

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMSCO WINDOWS,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF WASHOE, AND THE HONORABLE
JANET J. BERRY, DISTRICT JUDGE,

Respondents,


and

J & L WINDOWS,
Real Party in Interest.

No. 54549

FILED

NOV 20 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING PETITION
FOR WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges a district court order denying a motion to dismiss petitioner, a fourth-party defendant, from a constructional defect action.

Petitioner has filed a motion to voluntarily dismiss this petition, asserting that the parties have settled the underlying matter, rendering the issues herein moot. We grant the motion and hereby dismiss this petition, with the parties to bear their own fees and costs. NRAP 42(b).

It is so ORDERED.¹

 , C.J.

cc: Hon. Janet J. Berry, District Judge
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP
Law Offices of Melissa P. Harris
Washoe District Court Clerk

¹In light of this order, no answer to the writ petition is necessary.