

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. 57784

FILED

JUL 08 2011

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


ORDER DENYING EMERGENCY
MOTION FOR EXPEDITED DISPOSITION

This original petition for a writ of mandamus or prohibition challenges a district court order enforcing jury trial waivers and bifurcating claims for bench and jury trials.

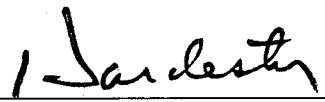
Real parties in interest Scott Financial Corporation and Bradley J. Scott have filed an emergency motion for expedited disposition

of this writ proceeding, asserting that although this court entered an order on June 28, 2011, staying the district court bench trial,¹ which was set to begin July 6, 2011, they have obtained a new trial date for July 12, 2011, and they would like to maintain that date. Having considered the motion and the opposition thereto, we deny it. The motion essentially asks this court to decide this matter before July 12, 2011, so that the bench trial, which was scheduled for July 6, 2011, and which we just stayed on June 28, 2011, can proceed beginning July 12. Although we decline to grant the motion as requested, we will expedite consideration of the petition to the extent that this court's docket allows.

It is so ORDERED.


Saitta, J.


Gibbons, J.


Hardesty, J.

¹The June 28, 2011, order granting the stay inadvertently included Justice Parraguirre as member of the panel although he was recused from participating in this matter and did not consider the stay motion or participate in its resolution. The stay remains in place as ordered by Justices Saitta and Hardesty. NRAP 27(c)(1); see also NRAP 8(a)(2)(D).

cc: Hon. Mark R. Denton, District Judge
Greenberg Traurig, LLP/Las Vegas
Marquis Aurbach Coffing
Cooksey, Toolen, Gage, Duffy & Woog
Morrill & Aronson, P.L.C.
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Patrick K. Smith
Eighth District Court Clerk