

IN THE SUPREME COURT OF THE STATE OF NEVADA

PORTOFINO INVESTMENTS I  
LIMITED PARTNERSHIP, A NEVADA  
LIMITED PARTNERSHIP,

Appellant,

vs.

TARGET MEDIA PARTNERS, A  
CORPORATION; MARK D.  
SCHIFFMACHER, AN INDIVIDUAL;  
SUSAN M. HUMPHREVILLE, AN  
INDIVIDUAL; DLJ MERCHANT  
BANKING PARTNERS LP, A LIMITED  
PARTNERSHIP; DLJ INVESTMENT  
PARTNERS II, LP, A LIMITED  
PARTNERSHIP; DLJ INVESTMENT  
FUNDING II, INC., A CORPORATION;  
DLJ ESC II, LP, A LIMITED  
PARTNERSHIP; ENTERPRISE  
RESEARCH ASSOCIATES, INC., A  
CORPORATION; AND ARDEN  
CAPITAL, INC., A CORPORATION,

Respondents.

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PARTNERSHIP; DLJ INVESTMENT  
PARTNERS II, LP, A LIMITED  
PARTNERSHIP; DLJ INVESTMENT  
FUNDING II, INC., A CORPORATION;  
DLJ ESC II, LP, A LIMITED  
PARTNERSHIP; ENTERPRISE

No. 46867

**FILED**

**NOV 13 2006**

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
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CHIEF DEPUTY CLERK

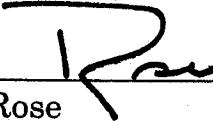
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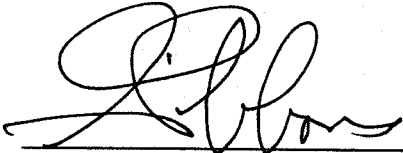
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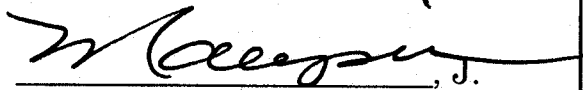
ORDER DISMISSING APPEALS AND  
REMANDING TO THE DISTRICT COURT

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, we dismiss these consolidated appeals. 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 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 these consolidated appeals.

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Rose

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Maupin

cc: Hon. Kathy A. Hardcastle, District Judge  
Eugene Osko, Settlement Judge  
Bullivant Houser Bailey  
Heller Ehrman LLP  
Jones Vargas/Las Vegas  
Latham & Watkins  
McDonald Carano Wilson LLP/Las Vegas  
Schreck Brignone/Las Vegas  
Paula Walsh, Court Reporter  
Rachelle Hamilton, Court Reporter  
Clark County Clerk