

IN THE SUPREME COURT OF THE STATE OF NEVADA

MOTI PARTNERS, LLC; MOTI
PARTNERS 16, LLC; LLTQ
ENTERPRISES, LLC; LLTQ
ENTERPRISES 16, LLC; TPOV
ENTERPRISES, LLC; TPOV 16
ENTERPRISES, LLC; FERG, LLC;
FERG 16, LLC; AND R SQUARED
GLOBAL SOLUTIONS, LLC,
DERIVATIVELY ON BEHALF OF DNT
ACQUISTION, LLC,

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

DESERT PALACE, INC.; PARIS LAS
VEGAS OPERATING COMPANY, LLC;
PHWLTV, LLC; AND BOARDWALK
REGENCY CORPORATION,
Real Parties in Interest.

No. 82448

FILED

APR 16 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER GRANTING STAY


This original petition seeks a writ of mandamus directing the district court to deny the motion to strike filed by real parties in interest. Petitioners have filed a motion for a partial stay of the district court proceedings. Specifically, petitioners seek a stay of non-discovery proceedings in the district court pending the resolution of their writ petition. Real parties in interest have responded to the motion and petitioner has filed a reply.


In considering whether to grant such a stay, we are guided by the following factors: (1) whether the object of the writ petition will be defeated if the stay is denied; (2) whether the petitioner will suffer irreparable or serious injury if the stay is denied; (3) whether the real party in interest will suffer irreparable or serious injury if the stay is granted; and (4) whether the petitioner is likely to prevail on the merits in the appeal. NRAP 8(c). As we have explained, no single factor is dispositive and a strong showing on some factors may counterbalance weak factors. See *Mikohn Gaming Corp. v. McCrea*, 120 Nev. 248, 251, 89 P.3d 36, 38 (2004).

Applying these principles, and having considered petitioners' motion, the response by real parties in interest, and petitioners' reply, we conclude that, on balance, the pertinent factors weigh in favor of a stay. Accordingly, we grant petitioners' motion for a partial stay of district court proceedings pending further order of this court.

It is so ORDERED.

_____, J.
Cadish

_____, J.
Pickering

_____, J.
Herndon

cc: Hon. Timothy C. Williams, District Judge
Bailey Kennedy
Pisanelli Bice, PLLC
Eighth District Court Clerk