

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER HOMES, LLC, A
NEVADA COMPANY AND
INSURANCE COMPANY OF THE
WEST, A SURETY,

Appellants,

vs.

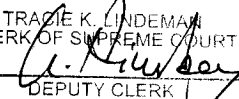
SMD CONSTRUCTION, LLC D/B/A
PACIFIC POOLS & SPAS OF LAS
VEGAS, LLC,

Respondent.

No. 54158

FILED

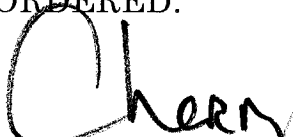
JAN 20 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

On October 5, 2009, the settlement judge filed a report indicating that the parties agreed to a settlement of this appeal. Accordingly, on October 9, 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.

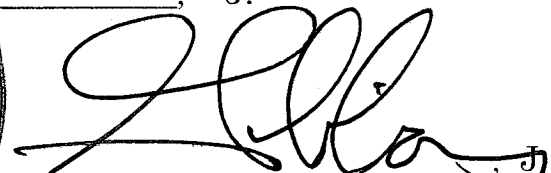

Cherry

J.



J.

Saitta


Gibbons

cc: Hon. Jessie Elizabeth Walsh, District Judge
Lansford W. Levitt, Settlement Judge
Marquis & Aurbach
Eric Dobberstein & Associates
Eighth District Court Clerk