

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK R. BEHL, INDIVIDUALLY, AND  
BEHL HOME CONSTRUCTION, LLC, A  
NEVADA LIMITED LIABILITY  
COMPANY D/B/A BEHL CUSTOM  
HOMES,

Appellants,

vs.

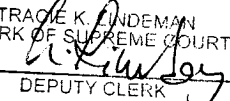
THOMAS MOTHERWAY AND DEDE  
MOTHERWAY, INDIVIDUALLY AND  
MOTHERWAY FAMILY TRUST,

Respondents.

No. 53384

FILED


SEP 25 2009

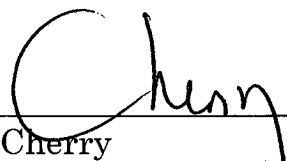
TRACIE K. INDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

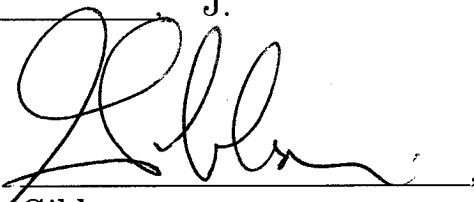
ORDER DISMISSING APPEAL

On July 24, 2009, the settlement judge filed a report indicating that the parties agreed to a settlement of this appeal. Accordingly, on July 30, 2009, we directed appellants to file a stipulation or motion to dismiss this appeal or otherwise inform this court of the status of this appeal within 30 days. To date, appellants have not responded to our order or otherwise communicated with this court. Accordingly, cause appearing, we dismiss this appeal as abandoned.

It is so ORDERED.

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

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

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

cc: Hon. Janet J. Berry, District Judge  
Wm. Patterson Cashill, Settlement Judge  
Stephenson & Dickinson  
McMahon Law Offices, Ltd.  
Washoe District Court Clerk