

IN THE SUPREME COURT OF THE STATE OF NEVADA

HBWP, INC., INDIVIDUALLY AND
DERIVATIVELY ON BEHALF OF
SNORKEL INTERNATIONAL
HOLDINGS, LLC.,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
TIMOTHY C. WILLIAMS, DISTRICT
JUDGE, DEPARTMENT 16,

Respondents,

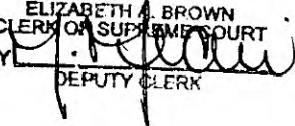
and

DON F. AHERN; MATTHEW C. ELVIN;
AHERN RENTALS, INC.; AND
XTREME MANUFACTURING, LLC,
Real Parties in Interest.

No. 87191

FILED

NOV 17 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order granting a motion to dismiss certain counterclaims in a breach-of-contract action.

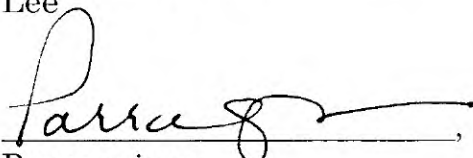
Having considered the petition and the supporting documents, we are not persuaded that our extraordinary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to grant relief). Subject to very few exceptions, we

generally decline to exercise our discretion to entertain writ petitions seeking interlocutory review of a district court's dismissal order. *Endo Health Sols., Inc. v. Second Judicial Dist. Court*, 137 Nev. 390, 392, 492 P.3d 565, 568 (2021). We decline to deviate from that rule here, particularly because the issue presented can be raised on appeal from a final judgment, such that petitioner has a plain, speedy, and adequate legal remedy. NRS 34.170; *Pan*, 120 Nev. at 224, 88 P.3d at 841 (providing that an appeal is an adequate legal remedy precluding writ relief); see NRCP 54(b) (allowing a district court to certify orders as final that "adjudicate[] fewer than all the claims or the rights and liabilities of fewer than all the parties" when the court explicitly finds there is "no just reason for delay"). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Stiglich


_____, J.
Lee


_____, J.
Parraguirre

cc: Hon. Timothy C. Williams, District Judge
Holland & Hart LLP/Las Vegas
Fox Rothschild, LLP/Las Vegas
Eighth District Court Clerk