

IN THE SUPREME COURT OF THE STATE OF NEVADA

DIANE MAGUIRE, INDIVIDUALLY,
AND ON BEHALF OF ALL OTHERS
SIMILARLY SITUATED,

Appellant,

vs.

HCA, INC., A DELAWARE
CORPORATION; AND SUNRISE
MOUNTAINVIEW HOSPITAL, INC., A
NEVADA CORPORATION,

Respondents.

No. 46312

FILED

NOV 30 2006

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

ORDER DISMISSING APPEAL

This is an appeal from the district court's "Order Granting Defendants HCA Inc.'s and Sunrise Mountainview Hospital Inc.'s Motion to Dismiss Plaintiff's First Amended Class Action Complaint," entered on November 2, 2005. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

On January 17, 2006, the settlement judge filed a report indicating that the parties agreed to a settlement of this matter. Accordingly, on January 20, 2006, this court entered an order directing appellant to file a stipulation or motion to dismiss this appeal or otherwise inform this court of the status of this appeal within 30 days.

On February 16, 2006, appellant filed a status report representing that the parties were still working out the details of their agreement and that they "anticipate concluding this matter within the next thirty (30) days." Accordingly, on May 3, 2006, we directed appellant to file a stipulation or motion to dismiss this appeal or to otherwise inform this court of the status of this appeal within 15 days.

On May 15, 2006, appellant filed another status report indicating that the parties were still finalizing their agreement and representing that "the parties anticipate concluding this matter within the next thirty (30) days." Accordingly, on August 30, 2006, we directed appellant to file a stipulation or motion to dismiss this appeal or to otherwise inform this court of the status of this appeal within 15 days. We further cautioned that failure to comply with this order may result in this appeal being dismissed as abandoned.

To date, appellant has not responded to our August 30, 2006 order. Accordingly, cause appearing, we dismiss this appeal as abandoned.

It is so ORDERED.

Becker

Becker

J.

Hardesty

Hardesty

J.

Parraguirre

Parraguirre

J.

cc: Hon. Valerie Adair, District Judge
Robert F. Saint-Aubin, Settlement Judge
Gillock Markley & Killebrew, P.C.
The Lamb Firm
Bailey Merrill
Lionel Sawyer & Collins/Las Vegas
Clark County Clerk