

IN THE SUPREME COURT OF THE STATE OF NEVADA

ST. JUDE MEDICAL CARDIAC
RHYTHM MANAGEMENT DIVISION,
A DIVISION OF ST. JUDE MEDICAL,
INC., A MINNESOTA CORPORATION;
AND D. BARNAK, AN INDIVIDUAL,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
KENNETH C. CORY, DISTRICT
JUDGE,

Respondents,

and

NANCY S. HIRABAYASHI, AS
NATURAL PARENT AND GUARDIAN
OF BENJAMIN HIRABAYASHI; ELLYN
HIRABAYASHI AND KARISA
HIRABAYASHI, MINORS; NANCY S.
HIRABAYASHI, INDIVIDUALLY; AND
NANCY S. HIRABAYASHI, AS
EXECUTRIX OF THE ESTATE OF
HOWARD HIRABAYASHI, ALSO
KNOWN AS HOWARD HAMADA,
DECEASED,

Real Parties in Interest.

No. 47703

FILED

AUG 09 2006


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

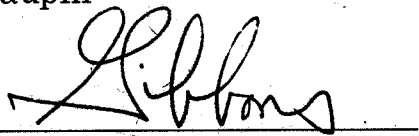
ORDER DISMISSING PETITION
FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying summary judgment in a wrongful death suit based on products liability and negligence. Petitioners also moved for a stay.

On July 31, 2006, petitioners filed a notice of withdrawal of this original writ petition and motion for stay, asserting that the parties have settled the underlying case. Accordingly, we hereby dismiss the petition for a writ of mandamus, and we deny the motion for stay as moot. The parties shall bear their own fees and costs, if any.¹

It is so ORDERED.


_____, J.
Maupin


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Kenneth C. Cory, District Judge
Feldman Gale, P.A.
Jolley Urga Wirth Woodbury & Standish
Mainor Eglet Cottle, LLP
Clark County Clerk

¹See NRAP 42(b).