

IN THE SUPREME COURT OF THE STATE OF NEVADA

IMPERIAL PALACE CASINO INC., A
NEVADA CORPORATION D/B/A
IMPERIAL PALACE HOTEL &
CASINO,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
ALLAN R. EARL, DISTRICT JUDGE,
Respondents,
and
JAMES SUZUKI,
Real Party in Interest.

No. 40449

FILED

MAR 06 2003

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING PETITION FOR
WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges a district court order that denied petitioner's motion to dismiss the real party in interest's complaint. Petitioner also filed an emergency motion to stay the district court proceedings.


On December 27, 2002, we directed the real party in interest to file a response to the writ petition. On February 24, 2003, the parties stipulated to withdrawing the writ petition.

Accordingly, we approve the stipulation and we dismiss this writ petition. The parties shall bear their own costs and attorney fees.¹

It is so ORDERED.²


_____, J.
Shearing


_____, J.
Leavitt


_____, J.
Becker

cc: Hon. Allan R. Earl, District Judge
Barker Brown Busby Chrisman & Thomas P.C.
Harmon & Shinn, Chtd.
Clark County Clerk

¹See NRAP 42(b).

²Our December 27, 2002 order directing a response is hereby vacated. Petitioner's emergency motion for a stay is denied as moot.