

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRI STATE SURVEYING, LTD.,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF WASHOE, AND THE HONORABLE
JANET J. BERRY, DISTRICT JUDGE,

Respondents,

and

COMFORT RESIDENTIAL PARTNERS, LLC, A
NEVADA LIMITED LIABILITY COMPANY; LB/L-
DUC III RENO, LLC, A NEVADA LIMITED
LIABILITY COMPANY; SUN ROCKERIES, A
DEFUNCT BUSINESS ENTITY; THE CONVERSE
PROFESSIONAL GROUP, A CALIFORNIA
CORPORATION D/B/A CONVERSE
CONSULTANTS; JEFF CODEGA PLANNING &
DESIGN, INC., A NEVADA CORPORATION;
CAMPBELL CONSTRUCTION CO., A NEVADA
CORPORATION; MICHAEL "TONY" REGAN, AN
INDIVIDUAL; AND CITY OF RENO,
Real Parties in Interest.

No. 52799

FILED

JUL 02 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order denying a motion to dismiss in a constructional defect action.

On June 18, 2009, petitioner filed a notice of withdrawal of this original writ petition, asserting that no claims against it remain unresolved in the underlying district court action. Accordingly, we hereby dismiss the petition for a writ of mandamus. The parties shall bear their own costs and fees, if any. NRAP 42(b).

It is so ORDERED.

[Signature], C.J.

09-16391

cc: Hon. Janet J. Berry, District Judge
Fahrendorf, Viloría, Oliphant & Oster, LLP
Erickson Thorpe & Swainston, Ltd.
Gunderson Law Firm
Law Offices of Eric Leitner
Lewis & Roca, LLP/Reno
Meyers McConnell
Prince & Keating, LLP
Robison Belaustegui Sharp & Low
Washoe District Court Clerk