

IN THE SUPREME COURT OF THE STATE OF NEVADA

MEADOW VALLEY CONTRACTORS,
INC., A NEVADA CORPORATION; AND
THE SURETY INSURANCE COMPANY
OF THE STATE OF PENNSYLVANIA,

Appellants,

vs.

INNOVATIVE CONSTRUCTION
SYSTEMS, INC., A NEVADA
CORPORATION,

Respondent.

No. 41915

FILED

NOV 04 2004

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

ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, we dismiss this appeal. The parties shall bear their own costs. NRAP 42(b). This matter is remanded to the district court to conduct appropriate proceedings, if any, to alter, amend, or vacate its order or judgment as necessary for the parties to fulfill the terms of their settlement agreement. We note that if the district court declines to grant the requested relief, appellants may file a motion to reinstate this appeal.

It is so ORDERED.¹

Rose, J.
Rose

Maupin, J.
Maupin

Douglas, J.
Douglas

¹ In light of this order, we vacate that portion of our previous order directing appellants to comply with the provisions set forth in Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978).

cc: Eighth Judicial District Court Dept. 1, District Judge
Eugene Osko, Settlement Judge
Fennemore Craig
Morse & Mowbray
Beckley Singleton, Chtd./Las Vegas
Clark County Clerk