IN THE SUPREME COURT OF THE STATE OF NEVADA

SCOTT TIMBERLAKE, AN INDIVIDUAL,

No. 53353

Appellant,

vs. JAMES KAPLAN AND CAROLINE KAPLAN, HUSBAND AND WIFE, Respondents.

APR 3 0 2009

FILED

ACIE KILINDENAN

19-10702

ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

CLERK OF THE SUPREME COURT TRACIE K. LINDEMAN

BY: Thomas H. Hee

cc:

Hon. Brent T. Adams, District Judge Cathy Valenta Weise, Settlement Judge Douglas K. Fermoile Molof & Vohl Washoe District Court Clerk

SUPREME COURT OF NEVADA

CLERK'S ORDER

(O)-1947