

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL MILLER, ON BEHALF OF
HIMSELF AND ALL OTHERS
SIMILARLY SITUATED,

Petitioner,

vs.

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

Respondents,

and

ACRES GAMING INCORPORATED;
FLOYD W. GLISSON; ROGER B.
HAMMOCK; RICHARD FURASH;
DAVID R. WILLENSKY; ROBERT W.
BROWN; AND RONALD G. BENNETT,

Real Parties in
Interest.

No. 42096

FILED

SEP 25 2003

J. Yoo

ORDER DENYING PETITION

This petition for a writ of mandamus or, alternatively, prohibition challenges an order of the district court denying petitioner's motion for a temporary restraining order. Petitioner has also filed an emergency motion for injunctive relief and expedited review requesting this court to preserve the status quo and prohibit the real parties in interest from conducting a shareholder vote scheduled for September 26, 2003.

We have reviewed the petition, and we are not persuaded that this court's intervention by way of extraordinary writ is warranted at this

time. Accordingly, we deny the petition and the emergency motion for injunctive relief and expedited review.

It is so ORDERED.

Becker J.
Becker

Shearing J.
Shearing

Gibbons J.
Gibbons

cc: Hon. Michelle Leavitt, District Judge
Beckley Singleton, Chtd./Las Vegas
Cauley, Geller, Bowman & Rudman, LLP
Milberg Weiss Bershad Hynes & Lerach
Lionel Sawyer & Collins/Las Vegas
McDermott, Will & Emery
Clark County Clerk