

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARYL R. REXROAT,
Appellant,
vs.
DAVID E. HAMPTON,
Respondent.

No. 52294

DAVID E. HAMPTON,
Appellant,
vs.
DARYL R. REXROAT, INDIVIDUALLY,
Respondent.

No. 53715 ✓

DAVID E. HAMPTON,
Appellant,
vs.
DARYL R. REXROAT, INDIVIDUALLY;
NATIONAL CAR RENTAL, AN ARIZONA
CORPORATION; NATIONAL CAR RENTAL,
ARIZONA, INC.; NATIONAL CAR RENTAL,
INC.; AND STEWART VENTURES, INC.,
Respondents.

No. 53445

FILED

JUL 27 2009

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

ORDER DISMISSING APPEALS AND REMANDING THE
APPEALS IN DOCKET NOS. 52294 AND 53715 AND
DIRECTING STATUS REPORT IN DOCKET NO. 53445

These are appeals from a district court judgment in a tort action and from postjudgment orders regarding attorney fees and costs. Eighth Judicial District Court, Clark County; David B. Barker, Judge.

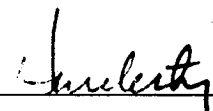
On June 22, 2009, the parties filed a stipulation to dismiss Docket Nos. 52294 and 53715 and a joint motion asking that this court remand these matters to the district court to take whatever action may be required by the parties' agreement. Initially, we deferred ruling on the parties' stipulation to dismiss and remand request, so that the parties could comply with the procedures for remand set forth in Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978). Having reconsidered the

parties' June 22 stipulation and remand request, however, in light of this court's previous treatment of these types of stipulations to dismiss and remand to the district court, we hereby vacate our June 26, 2009, order, which required the parties to obtain a Huneycutt certification before we would consider their stipulation to dismiss.

Accordingly, we approve the parties' stipulation and grant the motion, hereby dismissing Docket Nos. 52294 and 53715 and remanding these matters to the district court. The appeals' dismissal is without prejudice to appellants' right to file a motion to reinstate these appeals should the district court decline to grant the requested relief.

We note that Docket No. 53445 appears to be related to the appeals filed in Docket Nos. 52294 and 53715, but the parties' June 22, 2009, stipulation does not indicate whether the parties settled the appeal in Docket 53445. Accordingly, within 20 days from the date of this order, the appellant in Docket No. 53445, David E. Hampton, shall file a status report informing this court as to whether he intends to pursue the appeal in Docket No. 53445, or whether he wishes to voluntarily dismiss that appeal without prejudice based on the parties' settlement, subject to his right to reinstate the appeal should the district court decline to grant the requested relief, and requesting a remand to the district court.

It is so ORDERED.

 _____, C.J.

cc: Hon. David B. Barker, District Judge
M. Nelson Segel, Settlement Judge
Lewis & Roca, LLP/Las Vegas
Mainor Eglet Cottle, LLP
The Powell Litigation Group
Eighth District Court Clerk