

IN THE SUPREME COURT OF THE STATE OF NEVADA

HIGH NOON AT ARLINGTON RANCH
HOMEOWNERS ASSOCIATION, A NEVADA
NON-PROFIT CORPORATION, FOR ITSELF
AND FOR 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
SUSAN JOHNSON, DISTRICT JUDGE,
Respondents,
and
D.R. HORTON, INC.,
Real Party in Interest.

No. 52798

FILED

JAN 09 2009

TRACE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DIRECTING ANSWER

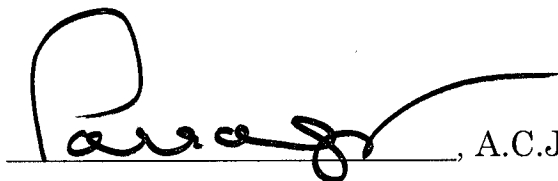
This original petition for a writ of prohibition or mandamus challenges a district court order that granted partial summary judgment in a constructional defect action. In the order, the court concluded that petitioner, a homeowners association, did not have standing to pursue constructional defect claims on behalf of its members against real party in interest.

On December 16, 2008, we entered an order directing petitioner to supplement its petition with the required affidavit demonstrating its beneficial interest in obtaining writ relief. Petitioner has complied with our December 16 order by supplementing its petition with the required affidavit.

Having reviewed the affidavit, petition, and supporting documents, it appears that petitioner has set forth issues of arguable merit and that petitioner may have no plain, speedy, and adequate remedy in the ordinary course of law. Therefore, real party in interest, on

behalf of respondents, shall have 20 days from the date of this order within which to file an answer, including authorities, against issuance of the requested writ.

It is so ORDERED.

 , A.C.J.

cc: Hon. Susan Johnson, District Judge
Quon Bruce Christensen Law Firm
Wood, Smith, Henning & Berman, LLP
Eighth District Court Clerk