

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELLIOTT D. SCHMERLER, M.D.,
Appellant,
vs.
STATE OF NEVADA BOARD OF
MEDICAL EXAMINERS,
Respondent.

No. 42363

FILED

MAY 18 2004

ORDER DISMISSING APPEAL

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

Pursuant to 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.¹

CLERK OF THE SUPREME COURT
JANETTE M. BLOOM

BY: *B. Horstmannshof*

cc: Hon. Brent T. Adams, District Judge
Phillip A. Olsen, Settlement Judge
Lemons Grundy & Eisenberg
Richard J. Legarza
Washoe District Court Clerk

¹ That portion of the stipulation that requests the refund of appellant's \$250 cost bond filed in district court is disapproved. Any such relief is more properly sought in the district court.