

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRI WATER AND SEWER COMPANY,
A DELAWARE CORPORATION; AND
TAHOE-RENO INDUSTRIAL CENTER,
LLC, A NEVADA LIMITED LIABILITY
COMPANY,

Appellants,

vs.


TAHOE RENO COMMERCIAL
CENTER, LLC, A NEVADA LIMITED
LIABILITY COMPANY; STONEFIELD
INC., A NEVADA CORPORATION;
RICHARD E. WROBLESKI, AN
INDIVIDUAL; GARY NELSON, AN
INDIVIDUAL; AND JACK D. FERRIS,
AN INDIVIDUAL,

Respondents.

No. 59245

FILED

OCT 08 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

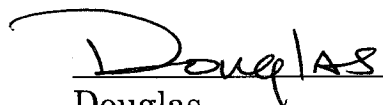
ORDER DISMISSING APPEAL
AND REMANDING TO THE DISTRICT COURT

Appellants have filed a “Motion for Huneycutt Remand,” so that the district court may consider appellants’ motion for reconsideration of the order being challenged on appeal. See Foster v. Dingwall 126 Nev. ___, 228 P.3d P.3d 453 (2010) (clarifying the remand procedure set forth in Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.3d 585 (1978)). Although a copy of an order of the district court certifying that it is inclined to grant the relief requested upon remand is not attached to the motion, such an order is attached to appellants’ reply to respondents’ opposition to the motion for remand. In that certification order, the district court indicates that it “finds that [appellants] have demonstrated that the Courts’ order [that is being challenged on appeal] was clearly erroneous.” The district court

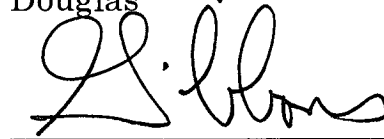
states its intention to “withdraw” the order awarding attorney fees which is the subject of this appeal.

After consideration of appellants’ motion, respondents’ response, appellants’ reply and the district court’s order of certification, we grant the motion for remand. Accordingly, we dismiss this appeal and remand this matter to the district court to conduct proceedings consistent with its order certifying its intent to grant appellants’ motion for reconsideration upon remand.

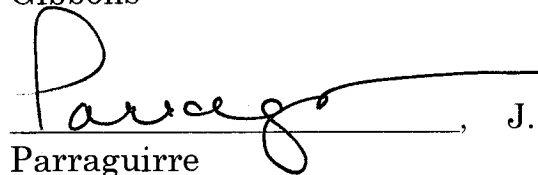
It is so ORDERED.


_____, J.

Douglas


_____, J.

Gibbons


_____, J.

Parraguirre

cc: Hon. Brent T. Adams, District Judge
William E. Nork, Settlement Judge
McDonald Carano Wilson LLP/Reno
McDonald Carano Wilson LLP/Las Vegas
Robertson & Benevento/Reno
Washoe District Court Clerk