

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSHUA SCHWAGER, D/B/A THE  
ENERGY GROUP,

Appellant,

vs.

BELLAGIO, A WHOLLY OWNED  
SUBSIDIARY OF MIRAGE RESORTS  
INC.,

Respondent.

No. 43867

FILED

FEB 22 2005

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Rinaldi*  
CHIEF DEPUTY CLERK

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: *Thomas H. Harris*

cc: Hon. David Wall, District Judge  
William F. Buchanan, Settlement Judge  
Hutchison & Steffen, Ltd.  
Wanderer & Wanderer  
Clark County Clerk