## IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD HAYS, INDIVIDUALLY AND D/B/A AMERICAN WHOLESALE BLOCK.

Appellant,

vs.

NYE COUNTY, NEVADA, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA: THE NYE COUNTY BOARD OF COMMISSIONERS, GOVERNING BODY OF THE COUNTY OF NYE, STATE OF NEVADA; CAMERON MCRAE, INDIVIDUALLY AND AS COMMISSIONER FOR THE COUNTY OF NYE, STATE OF NEVADA; DICK CARVER, INDIVIDUALLY AND AS COMMISSIONER FOR THE COUNTY OF NYE, STATE OF NEVADA; RED COPASS, INDIVIDUALLY AND AS COMMISSIONER FOR THE COUNTY OF NYE; BILL COPELAND. INDIVIDUALLY AND AS COMMISSIONER FOR THE COUNTY OF NYE; BOB WICKENDEN, INDIVIDUALLY AND AS PUBLIC WORKS DIRECTOR FOR NYE COUNTY, NEVADA: DAVE FANNING. INDIVIDUALLY AND AS CHIEF OF COUNTY ROADS DEPARTMENT OF NYE COUNTY; AND RACHEL NICHOLSON, INDIVIDUALLY,

Respondents.

No. 37790

FILED

DEC 19 2001



SUPREME COURT OF NEVADA

CLERK'S ORDER

(O)-1947

## ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).<sup>1</sup>

It is so ORDERED.

CLERK OF THE SUPREME COURT JANETTE M. BLOOM

BY: B. Horstmanshoff

cc: Hon. John P. Davis, District Judge
David K. Robinson, Settlement Judge
Brent D. Percival
Erickson Thorpe & Swainston, Ltd.
Nye County Clerk

<sup>&</sup>lt;sup>1</sup>Respondents' May 4, 2001 motion to dismiss this appeal is denied as moot.