

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARWIN SCHUETTE; MARC FLOYD;
AND DIANNA TODD,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
ALLAN R. EARL, DISTRICT JUDGE,

Respondents,

and

BEAZER HOMES HOLDINGS
CORPORATION, A DELAWARE
CORPORATION; AND BEAZER
HOMES NEVADA, INC., A NEVADA
CORPORATION,

Real Parties in Interest.

No. 48980

FILED

MAY 22 2007

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

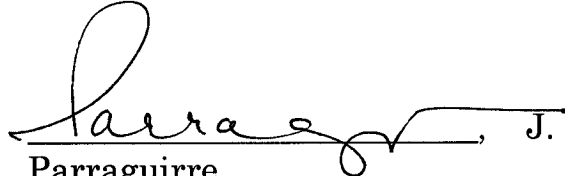
ORDER DISMISSING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION

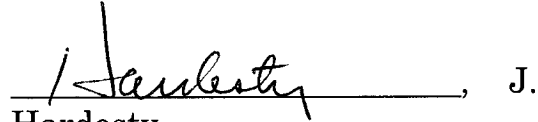
This original petition for a writ of mandamus or prohibition challenges a district court order, entered on remand, delineating who may appear and be joined as plaintiffs in the underlying constructional defects action.


On April 27, 2007, petitioners filed a motion to withdraw this original writ petition, asserting that the parties have settled the underlying matter. Accordingly, we grant the motion and hereby dismiss

the petition for a writ of mandamus or prohibition. The parties shall bear their own fees and costs, if any.¹

It is so ORDERED.


Parraguirre, J.


Hardesty, J.


Saitta, J.

cc: Hon. Allan R. Earl, District Judge
Robert C. Maddox & Associates/Las Vegas
Shinnick Law Firm, P.C.
Koeller Nebeker Carlson & Haluck, LLP
Eighth District Court Clerk

¹See NRAP 42(b).