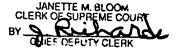
IN THE SUPREME COURT OF THE STATE OF NEVADA

FOUNDERS ACQUISITION & MERGER, INC., Petitioner, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK, AND THE HONORABLE SALLY L. LOEHRER, DISTRICT JUDGE, Respondents, and SUSAN PENNY, Real Party in Interest.

No. 41147

MAY 1 6 2003



ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This petition for a writ of mandamus challenges a district court order staying petitioner's action to enforce a Texas judgment pending resolution of other litigation between the parties. We have reviewed the petition and supporting documents, and we conclude that our intervention by way of writ relief is not warranted. Petitioner has a plain, speedy and adequate remedy in the ordinary course of law that precludes the issuance of a writ of mandamus; petitioner may appeal under NRAP

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(O) 1947A

3A(b)(1) from any final adverse decision entered in the underlying action.¹ Accordingly, we

ORDER the petition DENIED.²

J. Shearing, J.

Leavitt

J.

cc: Hon. Sally L. Loehrer, District Judge Harmon & Shinn, Chtd. Thomas J. Tanksley Clark County Clerk

¹See NRS 34.170; <u>Pengilly v. Rancho Santa Fe Homeowners</u>, 116 Nev. 646, 647-48 n.1, 5 P.3d 569, 570 n.1 (2000) (noting that an appeal is generally an adequate remedy).

²NRAP 21(b).

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