## IN THE SUPREME COURT OF THE STATE OF NEVADA

ALLEN NICHOLSON,

Appellant,

vs. MICHELE NICHOLSON N/K/A MICHELE ZIMMERMAN, Respondent. DEC 0 9 2011

11-37761

No. 59129

## 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 and attorney fees. 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. In the event the district court declines to grant the requested relief, appellant may file a motion to reinstate this appeal.<sup>1</sup>

It is so ORDERED.

J. Cherry J. J. Gibbons Pickering

<sup>1</sup> Any such motion to reinstate the appeal must be filed within 60 days of entry of the district court's order denying the requested relief.

SUPREME COURT OF NEVADA

(O) 1947A

cc: Hon. James Todd Russell, District Judge Shawn B. Meador, Settlement Judge Jennifer Merideth Jennifer S. Anderson Carson City Clerk

SUPREME COURT OF NEVADA