

IN THE SUPREME COURT OF THE STATE OF NEVADA

COLEMAN HOMES, INC.,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
NANCY M. SAITTA, DISTRICT JUDGE,  
Respondents.

CAPITAL PACIFIC HOMES, INC.,  
F/K/A DURABLE HOMES INC.; AND  
COLEMAN HOMES, INC.,  
Petitioners,

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.

No. 41451

FILED

JUN 08 2004

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

No. 41972

ORDER DISMISSING PETITION IN DOCKET NO. 41451

On September 30, 2003, this court granted petitioners' unopposed motion to consolidate these writ petitions. Further, noting that an answer had not yet been filed in Docket No. 41972, we granted counsel for respondents 20 days to file a supplement to the answer previously filed in Docket No. 41451, to the extent the petition in Docket No. 41972 raises different or additional issues than the petition in Docket No. 41451. To date, counsel for respondents has not filed a supplemental answer.

On May 25, 2004, the parties filed a stipulation to dismiss the petition in Docket No. 41451. The parties also stipulate and request that

this court "incorporate Respondent's appendix [in Docket No. 41451] as a supplemental appendix in Docket No. 41972."

Cause appearing, we approve parties' stipulation and dismiss the petition in Docket No. 41451. To assist the court in properly resolving the pending petition in Docket No. 41972, this court shall utilize respondents' answer and appendix previously filed in Docket No. 41451. Oral argument shall remain scheduled in Docket No. 41972 for June 23, 2004, at 11:30 a.m.

It is so ORDERED.

Becker, J.

Saetta, J.

Earl, J.

cc: Hon. Nancy M. Saitta, District Judge  
Hon. Allan R. Earl, District Judge  
Gonzalez Howard & Reade, Ltd.  
Attorney General Brian Sandoval/Las Vegas  
Clark County District Attorney David J. Roger/Civil Division  
Clark County Clerk