

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRAVO BUILDING CO., INC., A
NEVADA CORPORATION, F/K/A
TUTTO BENE CONSTRUCTION &
DEVELOPMENT, INC., A NEVADA
CORPORATION,

Appellant,

vs.

FRED KESSLER,

Respondent.

BRAVO BUILDING CO., INC., A
NEVADA CORPORATION, F/K/A
TUTTO BENE CONSTRUCTION &
DEVELOPMENT, INC., A NEVADA
CORPORATION,

Appellant,

vs.

FRED KESSLER,

Respondent.

No. 40177

FILED

DEC 02 2003

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

No. 41685

ORDER DISMISSING APPEALS AND
DENYING MOTIONS TO WITHDRAW AS MOOT

The appeal in Docket No. 40177 is scheduled for oral argument before the Northern Nevada Panel in Carson City on December 9, 2003, at 9:00 a.m. The appeal in Docket No. 41685 is currently assigned to the settlement conference program. On October 20, 2003, the settlement judge filed a report indicating that the parties have agreed to a settlement of these related appeals.¹

¹ In that report the settlement judge states, "Supreme Court No. 41685 and Supreme Court No. 40177 are related cases. The parties have agreed to a settlement in both appeals and have agreed to dismiss both appeals with prejudice."

On November 26, 2003, the parties filed stipulations to dismiss these appeals with prejudice. Cause appearing, we approve the stipulations and dismiss these appeals. The parties shall bear their own costs and attorney fees. Further, we vacate the oral argument scheduled for the appeal in Docket No. 40177. Finally, in light of these dismissals, we deny as moot the motions to withdraw as counsel for respondent filed in these appeals on October 30, 2003.

It is so ORDERED.

C.J.

cc: Hon. Jerome Polaha, District Judge
Wm. Patterson Cashill, Settlement Judge
Mark L. Sturdivant
Mark H. Gunderson, Ltd.
Washoe District Court Clerk
Nathan M. Jenkins, Settlement Judge