

IN THE SUPREME COURT OF THE STATE OF NEVADA

WESLEY J. PAUL, AN INDIVIDUAL;
AND PAUL LAW GROUP, LLP, A NEW
YORK LIMITED LIABILITY
COMPANY,
Petitioners,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
DAVID A. HARDY, DISTRICT JUDGE,
Respondents,

and

ALLAN HOMES, AN INDIVIDUAL;
BRAKKEN RESOURCES, INC., A
NEVADA CORPORATION; DAN
ANDERSON, AN INDIVIDUAL; KAREN
MIDTLING, AN INDIVIDUAL;
HERMAN R. LANDEIS, AN
INDIVIDUAL; BILL M. BABER, AN
INDIVIDUAL; SOLANGE CHARAS, AN
INDIVIDUAL; DOUGLAS L.
WILLIAMS, AN INDIVIDUAL;
LOWENSTEIN SANDLER, LLP, A NEW
JERSEY LIMITED LIABILITY
PARTNERSHIP; ALIXPARTNERS, LLP,
A DELAWARE LIMITED LIABILITY
PARTNERSHIP; A.P. SERVICES, LLC,
A DELAWARE LIMITED LIABILITY
COMPANY; FELTMAN EWING, P.S., A
WASHINGTON PROFESSIONAL
SERVICES CORPORATION; AND
BROWNSTEIN HYATT FARBER
SCHRECK, LLP, A COLORADO
LIMITED LIABILITY PARTNERSHIP,
Real Parties in Interest.

No. 87994

FILED

FEB 22 2024

ELIZABETH M. BROWN
CLERK OF SUPREME COURT
Elizabeth M. Brown
DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ that would halt professional negligence claims against petitioners or direct the district court to dismiss the claims.¹

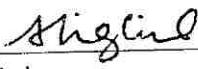
Having reviewed the petition, we are not persuaded that our extraordinary and discretionary intervention is warranted. See NRS 34.170 (mandamus); NRS 34.330 (prohibition); *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (providing that writ relief is proper only when there is no plain, speedy, and adequate remedy at law and the petitioner bears the burden of demonstrating that writ relief is warranted). As a general rule, “judicial economy and sound judicial administration militate against the utilization of mandamus petitions to review orders denying motions to dismiss and motions for summary judgment.” *State ex rel. Dep’t of Transp. v. Thompson*, 99 Nev. 358, 362, 662 P.2d 1338, 1340 (1983), as modified by *State v. Eighth Jud. Dist. Ct.*, 118 Nev. 140, 147, 42 P.3d 233, 238 (2002). Although this rule is not absolute, see *Int’l Game Tech., Inc. v. Second Jud. Dist. Ct.*, 122 Nev. 132, 142-43, 127 P.3d 1088, 1096 (2006), petitioners have not demonstrated that an appeal from a final judgment below would not afford a plain, speedy, and adequate remedy, or that the district court’s order otherwise falls within any of the narrow grounds that may warrant writ relief. See generally *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981)

¹The petition title indicates that it seeks a writ of mandamus, however, when identifying the relief sought, the petition discusses a writ of prohibition as well as “[a]lternative or supplemental writ relief.” Regardless, any ambiguity in identifying the specific type of writ relief requested does not affect our disposition here.

(recognizing that “an appellate court is not an appropriate forum in which to resolve disputed questions of fact”). Accordingly, we

ORDER the petition DENIED.²


_____, C.J.
Cadish


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. David A. Hardy, District Judge
Hutchison & Steffen, LLC/Las Vegas
Snell & Wilmer, LLP/Las Vegas
Holland & Hart LLP/Las Vegas
Bill M. Baber
Fennemore Craig, P.C./Las Vegas
Robison, Sharp, Sullivan & Brust
Herman R. Landeis
Karen Midtlyng
Dotson Law
Holley Driggs/Las Vegas
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas
Washoe District Court Clerk

²Cause appearing, petitioners’ unopposed motion requesting to file portions of their appendix under seal is granted. SRCR 3(4)(b), (e), (h). The clerk of this court shall file the portions of petitioners’ appendix received on January 31, 2024, under seal.