

IN THE SUPREME COURT OF THE STATE OF NEVADA

ONE BEACON INSURANCE COMPANY, A  
DELAWARE FOREIGN LIMITED LIABILITY  
COMPANY,

Appellant,

vs.

POLLY BARRETT, INDIVIDUALLY; BOWERS &  
ASSOCIATES, A CALIFORNIA CORPORATION;  
AND RANDY BOWERS, INDIVIDUALLY,

Respondents.

No. 54440

**FILED**

JAN 11 2010

TRACE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY: *[Signature]*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from district court orders, entered after remand, that determine a good faith settlement and address the parties' respective liabilities in a contract and torts action. Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

Respondents have moved to dismiss this appeal for lack of jurisdiction, asserting that the district court has not yet resolved the remanded punitive damages issue. Appellants agree that the punitive damages issue remains pending and ask that any dismissal be without prejudice. In reply, respondents note that no prejudice can attach to dismissals for lack of jurisdiction.

Having considered the parties' filings and the documents before this court, we conclude that we lack jurisdiction over this appeal. Accordingly, we

ORDER this appeal DISMISSED.

*[Signature]*, J.  
Hardesty

*[Signature]*, J.  
Douglas

*[Signature]*, J.  
Pickering

cc: Hon. Jackie Glass, District Judge  
Stephen E. Haberfeld, Settlement Judge  
Lewis & Roca, LLP/Las Vegas  
Kemp, Jones & Coulthard, LLP  
Ryan, Mercaldo, & Worthington, LLP  
Eighth District Court Clerk