

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEL WEBB COMMUNITIES, INC., AN  
ARIZONA CORPORATION,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
NANCY M. SAITTA, DISTRICT JUDGE,

Respondents,

and

ZELMER DESSENT; BETTY SEWING;  
AL STRAMAGLIA; RUDY FORESTA;  
SAMUEL RODRIGUEZ; AND STANLEY  
PROGAR, INDIVIDUALLY AND ON  
BEHALF OF THE CLASS MEMBERS  
AT THE SUN CITY MACDONALD  
RANCH DEVELOPMENT,  
Real Parties in Interest.

No. 46071

**FILED**

MAR 01 2006


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

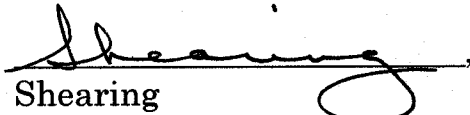
ORDER DISMISSING PETITION  
FOR WRIT OF MANDAMUS OR PROHIBITION

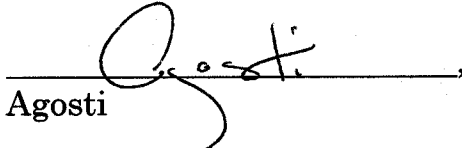
This original petition for a writ of mandamus or prohibition challenges a district court order granting a motion for class certification in a constructional defect case. On February 21, 2006, petitioner Del Webb

Communities filed a motion to withdraw this petition. We grant the motion and dismiss the petition. The parties shall bear their own fees and costs, if any.

It is so ORDERED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Rose

  
\_\_\_\_\_, Sr. J.  
Shearing

  
\_\_\_\_\_, Sr. J.  
Agosti

cc: Hon. Michael A. Cherry, District Judge  
Hon. Nancy M. Saitta, District Judge  
Koeller Nebeker Carlson & Haluck, LLP  
Angius & Terry LLP/Las Vegas  
Lynch, Hopper & Salzano, LLP  
Clark County Clerk

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<sup>1</sup>The Honorable Miriam Shearing, Senior Justice, and the Honorable Deborah A. Agosti, Senior Justice, participated in the decision of this matter under general orders of assignment entered January 6, 2006.