

IN THE SUPREME COURT OF THE STATE OF NEVADA

BARRICK GOLD OF NORTH
AMERICA-RUBY HILL MINE F/K/A
BARRICK GOLD CORPORATION,
Appellant,
vs.
JERRAD BERGERET,
Respondent.

No. 60450

FILED

MAY 21 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK

ORDER DISMISSING APPEAL

On May 9, 2012, the parties filed in this court a stipulation agreeing to dismiss this appeal. Having considered the stipulation, we approve it. Accordingly, this appeal is hereby dismissed. NRAP 42(b).

It is so ORDERED.¹

Cherry, C.J.

cc: Hon. James E. Wilson, District Judge
Laurie A. Yott, Settlement Judge
McDonald Carano Wilson LLP/Reno
Diaz & Galt, LLC/Reno
Carson City Clerk

¹Although the parties have requested that this court remand this matter to the district court so that the challenged order can be amended pursuant to the settlement agreement, we deny that request. Upon the dismissal of this appeal on the parties' stipulation, jurisdiction over the underlying case automatically returns to the district court, rendering a remand unnecessary.