SUPREME COURT OF NEVADA

Childs v. District Court (WLab Investment, LLC)

Childs · No. 82967; document 21-30024 · Decided October 19, 2021

SUMMARY

The Nevada Supreme Court granted Benjamin B. Childs's petition for a writ of mandamus or prohibition. The court directed the district court to vacate the portion of its order imposing sanctions against Childs and to reassign the underlying case to a different district court judge. The writ was issued on October 19, 2021, and the case was closed after notice in lieu of remittitur.

OPINION

PER CURIAM.

82967: Case View Nevada Appellate Courts Appellate Case Management System C-Track, the browser based CMS for Appellate Courts Case Search Participant Search Cases Case Search Participant Search 21-30024: This document is currently unavailable. If you need a copy of this document, please contact Clerk's Office at (775)684-1600. Disclaimer: The information and documents available here should not be relied upon as an official record of action.Only filed documents can be viewed.

Some documents received in a case may not be available for viewing.Some documents originating from a lower court, including records and appendices, may not be available for viewing.For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600. Case Information: 82967 Short Caption:CHILDS VS. DIST. CT. (WLAB INV., LLC)Court:Supreme Court Related Case(s):82834, 82835, 83051 Lower Court Case(s):Clark Co. - Eighth Judicial District - A785917Classification:Original Proceeding - Civil - Mandamus/Prohibition Disqualifications:Case Status:Notice in Lieu of Remittitur Issued/Case Closed Replacement:Panel Assigned: Panel To SP/Judge:SP Status: Oral Argument:Oral Argument Location: Submission Date:How Submitted: + Party Information RoleParty NameRepresented By PetitionerBenjamin B. ChildsBenjamin B. Childs Real Party in InterestChi On WongMichael B. Lee (Michael B. Lee, P.C.)

Michael C. Mathis (Michael B. Lee, P.C.) Real Party in InterestInvestpro Investments LLCMichael B. Lee (Michael B. Lee, P.C.) Michael C. Mathis (Michael B. Lee, P.C.) Real Party in InterestInvestpro LLCMichael B. Lee (Michael B. Lee, P.C.) Michael C. Mathis (Michael B. Lee, P.C.) Real Party in InterestInvestpro Manager LLCMichael B. Lee (Michael B. Lee, P.C.)

Michael C. Mathis (Michael B. Lee, P.C.) Real Party in InterestJoyce A. NickrandtMichael B. Lee (Michael B. Lee, P.C.) Michael C. Mathis (Michael B. Lee, P.C.) Real Party in InterestKenny Zhong LinMichael B. Lee (Michael B. Lee, P.C.) Michael C. Mathis (Michael B. Lee, P.C.) Real Party in InterestLiwe Helen ChenMichael B. Lee (Michael B. Lee, P.C.) Michael C. Mathis (Michael B. Lee, P.C.)

Real Party in InterestMan Chau ChengMichael B. Lee (Michael B. Lee, P.C.) Michael C. Mathis (Michael B. Lee, P.C.) Real Party in InterestTKNR, Inc.Michael B. Lee (Michael B. Lee, P.C.) Michael C. Mathis (Michael B. Lee, P.C.) Real Party in InterestWLab Investment, LLCSteven L. Day (Day & Nance) Real Party in InterestYan Qui ZhangMichael B. Lee (Michael B. Lee, P.C.)

Michael C. Mathis (Michael B. Lee, P.C.) RespondentAdriana Escobar RespondentThe Eighth Judicial District Court of the State of Nevada, in and for the County of Clark Docket Entries DateTypeDescriptionPending?Document 06/01/2021Filing FeeFiling fee paid. E-Payment $250.00 from Benjamin B. Childs. (SC) 06/01/2021Petition/WritFiled Petition for Writ of Mandamus or Writ of Prohibition.

(SC)21-15492 06/01/2021AppendixFiled Appendix to Petition for Writ - Volume 1. (SC)21-15493 06/01/2021AppendixFiled Appendix to Petition for Writ - Volume 2. (SC)21-15494 06/01/2021AppendixFiled Certificate of Mailing for Appendix to Petition for Writ. (SC)21-15496 06/01/2021MotionFiled Petitioner's Motion for Stay. (SC)21-15555 06/08/2021MotionFiled Real Party in Interest's Opposition to Petitioner's Motion for Stay.

(SC)21-16342 06/08/2021MotionFiled Petitioner's Reply to Response to Motion for Stay. (SC)21-16414 06/23/2021MotionFiled Petitioner's Emergency Motion for Stay Under NRAP 27(e). Relief Required Before June 24, 2021 at midnight [expiration of the automatic stay under NRCP 62(a)(1)]. (SC)21-18057 06/24/2021Order/ProceduralFiled Order Directing Answer and Granting Stay.

Real parties in interest shall have 28 days from the date of this order within which to file and serve an answer against issuance of the requested writ. Petitioner shall have 14 days from service of the answer to file and serve any reply.

We grant petitioner's motion and stay enforcement of the district court's sanctions order pending further order of this court. (SC)21-18182 07/21/2021Petition/WritFiled Real Parties in Interest's Opposition to Benjamin B. Childs' Petition for Writ of Mandamus or Writ of Prohibition. (SC)21-20988 07/22/2021AppendixFiled Real Parties in Interests' Appendix - Master Index, Vols.

1 and 2. (SC)21-21209 07/22/2021AppendixFiled Real Parties in Interests' Appendix - Vols. 3, 4, and 5. (SC)21-21210 07/22/2021AppendixFiled Real Parties in Interests' Appendix - Vols. 6, 7, and Vol. 8 - Part 1. (SC)21-21213 07/22/2021AppendixFiled Real Parties in Interests' Appendix - Vol. 8 - Part 2 and Vol. 9. (SC)21-21214 07/26/2021Petition/WritFiled Benjamin B. Childs' Reply.

(SC)21-21628 07/26/2021MotionFiled Petitioner's Motion to Strike Real Parties in Interest's Appendix. (SC)21-21629 07/26/2021AppendixFiled Reply Appendix to Benjamin B. Childs' Petition for Writ of Mandamus or Writ of Prohibition. Volume 2. (SC)21-21630 07/26/2021Notice/IncomingFiled Certificate of Mailing of Reply Appendix Benjamin B. Child's Petition for Writ of Mandamus or Writ of Prohibition.

(SC)21-21631 07/30/2021MotionFiled Real Parties in Interest's Opposition to Benjamin B. Childs' Motion to Strike Real Parties in Interest's Appendix. (SC)21-22230 08/02/2021MotionFiled Petitioner's Reply to Opposition to Motion to Strike Real Parties in Interest's Appendix. (SC)21-22335 08/16/2021Order/ProceduralFiled Order Denying Motion. Petitioner has filed a motion to strike the appendix of real parties in interest.

The motion is denied. (SC)21-23714 10/19/2021Order/DispositionalFiled Order Granting Petition. "ORDER the petition GRANTED AND DIRECT THE CLERK OF THIS COURT OT ISSUE A WRIT OF MANDAMUS instructing the district court to vacate the portion of its order imposing sanctions against petitioner and to have the underlying district court case reassigned to a different district court judge." fn5[The Honorable Mark Gibbons, Senior Justice, participated in the decision of this matter under a general order of assignment.]

(SC)21-30024 10/19/2021WritIssued Writ with letter. Original and one copy of writ and copy of mailed to for service upon Judge Escobar. (SC)21-30077 11/01/2021Notice/IncomingFiled Petitioners Notice of Compliance. (SC)21-31318 11/03/2021Notice/IncomingFiled Affidavit of Service in regards to Writ. (SC)21-31643 11/15/2021RemittiturIssued Notice in Lieu of Remittitur.

(SC)21-32614 11/15/2021Case Status UpdateNotice in Lieu of Remittitur Issued/Case Closed. (SC) Combined Case View

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