

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARYL ALTERWITZ; DEANNE
ALTERWITZ-STRALSER; LAURENCE
ALTERWITZ; LINDA ALTERWITZ-
MIZRAHI; 8965 EASTERN, LLC; 8985
EASTERN, LLC; E & P OFFICE, LLC;
DSA DEVELOPMENT CORP.; E & P
RETAIL, LLC; AISBUX, LLC; CUSTOM
LANDCO LIMITED LIABILITY
COMPANY; UNITED HOLDCO, INC.;
THE DFA 2004 FAMILY LIMITED
PARTNERSHIP; UNITED
WAREHOUSE INVESTMENTS
LIMITED PARTNERSHIP; UNITED
DEVELOPMENT, INC.; UNITED
LANDCO LIMITED PARTNERSHIP;
UNITED LANDCO, INC.; DLA
INVESTMENTS LIMITED LIABILITY
COMPANY; CUSTOM FURNITURE
RENTAL, INC.; UNITED FACTORY
FURNITURE CORPORATION D/B/A
WALKER FURNITURE; VERA CRUZ
PLAZA LIMITED PARTNERSHIP;
BEST MATTRESS, INC.; AILLC;
ALTERWITZ INVESTMENTS LTD.;
AILP LIMITED PARTNERSHIP;
UNITED INVESTMENTS LTD.; MLK
SPUR, LLC; UNITED WAREHOUSE,
INC.; CUSTOM CONTRACT
FURNITURE; AND CUSTOM
LIQUIDATORS, INC.,
Appellants/Cross-Respondents,
vs.
REEVES, EVANS, MCBRIDE &
ZHANG, LLP; AND MARIANNE
REEVES,
Respondents/Cross-Appellants,
vs.
AIMEE LYNN ALTERWITZ,
Respondent/Cross-Respondent.

No. 56659

FILED

MAY 11 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

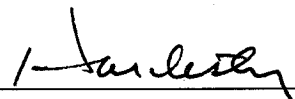
ORDER DISMISSING CROSS-APPEAL AND VACATING STAY

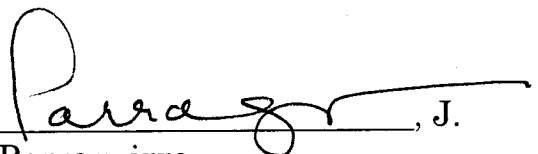
This is an appeal and cross-appeal from a district court order denying, in part, a motion to compel arbitration. Eighth Judicial District Court, Clark County; Elizabeth Goff Gonzalez, Judge.

Presently before this court is the parties' stipulation to dismiss the cross-appeal on the basis that they have reached a resolution.¹ Having considered the stipulation, we approve it. Accordingly, we dismiss the cross-appeal without prejudice to cross-appellants' right to file a motion to reinstate the cross-appeal should the district court decline to grant the parties' requested relief. In light of the dismissal, we vacate the stay entered on March 21, 2011. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.²


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

¹The appeal in this matter was dismissed as moot in an earlier order. See Alterwitz v. Alterwitz, Docket No. 56659 (Order Dismissing Appeal and Reinstating Briefing in Cross-Appeal, January 18, 2011).

²Although the parties have requested that this court remand the matter to the district court for consideration of their stipulation, we deny that request. Upon the dismissal of this cross-appeal on the parties' stipulation, jurisdiction over the underlying case automatically returns to the district court, rendering a remand unnecessary.

cc: Hon. Elizabeth Goff Gonzalez, District Judge
Stephen E. Habermeld, Settlement Judge
Solomon Dwiggins & Freer
Dennett Winspear, LLP
Stephens, Gourley & Bywater
Hall Jaffe & Clayton, LLP
Eighth District Court Clerk