

IN THE SUPREME COURT OF THE STATE OF NEVADA

ASSURITY HEALTHCARE, INC., A  
FOREIGN CORPORATION; BANDAR  
ENTERPRISES, LLC, A NEVADA  
LIMITED LIABILITY COMPANY  
ERRONEOUSLY NAMED AS  
ASSURITY LABS, INC.; HEATH  
WILLS, AN INDIVIDUAL; PATRICIA  
WILLS, AN INDIVIDUAL; HEATH  
WILLS PC, A NEVADA  
PROFESSIONAL CORPORATION; AND  
HUTCHINGS LAW GROUP, LLC, A  
NEVADA LIMITED LIABILITY  
COMPANY,

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,

Respondents,

and

SINGLE HELIX INVESTMENT  
TECHNOLOGY, LLC, A WYOMING  
LIMITED LIABILITY COMPANY;  
COLLINS CAPITAL, LLC, A NEVADA  
LIMITED LIABILITY COMPANY;  
SUSAN KAPLAN, AN INDIVIDUAL;  
STEPHEN GELLER, AN INDIVIDUAL;  
AND MARTIN FABRIKANT,

Real Parties in Interest.

No. 87917

**FILED**

FEB 26 2024

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

## ORDER DENYING PETITION

This original petition for a writ of mandamus, or in the alternative, prohibition challenges a district court order appointing a receiver.<sup>1</sup>

This court has original jurisdiction to issue writs of mandamus and prohibition, and the issuance of such extraordinary relief is solely within this court's discretion. *See* Nev. Const. art. 6, § 4; *D.R. Horton, Inc. v. Eighth Jud. Dist. Ct.*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioners bear the burden to show that extraordinary relief is warranted, and such relief is proper only when there is no plain, speedy, and adequate remedy at law. *See Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004). An appeal is generally an adequate remedy precluding writ relief. *Id.* at 224, 88 P.3d at 841.

Having considered the petition, we are not persuaded that our extraordinary intervention is warranted for several reasons. To begin, NRAP 3A(b)(4) expressly provides that an appeal may be taken from an order appointing a receiver. Indeed, petitioners have already attempted to appeal the district court's order appointing a receiver in Docket No. 87872. Petitioners therefore have not demonstrated that they lack a plain, speedy, and adequate remedy. Further, our intervention is not warranted given the substantial amount of time that has elapsed since the district court issued

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<sup>1</sup>Cause appearing, petitioners' motion to exceed the page limit on their petition is granted. NRAP 21(d); NRAP 32(a)(7)(D)(i). The petition was filed on January 18, 2024.

the order being challenged, and petitioners' failure to provide a cogent explanation for their delay. Accordingly, we

ORDER the petition DENIED.<sup>2</sup>

  
\_\_\_\_\_, C.J.  
Cadish

  
\_\_\_\_\_, J.  
Stiglich

  
\_\_\_\_\_, J.  
Herndon

cc: Hon. Timothy C. Williams, District Judge  
Hutchings Law Group, LLC  
Law Offices of Arthur W. Tuverson  
McDonald Carano LLP/Las Vegas  
Hogan Hulet PLLC  
Eighth District Court Clerk

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<sup>2</sup>Given this order, petitioners' motion for stay is denied as moot.