

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL MORKIN, M.D. AND
NORTHERN NEVADA EMERGENCY
ROOM PHYSICIANS,

Appellants/Cross-
Respondents,

vs.

MICHAEL THOMPSON,

Respondent/Cross-
Appellant.

No. 44300

FILED

SEP 06 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL AND CROSS-APPEAL
AS ABANDONED

Appellants/cross-respondents (appellants) filed their opening brief on appeal on September 9, 2005. After being informed that the parties were involved in settlement negotiations, on April 4, 2006, this court entered an order directing the parties to file a stipulation or motion to dismiss this appeal and cross-appeal within 10 days. Alternatively, our order directed respondent/cross-appellant (respondent) to file his combined answering brief on appeal and opening brief on cross-appeal.

On April 14, 2006, and April 26, 2006, respondent filed a response to our order and a supplement to the response. Both documents again indicated that the parties had reached a settlement. Appellants did not oppose these representations or otherwise communicate with this court regarding the status of this appeal and cross-appeal. Accordingly, in an order entered on May 11, 2006, this court again directed respondent to file his combined brief, or the parties to file a stipulation or motion to dismiss this appeal and cross-appeal by June 12, 2006.

To date, respondent has failed to file his combined brief and the parties have not filed a stipulation or motion to dismiss this appeal

and cross-appeal. Moreover, we note that since entry of our last order neither party has communicated with this court on the status of this appeal or cross-appeal. We decline to let this appeal and cross-appeal languish indefinitely on this court's docket. Given the parties' previous representations and their failure to provide this court with any information to the contrary, it appears that this appeal and cross-appeal have been abandoned. Accordingly, cause appearing, we order this appeal and cross-appeal dismissed as abandoned.

It is so ORDERED.

Douglas, J.
Douglas

Becker, J.
Becker

Parraguirre, J.
Parraguirre

cc: Hon. Steven R. Kosach, District Judge
Carolyn Worrell, Settlement Judge
Beckley Singleton, Chtd./Las Vegas
Schuering Zimmerman & Scully
Osborne & Hall, Chtd.
Washoe District Court Clerk