

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALAN LEVINE, INDIVIDUALLY,
Appellant,

vs.

MICHAEL KAPLAN, INDIVIDUALLY;
NATIONAL OUTPATIENT SERVICES
MANAGEMENT CORP.; AND
NATIONAL OUTPATIENT SERVICES
MANAGEMENT CORP., II, A NEVADA
CORPORATION,

Respondents.

No. 57393

FILED

SEP 07 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *J. Mero*
DEPUTY CLERK

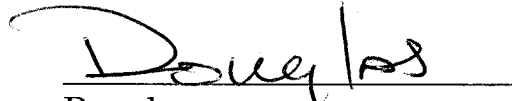
ORDER DISMISSING APPEAL


After the settlement judge filed a report indicating that he had been informed that appellant filed for bankruptcy, this court directed appellant to file a status report regarding the bankruptcy proceedings and, specifically, to indicate whether or not this appeal was stayed due to the bankruptcy proceedings. See 11 U.S.C. § 362(a)(1). Appellant filed a status report indicating that although this “appeal is not stayed by the . . . bankruptcy filing . . . [it] is an asset of the bankruptcy and is therefore affected by the bankruptcy case.” Appellant also reported that respondent Michael Kaplan filed a motion to dismiss the bankruptcy case, or in the alternative, to convert the case to a Chapter 7 proceeding.

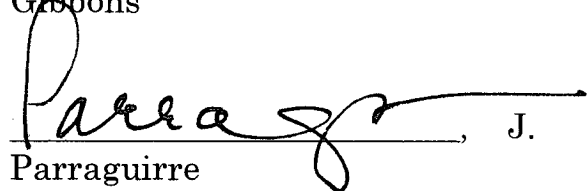
Accordingly, this court entered an order directing counsel to file an updated status report regarding the status of the bankruptcy proceedings and to indicate whether or not this appeal should proceed. Appellant has filed a response to that order informing this court that the bankruptcy proceedings are concluded and that the parties have agreed to

a settlement. Further, appellant indicates that "it appears that this Appeal need not proceed." Accordingly, we dismiss this appeal.

It is so ORDERED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Elizabeth Goff Gonzalez, District Judge
Howard Roitman, Settlement Judge
Alan Levine
Michael H. Singer, Ltd.
Lerch & Associates, PC/Scottsdale, AZ
Goodson Manley Forakis, PLC/Phoenix AZ
Eighth District Court Clerk