

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY BORGIA, D.P.M.,
INDIVIDUALLY, AND D/B/A
SOUTHERN NEVADA FOOT AND
ANKLE CENTER,

Appellant,

vs.

MONIKA SZIJJARTO,

Respondent.

No. 46486

FILED

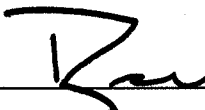
APR 12 2006

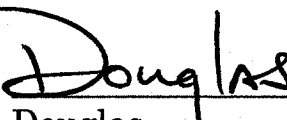
JANET M. BLOOM
CLERK OF SUPREME COURT
DEPUTY CLERK

ORDER DISMISSING APPEAL AND
REMANDING TO THE DISTRICT COURT

Appellant has filed a motion to dismiss this appeal and to remand this matter to the district court. Appellant represents that the parties have agreed to a settlement of this matter and that the settlement includes having this matter remanded. Respondent has joined the motion. Cause appearing, we grant the motion and dismiss this appeal. The parties shall bear their own costs and attorney fees. NRAP 42(b). This matter is remanded to the district court to conduct appropriate proceedings, if any, to alter, amend, or vacate its order or judgment 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.


_____, C.J.
Rose


_____, J.
Douglas


_____, J.
Becker

cc: Hon. Douglas W. Herndon, District Judge
Thomas J. Tanksley, Settlement Judge
Lauria Tokunaga Gates & Linn, LLP
Nall & Miller, LLP
McCrea Martin Allison, Ltd.
Clark County Clerk