

IN THE SUPREME COURT OF THE STATE OF NEVADA

EMPLOYERS INSURANCE COMPANY
OF NEVADA, A MUTUAL COMPANY,
Appellant,
vs.
KENNETH ELLIOTT,
Respondent.

No. 45062

FILED

AUG 01 2005

JANET M. BLOOM
CLERK OF SUPREME COURT
BY: *J. Richards*
DEPUTY CLERK

ORDER OF REMAND AND DISMISSING APPEAL

Appellant has filed a "Motion to Dismiss and Motion for Remand to the District Court." In that motion, appellant explains that the parties have reached a settlement of this matter which requires that the district court order challenged on appeal be modified. Cause appearing, we grant the motion and dismiss this appeal. See NRAP 42(b). Further, this matter is remanded to the district court to conduct appropriate proceedings to modify its order as necessary for the parties to fulfill the terms of their settlement agreement. In the event the district court declines to grant the requested relief, appellant may file a motion to reinstate this appeal.

It is so ORDERED.

Maupin J.
Maupin

Douglas J.
Douglas

Parraguirre J.
Parraguirre

cc: Hon. Michael R. Griffin, District Judge
Patrick O. King, Settlement Judge
Beckett & Yott, Ltd./Carson City
Nevada Attorney for Injured Workers/Carson City
Carson City Clerk