

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER BIRD,

Appellant,

vs.

DONNIE K. CAPE, AND ETEC TESTING  
LABS, INC., A NEVADA CORPORATION,

Respondents.

No. 35167

**FILED**

OCT 30 2000

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY: *J. Richards*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

Pursuant to the settlement conference held in this matter, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorneys' fees. NRAP 42(b).

It is so ORDERED.

CLERK OF THE SUPREME COURT  
JANETTE M. BLOOM

By: *B. Horstmannhoff*

cc: Hon. Joseph T. Bonaventure, District Judge  
Daniel Marks, Settlement Judge  
Burris & Thomas  
Pico & Mitchell  
Clark County Clerk  
Robert Mintun, Court Reporter

SUPREME COURT  
OF  
NEVADA

CLERK'S ORDER