

IN THE SUPREME COURT OF THE STATE OF NEVADA

DESERT CAB, INC. D/B/A DESERT
CAB COMPANY, A NEVADA
CORPORATION; AND TEIMOUR I.
SHARIAT, INDIVIDUALLY,
Appellants,
vs.
DAVID SAWYER,
Respondent.

No. 55243

FILED

SEP 15 2011

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

ORDER OF AFFIRMANCE

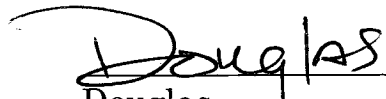
This is an appeal from a district court final judgment in a tort action. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.


In the context of this appeal, appellants challenge an interlocutory order granting respondent's motion for a good faith settlement determination pertaining to his agreement with the plaintiff below, who was not named as a party to this appeal. We review a district court's determination of good faith for abuse of discretion. Velsicol Chemical v. Davidson, 107 Nev. 356, 360, 811 P.2d 561, 563 (1991) (stating that "determination of good faith should be left to the discretion of the trial court based upon all relevant facts available, and that, in the absence of an abuse of that discretion, the trial court's findings should not be disturbed"). "This standard of review vests the district court with considerable discretion." Doctors Company v. Vincent, 120 Nev. 644, 652, 98 P.3d 681, 687 (2004).

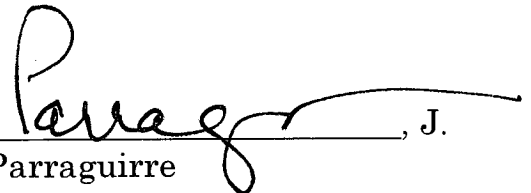
In analyzing whether a settlement was made in good faith, the district court should consider all relevant facts available to it, which may include evaluating the settlement amount, the existence of collusion or

fraud aimed at injuring the non settling defendants' interests, and the "relative liability permutations of the particular contribution or indemnity action known to it," including the strength and weaknesses of any such action. *Id.* at 652, 98 P.3d at 686-87. Having reviewed the parties' briefs and the district court record on appeal, we perceive no abuse of discretion and no reason to disturb the district court's decision. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Douglas


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Susan Johnson, District Judge
Lansford W. Levitt, Settlement Judge
Hutchison & Steffen, LLC
Dixon Truman & Fisher
Ranalli & Zaniel, LLC
Eighth District Court Clerk