

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK A. HALL, INDIVIDUALLY AND
D/B/A HOME SEARCH REALTY;
CYNTHIA HALL, INDIVIDUALLY AND
D/B/A HOME SEARCH REALTY; AND
JOSEPH ANTHONY GREAVES,

Appellants,

vs.

STEVE BARKET,

Respondent.

No. 46408

FILED

MAY 10 2006

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

ORDER DISMISSING APPEAL

The settlement judge has filed a report recommending that this appeal be removed from the settlement conference program as the district court has granted appellants' motion for a new trial and the parties have agreed to dismiss this appeal. Accordingly, we remove this appeal from the settlement conference program.

The parties have filed a "Joint Voluntary Motion to Dismiss Appeal." In that motion the parties request this court to dismiss this appeal noting that the district has granted a new a trial and vacated its judgment which was challenged in this appeal. Cause appearing, we grant the joint motion and dismiss this appeal. This matter is remanded to the district court to conduct proceedings consistent with its order granting a new trial. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

Douglas _____, J.
Douglas

Becker _____, J.
Becker

Parraguirre _____, J.
Parraguirre

cc: Hon. Jessie Elizabeth Walsh, District Judge
Janet Trost, Settlement Judge
Albright Stoddard Warnick & Palmer
Beckley Singleton, Chtd./Las Vegas
Mushkin & Hafer
Clark County Clerk