IN THE SUPREME COURT OF THE STATE OF NEVADA

BANK OF AMERICA, N.A., Appellant,

VS.

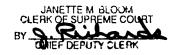
DONALD A. YAHRAUS, AN INDIVIDUAL, AND NATHAN M. COSTELLO, AN INDIVIDUAL,

Respondents.

No. 41336

FILED

NOV 2 4 2003



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: Thomsel Heis

cc: Hon. Gene T. Porter, District Judge Leonard I. Gang, Settlement Judge Hale Lane Peek Dennison & Howard/Las Vegas Harrison Kemp & Jones, LLP Clark County Clerk

PREME COURT OF NEVADA

CLERK'S ORDER

(O)-1947

03-19551