

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELIZABETH R. SCHWARTZ 2001  
TRUST, A NEVADA TRUST;  
ELIZABETH SCHWARTZ-FRAY; AND  
JEREMY FRAY,

Appellants,

vs.

WARMINGTON EAGLE ROCK  
ASSOCIATES LIMITED  
PARTNERSHIP, A NEVADA LIMITED  
PARTNERSHIP,

Respondent.

No. 45136

**FILED**

DEC 20 2005

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

ORDER DISMISSING APPEAL

Cause appearing, appellants' motion for a voluntary dismissal of this appeal is granted. This appeal is dismissed. NRAP 42(b).

Attorney Gregory A. Miles, of Woods Erickson Whitaker & Miles LLP, previously moved to withdraw as appellants' counsel and for an extension of time to file the opening brief. In light of the dismissal of this appeal, Mr. Miles' motion to withdraw is granted. See SCR 46 (after final determination of an action, an attorney may withdraw as attorney of record at any time). Further, the opening brief having been timely filed on September 21, 2005, the extension motion is denied as moot.

It is so ORDERED.

*Douglas*, J.  
Douglas

*Rose*, J.  
Rose

*Parraguirre*, J.  
Parraguirre

cc: Hon. Sally L. Loehrer, District Judge  
William F. Buchanan, Settlement Judge  
Woods Erickson Whitaker & Miles LLP  
Lee & Russell  
Elizabeth Schwartz-Fray  
Jeremy Fray  
Clark County Clerk