

IN THE SUPREME COURT OF THE STATE OF NEVADA

NANCY C. FAUBEL,  
Appellant,  
vs.  
CHRISTINE SCHARFF, TRUSTEE;  
THE CHRISTINE SHARFF FAMILY  
TRUST; AND C & D RESTAURANTS,  
INC., D/B/A T'S MESQUITE  
ROTISSERIE,

Respondents.

NANCY C. FAUBEL,  
Appellant,  
vs.  
CHRISTINE SCHARFF, TRUSTEE;  
THE CHRISTINE SHARFF FAMILY  
TRUST; AND C & D RESTAURANTS,  
INC., D/B/A T'S MESQUITE  
ROTISSERIE,

Respondents.

No. 40901

**FILED**

JAN 05 2004

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

No. 41234

ORDER DISMISSING APPEALS


These appeals have been stayed pursuant to the mandatory provisions of federal bankruptcy law. See 11 U.S.C. § 362(a). On October 24, 2003, this court entered an order disapproving the parties' stipulation to dismiss these consolidated appeals. In that order, this court noted that we could not approve the stipulation without either an order of the bankruptcy court approving the "Motion and Notice for Order Approving Compromise and Payment of Fees," mentioned in the August 27, 2003, status report, or an order of the bankruptcy court lifting the stay.


The parties have since filed another stipulation to dismiss these appeals with an attached order from the bankruptcy court. The bankruptcy court order authorizes the bankruptcy trustee to "compromise

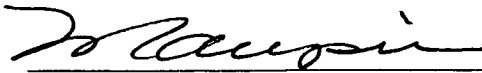
the litigation, and all matters currently pending on appeal.” The bankruptcy court order also directs the parties to the litigation and pending appeals to “execute releases as to any and all matters arising from the dispute between the parties.”

In light of the bankruptcy court’s order, we lift the stay of these consolidated appeals. Further, we approve the parties’ stipulation and dismiss these consolidated appeals. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Leavitt

  
\_\_\_\_\_, J.  
Maupin

cc: Hon. Peter I. Breen, District Judge  
Mirch & Mirch  
McDonald Carano Wilson LLP/Reno  
Rogers & Shadek  
Angelique LM Clark, Bankruptcy Trustee  
Washoe District Court Clerk