IN THE SUPREME COURT OF THE STATE OF NEVADA

TIC HOLDINGS, INC.,

Appellant.

vs. TOMMY D. KELLY,

Respondent.

No. 38629

FILED

FEB 13 2002

ORDER DISMISSING APPEAL

Pursuant to 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).

It is so ORDERED.

CLERK OF THE SUPREME COURT JANETTE M. BLOOM

BY: B. Herstmushoff

cc:

Hon. Michael R. Griffin, District Judge

Patrick O. King, Settlement Judge

Gugino & Schwartz

Easterly Armstrong & Lambert

Santoro, Driggs, Walch, Kearney, Johnson & Thompson

Carson City Clerk

1E COURT NEVADA

CLERK'S ORDER