

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAYMOND EDWIN BAIN,
Appellant,
vs.
DESERT OAK DEVELOPMENT, INC.,
A NEVADA CORPORATION D/B/A
DESERT OAK HOMES,
Respondent.

No. 46912

FILED

OCT 18 2006

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

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order adjudicating an attorney's lien. Eighth Judicial District Court, Clark County; Allan R. Earl, Judge.


Having reviewed the record and appellant's proper person appeal statement, we conclude that the district court did not abuse its discretion in adjudicating the attorney's lien.¹ In particular, attorney David Churchill was not a party to the settlement agreement between appellant and Desert Oak Development, and so the district court did not err in concluding that he was not bound by the settlement agreement's statement of attorney fees.² Further, we are not persuaded that the amount of the fee awarded, which represented a more than one-third

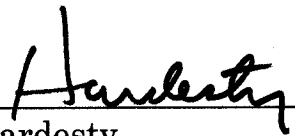
¹See Sarman v. Goldwater, Taber and Hill, 80 Nev. 536, 542, 396 P.2d 847, 850 (1964) (reviewing attorney lien adjudication under an abuse of discretion standard).

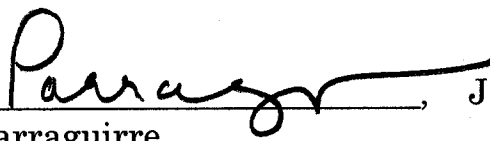
²See County of Clark v. Bonanza No. 1, 96 Nev. 643, 615 P.2d 939 (1980) (stating the general rule that none is liable on a contract except those party to it).

reduction in the fees claimed, was unreasonable.³ Accordingly, we affirm the district court's order.

It is so ORDERED.

 J.
Becker

 J.
Hardesty

 J.
Parraguirre

cc: Hon. Allan R. Earl, District Judge
Raymond Edwin Bain
Salmon & Churchill, LLC
Clark County Clerk

³See Brunzell v. Golden Gate Nat'l Bank, 85 Nev. 345, 455 P.2d 31 (1969) (reviewing award of attorney fees pursuant to contract under an abuse of discretion standard and listing factors to be considered in determining a reasonable fee); NRPC 1.5(a) (requiring that all attorney fees be reasonable and listing factors to be considered).