

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN LUTHER,
Appellant,
vs.
WELLS FARGO BANK, N.A.; AND
MERRILL LYNCH MORTGAGE
LENDING, INC., (Subprime),
Respondents.

No. 60544

FILED

OCT 04 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK

ORDER DISMISSING APPEAL

On September 30, 2013, the parties filed a stipulation agreeing to dismiss this appeal. The stipulation does not specifically indicate whether appellant is seeking to dismiss this appeal with respect to respondent Merrill Lynch Mortgage Lending. Nonetheless, because Merrill Lynch is represented by the same counsel as Wells Fargo, we construe the stipulation as an agreement to dismiss this appeal in its entirety. Having considered the stipulation, we approve it and hereby dismiss this appeal. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

Pickering, C.J.

cc: Hon. Patrick Flanagan, District Judge
Mark L. Mausert
Tiffany & Bosco, P. A.
Washoe District Court Clerk