

IN THE SUPREME COURT OF THE STATE OF NEVADA

SOUTHWEST COLORED ROCK, INC.,
A NEVADA CORPORATION,

Appellant,

vs.

QNH NEVADA, INC., A NEVADA
CORPORATION,

Respondent.

No. 40672

FILED

OCT 20 2004

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

ORDER DISMISSING APPEAL AND IMPOSING SANCTIONS


On June 8, 2004, this court entered an order directing counsel for appellant, attorney Michael J. Harker, to show cause why he should not be personally sanctioned and this appeal dismissed, based on the recommendation of the settlement judge. The settlement judge recommended sanctions in the amount of \$1,433.70, which constitutes the attorney fees and costs respondent incurred so far in this appeal.¹ As cause for the imposition of those sanctions, the settlement judge noted that Mr. Harker and appellant failed to attend a scheduled settlement conference.


Our Order to Show Cause directed Mr. Harker to file a response by June 28, 2004. Because Mr. Harker has not responded to our order, we conclude that the recommended sanctions should be imposed. Accordingly, Mr. Harker shall personally pay the sum of \$1,433.70 to respondent within 30 days from the date of this order. Also, within that same time period, Mr. Harker shall file proof of payment of that sanction with this court. We caution Mr. Harker that failure to comply with this


¹ A statement of those fees and costs was attached to the settlement judge's report.

order may result in additional sanctions, including referral to the State Bar of Nevada. Finally, in accordance with our conclusion that the recommended sanctions should be imposed, we dismiss this appeal.

It is so ORDERED.


_____, J.
Becker


_____, J.
Agosti


_____, J.
Gibbons

cc: Eighth Judicial District Court Dept. 5, District Judge
M. Nelson Segel, Settlement Judge
Bogges & Harker
Kolesar & Leatham, Chtd.
Clark County Clerk