

IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNY'S #495 (OR DENNY'S RESTAURANT #495); DENNY'S, INC., A CORPORATION; DENNY'S MANAGEMENT, INC., A DELAWARE CORPORATION; DENNY'S RESTAURANTS, INC., A NEW JERSEY CORPORATION; DENNY'S REALTY, LLC, (F/K/A DENNY'S REALTY, INC.), A DELAWARE LIMITED LIABILITY COMPANY; DENNY'S CORPORATION, A DELAWARE LIMITED LIABILITY COMPANY; DENNY'S CORPORATION, A DELAWARE CORPORATION; DENNY'S HOLDINGS, INC., A NEW YORK CORPORATION ("DENNY'S HOLDINGS"); DFO, LLC, (F/K/A DFO, INC.), A DELAWARE LIMITED LIABILITY COMPANY; CAROLE A. RUFF, INDIVIDUALLY (PROPERTY OWNER); NANCY J. ROGET, INDIVIDUALLY (PROPERTY OWNER); NANCY M. ROGET, AS TRUSTEE OF THE ROGET TRUST DATED JUNE 10, 1993 (PROPERTY OWNER); NANCY M. ROGET AS TRUSTEE OF THE NANCY M. ROGET LIVING TRUST DATED APRIL 1, 2000 (PROPERTY OWNER); THE NANCY M. ROGET LIVING TRUST DATED APRIL 1, 2000 (PROPERTY OWNER); TIMOTHY FLEMMING, INDIVIDUALLY (DIRECTOR OF DENNY'S INC., AND DENNY'S REALTY INC.); AND NELSON MARCHIOLI, INDIVIDUAL (PRESIDENT OF DENNY'S INC.),

Appellants,

vs.

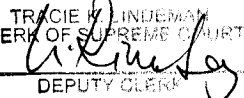
IAN FOSTER PERKINS, AN  
INDIVIDUAL,

Respondent.

No. 56526

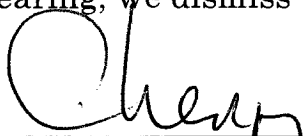
**FILED**


**DEC 09 2010**

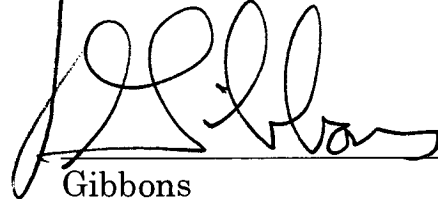
TRACIE W. LINDEMANN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

After the settlement judge reported that the parties had agreed to a settlement, this court entered an order directing appellants to file a stipulation or motion to dismiss this appeal or otherwise inform this court of the status of this appeal within 30 days. To date, appellants have not responded to our order or otherwise communicated with this court. Accordingly, cause appearing, we dismiss this appeal as abandoned.

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Robert H. Perry, District Judge  
Paul F. Hamilton, Settlement Judge  
Menekshe Cardwell & Ruiz  
Stephen H. Osborne  
Washoe District Court Clerk