

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID KEMPLER; AND KEMPLER  
FAMILY TRUST,

Appellants,

vs.

INCLINE PINES CONDOMINIUM  
HOMEOWNERS ASSOCIATION, A  
NEVADA CORPORATION,

Respondent.

No. 61298

**FILED**

**JAN 24 2013**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER DISMISSING APPEAL AND  
REMANDING TO THE DISTRICT COURT

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, we dismiss this appeal. The parties shall bear their own costs and attorney fees. NRAP 42(b). This matter is remanded to the district court to conduct appropriate proceedings, if any, to alter, amend, or vacate its order or judgment as necessary for the parties to fulfill the terms of their settlement agreement. In the event the district court declines to grant the requested relief, appellants may file a motion to reinstate this appeal.<sup>1</sup>

It is so ORDERED.

*[Signature]*, J.  
Gibbons

*[Signature]*, J.  
Douglas

*[Signature]*, J.  
Saitta

<sup>1</sup>Any such motion to reinstate the appeal must be filed within 60 days of entry of the district court's order denying the requested relief.

cc: Hon. Steven P. Elliott, District Judge  
Janet L. Chubb, Settlement Judge  
Bradley Paul Elley  
Walsh, Baker & Rosevear, P.C.  
Washoe District Court Clerk