IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES SMITH,

No. 41800

Appellant, vs. CASHMAN RENTAL CO., A NEVADA CORPORATION, Respondent.

DEC 0 3 2003

FILED

ORDER DISMISSING APPEAL

JANETTE M BLOOM CLERK OF SUPREME COURT BY CLERK OF SUPREME COURT OUEF DEPUTY CLERK

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: Thomat. Hamis

cc: Hon. Kathy A. Hardcastle, District Judge Thomas J. Tanksley, Settlement Judge Henness & Haight Doyle, Berman, & Boyack Clark County Clerk

⁻ 'PREME COURT OF NEVADA

CLERK'S ORDER

(0)-1947

03-20064