

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD E. TAYLOR, AN INDIVIDUAL,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF WASHOE, AND THE HONORABLE
STEVEN R. KOSACH, DISTRICT JUDGE,

Respondents,

and

REYNEN & BARDIS (MT. ROSE ESTATE), LLC,
A NEVADA LIMITED LIABILITY COMPANY;
REYNEN & BARDIS DEVELOPMENT
(NEVADA), LLC, A NEVADA LIMITED
LIABILITY COMPANY; REYNEN & BARDIS
COMMUNITIES (NEVADA), INC., A NEVADA
LIMITED LIABILITY COMPANY; CEDAR
VALLEY CONCRETE CORP. OF NEVADA, A
NEVADA CORPORATION; AND BUILDING
CONCEPTS, INC., A NEVADA CORPORATION,
Real Parties in Interest.

No. 52801

FILED

JUL 10 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER DISMISSING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order compelling binding arbitration in a constructional defect action.

Presently before this court is a stipulation to dismiss this proceeding. The stipulation has been signed by the attorneys for petitioner and the Reynen & Bardis real parties in interest, who indicate that "the parties have agreed to waive all rights to arbitration and proceed with the matter in . . . district court."

The stipulation is approved, and this writ petition is therefore dismissed.¹ The parties shall bear their own attorney fees and costs, if any. NRAP 42(b).

It is so ORDERED.

 _____, C.J.

cc: Hon. Steven R. Kosach, District Judge
Nancy F. A. Gilbert
Erickson Thorpe & Swainston, Ltd.
Fahrendorf, Vilorina, Oliphant & Oster, LLP
Holland & Hart LLP/Reno
Washoe District Court Clerk

¹Although real parties in interest Cedar Valley Concrete Corp. of Nevada and Building Concepts, Inc., were not included in the stipulation to dismiss, the district court order challenged in this writ proceeding granted the Reynen & Bardis parties' motion to compel arbitration; thus, since petitioner's request for relief did not directly pertain to the other real parties in interest, this proceeding is dismissed in its entirety.