

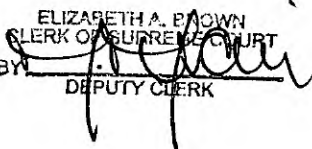
IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID MCNEELY; 5 ALPHA  
INDUSTRIES, LLC.; AND JOHN DOE  
Petitioners,  
vs.  
THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA, IN  
AND FOR THE COUNTY OF WASHOE;  
AND THE HONORABLE DAVID A.  
HARDY, DISTRICT JUDGE,  
Respondents,  
and  
HILLARY SCHIEVE; AND VAUGHN  
HARTUNG,  
Real Parties in Interest.

No. 86559

FILED

APR 15 2024

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS  
OR PROHIBITION*

This original petition for a writ of prohibition or mandamus seeks to compel the district court to vacate its order requiring disclosure of purportedly confidential information.

“A writ of mandamus is available to compel the performance of an act that the law requires . . . or to control an arbitrary or capricious exercise of discretion.” NRS 34.160; *Int’l Game Tech., Inc. v. Second Jud. Dist. Ct.*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). However, a writ of “prohibition is a more appropriate remedy for the prevention of improper discovery than mandamus.” *Wardleigh v. Second Jud. Dist. Ct.*, 111 Nev. 345, 350, 891 P.2d 1180, 1183 (1995). Generally, we will not grant writ relief to review discovery orders, unless the discovery order compels the disclosure of privileged information. *Coyote Springs Inv., LLC v. Eighth Jud. Dist. Ct.*, 131 Nev. 140, 144-45, 347 P.3d 267, 270 (2015).

We decline to entertain the writ petition because the district court has the discretion to compel private investigators to disclose information

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subject to NRS 648.200(1), as Nevada does not recognize any privilege between private investigators and their clients. *DeChant v. State*, 116 Nev. 918, 926-27, 10 P.3d 108, 113 (2000).

Further, contrary to petitioners' arguments otherwise, a single client's identity does not fall within the definition of a trade secret. See, NRS 600A.030(5)(a) (defining "trade secret" as information that derives independent economic value from not being generally known by those who could derive economic value from its disclosure). As such, the district court's discovery order does not require 5 Alpha to disclose otherwise legally privileged information.

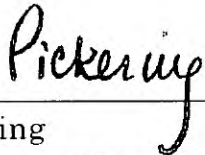
Lastly, we also decline to consider John Doe's arguments, as the district court has yet to hear and decide Doe's arguments on the merits. As such, there is no order for him to challenge; therefore, the issue presented is not ripe for review. See *In re T.R.*, 119 Nev. 646, 651, 80 P.3d 1276, 1279 (2003) ("The factors to be weighed in deciding whether a case is ripe for judicial review include: (1) the hardship to the parties of withholding judicial review, and (2) the suitability of the issues for review.").


Accordingly, we


ORDER the petition DENIED.

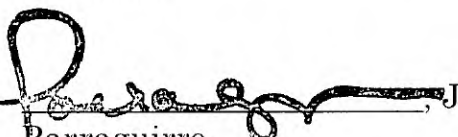
  
\_\_\_\_\_, C.J.  
Cadish


  
\_\_\_\_\_, J.  
Stiglich

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Herndon

  
\_\_\_\_\_, J.  
Lee

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Bell

cc: Hon. David A. Hardy, District Judge  
Armstrong Teasdale, LLP/Las Vegas  
Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC/Las Vegas  
McDonald Carano LLP/Reno  
Washoe District Court Clerk