IN THE SUPREME COURT OF THE STATE OF NEVADA

FOUNDERS ACQUISITION & MERGER, INC., AND JAMES NORYIAN,

vs.

Appellants,

SUSAN PENNY, INDIVIDUALLY, Respondent.

ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

CLERK OF THE SUPREME COURT JANETTE M. BLOOM

BY

No. 43774

FILED

MAY 2 5 2006

JANETTE M. BLOOM CLERK OF SUPREME COURT

VCLERK

BY: Thomas I Ac

cc:

Hon. Mark R. Denton, District Judge Lester H. Berkson, Settlement Judge Harmon & Davies, P.C. Thomas J. Tanksley Clark County Clerk

SUPREME COURT OF NEVADA