition for a writ of mandamus may be an appropriate vehicle by which to compel the district court to enter a dismissal or summary judgment,¹ we have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted.² Accordingly, we deny the petition.³

It is so ORDERED.


_____, C.J.
Agosti


_____, J.
Rose


_____, J.
Gibbons

¹See NRS 34.160.

²Smith v. District Court, 113 Nev. 1343, 950 P.2d 280 (1997) (stating that this court will not exercise its discretion to consider writ petitions that challenge district court orders denying motions to dismiss or for summary judgment unless no disputed factual issues exist and, pursuant to clear authority under a statute or rule, the district court is obligated to dismiss an action).

³NRAP 21(b).

cc: Hon. Mark R. Denton, District Judge
Schreck Brignone/Las Vegas
Alverson Taylor Mortensen Nelson & Sanders
Hafen, Porter & Storm, Ltd.
S. Glen Hickman Jr.
Arlene M. Hickman
Law Offices of John M. Netzorg
Law Offices of Michael R. Merritt
Nitz Walton & Heaton, Ltd.
Pearson, Patton, Shea, Foley & Kurtz
Thorndal Armstrong Delk Balkenbush & Eisinger/Las Vegas
Weule, Broyles & Mondo, LLP
Clark County Clerk