IN THE SUPREME COURT OF THE STATE OF NEVADA

MURRAY J. MCCLELLAND,

Appellant/Cross-Respondent,

vs.

POWER REALTY, LLC D/B/A POWER REALTY & DEVELOPMENT; ROBERT PENTON, INDIVIDUALLY AND AS BROKER/OWNER OF POWER REALTY LLC D/B/A POWER REALTY & DEVELOPMENT; MARK LEFKOWITZ, INDIVIDUALLY; DAVID ABRAHAM, INDIVIDUALLY; AND JAY JACOBSEN, INDIVIDUALLY,

Respondents/Cross-Appellants.

No. 54539

FILED

DEC 2 2 2009

TRAGIE K. ANDEMAN CLERK OF SUPREME COURT BY DEPUTY CLERK

ORDER DISMISSING APPEAL AND CROSS-APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal and cross-appeal are 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

2v. 7

cc: Hon. Susan Johnson, District Judge

Jerry J. Kaufman, Settlement Judge Laxalt & Nomura, Ltd./Las Vegas

Neil A. Ackerman

Eighth District Court Clerk

SUPREME COURT OF NEVADA

CLERK'S ORDER

(O)-1947

09-30962