IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS A. WHITEMAINE, JR., AN INDIVIDUAL, AND AS TRUSTEE OF THE THOMAS A. WHITEMAINE, JR. TRUST,

Appellant,

vs. THE CITY OF SPARKS,

Respondent.

No. 47301

FILED

SEP 1 2 2006

CLERK OF SUPREME COURT

BY

CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

CLERK OF THE SUPREME COURT JANETTE M. BLOOM

BY: andy Horstmankelf

cc: Hon. Brent T. Adams, District Judge Cathy Valenta Weise, Settlement Judge John J. Kadlic Law Offices of Michael G. Chapman Washoe District Court Clerk

SUPREME COURT OF NEVADA

CLERK'S ORDER

(O)-1947