



SUPREME COURT OF NEVADA
OFFICE OF THE CLERK
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May 17, 2012

Robert Eisenberg
Lemons, Grundy & Eisenberg
6005 Plumas Street, Suite 300
Reno, NV 89519

Re: Club Vista Financial Services, L.L.C. vs. District Court, No. 57641
District Court Case No. A579963

Dear Mr. Eisenberg:

Enclosed please find the original and one copy of the Writ of Prohibition and one copy of the Opinion for service upon Judge Mark R. Denton. Please **return the original writ** with proof of service attached thereto.

Copies of the writ and opinion are enclosed for your files.

Sincerely,

Linda Castillo
Linda Castillo
Chief Deputy Clerk

LC:lp

Enclosures

cc w/enclosures (writ & opinion):

Marquis Aurbach Coffing
Kemp, Jones & Coulthard, LLP
Howard & Howard
Lewis & Roca, LLP
Patrick K. Smith

12-156666

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLUB VISTA FINANCIAL SERVICES,
L.L.C., A NEVADA LIMITED
LIABILITY COMPANY; THARALDSON
MOTELS II, INC., A NORTH DAKOTA
CORPORATION; AND GARY D.
THARALDSON,

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;
BRADLEY J. SCOTT; BANK OF
OKLAHOMA, N.A., A NATIONAL
BANK; GEMSTONE DEVELOPMENT
WEST, INC., A NEVADA
CORPORATION; AND ASPHALT
PRODUCTS CORP. D/B/A APCO
CONSTRUCTION, A NEVADA
CORPORATION,

Real Parties in Interest.

No. 57641

WRIT OF PROHIBITION

TO: The Honorable Mark R. Denton, Judge of the Eighth Judicial
District Court:

WHEREAS, this Court having made and filed its written decision
that a writ of prohibition issue,

NOW, THEREFORE, you are directed to evaluate the underlying
facts and circumstances of the request for a protective order in light of the

three-factor test set forth in Shelton v. American Motors Corp., 805 F.2d 1323, 1327 (8th Cir. 1986), and Club Vista's assertion that Morrill has been withdrawn as a witness, in the case entitled Club Vista Financial Services, L.L.C. vs. Scott Financial Corporation, case no. A579963.

WITNESS The Honorables Michael Cherry, Chief Justice, Michael L. Douglas, Nancy M. Saitta, Mark Gibbons, Kristina Pickering, and James W. Hardesty, Associate Justices of the Supreme Court of the State of Nevada, and attested by my hand and seal this 17th day of May, 2012.

Maui K. Linden

Supreme Court Clerk

