IN THE SUPREME COURT OF THE STATE OF NEVADA

KIMBERLY TOY, Appellant,

vs. PEPPER FINANCIAL CORP., Respondent. No. 52189

DEC 172008

08-31938

LINDEMAN

FILED

ORDER DISMISSING APPEAL

Pursuant to the motion for voluntary dismissal filed of December 10, 2008, this appeal is dismissed. NRAP 42(b).

It is so ORDERED.

CLERK OF THE SUPREME COURT TRACIE K. LINDEMAN

BY: Thomas H. Hen

cc: Hon. Sally L. Loehrer, District Judge Carolyn Worrell, Settlement Judge Kirk T. Kennedy Michael R. Mushkin & Associates, P.C. Eighth District Court Clerk

SUPREME COURT OF NEVADA

CLERK'S ORDER

(0)-1947