

IN THE SUPREME COURT OF THE STATE OF NEVADA

SUZANNE MCKNIGHT,  
Appellant,  
vs.  
THE PUBLIC RESTROOM COMPANY,  
Respondent.

No. 52858

**FILED**

SEP 10 2009

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY T. W. W. S. G. O.  
DEPUTY CLERK

ORDER DISMISSING APPEAL

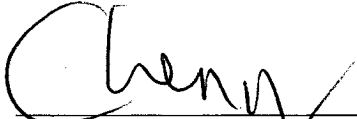
This is an appeal from an October 20, 2008, district court order granting a motion to compel satisfaction of a settlement agreement by requiring appellant to execute a "UCC-3 termination statement" and directing respondent to pay appellant money owed under the settlement agreement. Second Judicial District Court, Washoe County; Brent T. Adams, Judge.

On July 31, 2009, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction, because interlocutory orders are not independently appealable, Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998), and in this case, it was unclear whether the district court had entered a final written order formally resolving all of the claims raised in the complaint.

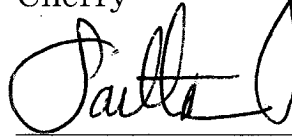
Appellant has timely responded to the July 31 show cause order, acknowledging that an order approving a settlement is not a final appealable order, see Valley Bank of Nevada v. Ginsburg, 110 Nev. 440, 445, 874 P.2d 729, 733 (1994), and that the October 20 order from which she seeks to appeal did not formally resolve the claims below. Id. at 446, 874 P.2d at 733. Although appellant also asserts that the October 20 order did not approve a settlement, she agrees that the principles stated in

Valley Bank of Nevada would apply, as the October 20 order did not formally resolve the claims below. Since the appealed order is interlocutory, we lack jurisdiction to consider this appeal, and we therefore

ORDER this appeal DISMISSED.

 \_\_\_\_\_, J.

Cherry

 \_\_\_\_\_, J.

Saitta

 \_\_\_\_\_, J.

Gibbons

cc: Hon. Brent T. Adams, District Judge  
Robert L. Eisenberg, Settlement Judge  
Law Offices of Mark Wray  
Holland & Hart LLP/Reno  
Washoe District Court Clerk