

IN THE SUPREME COURT OF THE STATE OF NEVADA

WALLACE THEATER CORPORATION,
A CALIFORNIA CORPORATION,

Appellant,

vs.

S. AND A. FRESHMAN FAMILY
PROPERTIES, A CALIFORNIA
LIMITED PARTNERSHIP,

Respondent.

No. 54670

FILED

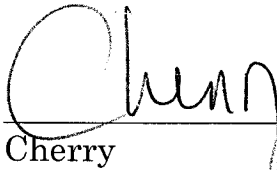
FEB 17 2010


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

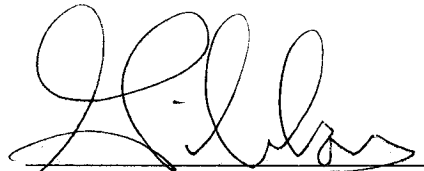
ORDER DISMISSING APPEAL

On December 15, 2009, the settlement judge filed a report indicating that the parties agreed to a settlement of this appeal. Accordingly, on December 22, 2009, we directed appellant 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, appellant has not responded to our order or otherwise communicated with this court. Accordingly, cause appearing, we dismiss this appeal as abandoned.

It is so ORDERED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. James E. Wilson, District Judge
Philip A. Olsen, Settlement Judge
Lionel Sawyer & Collins/Reno
Jones Vargas/Las Vegas
Carson City Clerk