IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH SCALA AND MICHAEL MACK,

Appellants,

vs. JOHN STALUPPI, JR.; JAE SUN KIM; FRANK MAIONE; AND BRITTNEY BELLON,

Respondents.

No. 38698

APR 26 2002 JANETTE M. BLOOM CLERK OF SUPREME COURT BY HIEF DEPUTY CLERK

FILED

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).

It is so ORDERED.

CLERK OF THE SUPREME COURT JANETTE M. BLOOM

BY: C. Horstmanshoff

cc: Hon. Sally L. Loehrer, District Judge Lester H. Berkson, Settlement Judge Irell & Manella, LLP Mark A. James Wright Judd & Winckler Patti & Sgro Thomas F. Pitaro Clark County Clerk

SUPREME COURT OF NEVADA

CLERK'S ORDER