

IN THE SUPREME COURT OF THE STATE OF NEVADA

MV&P INTERNATIONAL, INC.,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
SUSAN JOHNSON, DISTRICT JUDGE,
Respondents,
and
LUNA DI LUSSO HOMEOWNERS'
ASSOCIATION, INC.,
Real Party in Interest.

No. 68519

FILED

SEP 11 2015

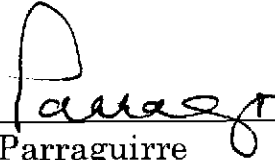
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BY S. Young
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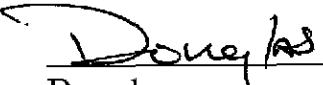
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

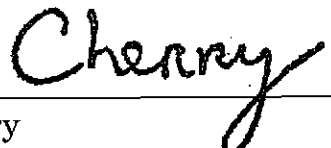
This is an original petition for a writ of mandamus challenging a district court order denying a motion to dismiss in an NRS Chapter 40 action. Having considered the petition, we are not persuaded that petitioner has met its burden to demonstrate that our extraordinary discretionary intervention is warranted. NRS 34.160; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004); *Smith v. Eighth Judicial Dist. Court*, 113 Nev. 1343, 1344, 950 P.2d 280, 281 (1997). In particular, petitioner has not shown that real party in interest failed to meet the requirements of NRS 40.6884 when it commenced its action against petitioner as real party in interest included the required attorney affidavit with its complaint and real party in interest had consulted with an expert regarding the claims against

petitioner prior to filing the complaint which included those claims. See
NRS 40.6884(1). Accordingly, we

ORDER the petition DENIED.


Parraguirre, J.


Douglas, J.


Cherry, J.

cc: Hon. Susan Johnson, District Judge
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas
Fenton Grant Mayfield Kaneda & Litt, LLP
Eighth District Court Clerk