

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD WASHBURN,

Appellant,

vs.

MARIO SANCHEZ, SANCH INCORPORATED,
AND FIRST CAPITAL FINANCIAL CORP.,

Respondents.

No. 35599

FILED

MAY 25 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Ruben*
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. NRAP 42(b).¹

It is so ORDERED.

CLERK OF THE SUPREME COURT
JANETTE M. BLOOM

By: *B. Horstmannshoff*

¹ The parties' stipulation to dismiss this appeal refers to a substitution of counsel for respondents and states that a copy of such document is attached to the stipulation. A copy of the substitution of counsel, however, is not attached to the stipulation. An attorney "may be changed at any time . . . upon consent of the attorney, approved by the client." See SCR 46(1), NRAP 46(d). Respondents' purported new counsel has signed the stipulation on behalf of respondents, apparently with respondents' consent. Accordingly, despite the procedural deficiency in effecting a substitution of counsel, the substitution of counsel is approved.

cc: Hon. Ronald D. Parraguirre, District Judge
Floyd A. Hale, Settlement Judge
Alverson Taylor Mortensen Nelson & Sanders
Neil J. Beller
David M. Crosby
Clark County Clerk

