

IN THE SUPREME COURT OF THE STATE OF NEVADA

FIRST STREET FOR BOOMERS &
BEYOND, INC.; AND AITHR DEALER,
INC.,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
CRYSTAL ELLER, DISTRICT JUDGE,
Respondents,

and

ROBERT L. ANSARA, AS SPECIAL
ADMINISTRATOR OF THE ESTATE
OF SHERRY LYNN CUNNISON,
DECEASED; ROBERT L. ANSARA, AS
SPECIAL ADMINISTRATOR OF THE
ESTATE OF MICHAEL SMITH,
DECEASED HEIR TO THE ESTATE OF
SHERRY LYNN CUNNISON,
DECEASED; DEBORAH TAMANTIN
INDIVIDUALLY, AND HEIR TO THE
ESTATE OF SHERRY LYNN
CUNNISON. DECEASED; HALE
BENTON, INDIVIDUALLY; AND
JACUZZI, INC., D/B/A JACUZZI
LUXURY BATH,
Real Parties in Interest.

No. 83379

FILED

NOV 23 2021

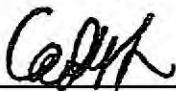
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Ed Seeger*
DEPUTY CLERK

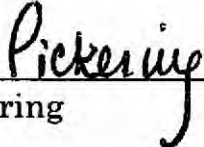
ORDER GRANTING MOTION FOR STAY


This original petition for a writ of mandamus challenges a district court discovery sanction order in a tort action. Petitioners have moved for a stay of the district court proceedings pending resolution of their writ petition. 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 petitioners will suffer irreparable or serious injury if the stay is denied; (3) whether the real parties in interest will suffer irreparable or serious injury if the stay is granted; and (4) whether the petitioners are likely to prevail on the merits in the writ petition. 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). We conclude that, on balance, the pertinent factors weigh in favor of a stay. Accordingly, we grant petitioners' motion for a stay of the district court proceedings pending further order of this court.

It is so ORDERED.


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Herndon

cc: Hon. Crystal Eller, District Judge
Thorndal Armstrong Delk Balkenbush & Eisinger/Las Vegas
Lewis Roca Rothgerber Christie LLP/Las Vegas
Richard Harris Law Firm
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC/Las Vegas
Charles Allen Law Firm
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC/Atlanta
Eighth District Court Clerk