

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLUB VISTA FINANCIAL SERVICES,
L.L.C., A NEVADA LIMITED
LIABILITY COMPANY; ET AL.,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
MARK R. DENTON, DISTRICT JUDGE,
Respondents,

and

SCOTT FINANCIAL CORPORATION, A
NORTH DAKOTA CORPORATION; ET
AL.,

Real Parties in Interest.

No. 57641

FILED

NOV 22 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Ingenda*
DEPUTY CLERK

ORDER

This case is currently scheduled for oral argument on December 6, 2011, at 10:30 a.m.

Although counsel should be prepared to address any of the issues raised in this appeal, counsel should be prepared specifically to address: (1) whether the district court properly compelled the deposition of the petitioners' trial counsel regarding allegations in the petitioners' district court complaint; (2) in determining whether a party may depose the opposing party's trial attorney, whether this court should rely on the discovery standards set forth by NRCP 26, or whether this court should follow the approaches taken by the 8th Circuit (Shelton v. American Motors Corp., 805 F.2d 1323 (8th Cir. 1986)) or the 2nd Circuit (In re Subpoena Issued to Dennis Friedman, 350 F.3d 65 (2d. Cir. 2003)).

It is so ORDERED.

Ortle

C.J.

cc: Hon. Mark R. Denton, District Judge
Greenberg Traurig, LLP/Las Vegas
Morrill & Aronson, P.L.C.
Cooksey, Toolen, Gage, Duffy & Woog
Marquis Aurbach Coffing
Lemons, Grundy & Eisenberg
Howard & Howard
Frederic Dorwart Lawyers
Lewis & Roca, LLP/Las Vegas
Kemp, Jones & Coulthard, LLP
Patrick K. Smith