

IN THE SUPREME COURT OF THE STATE OF NEVADA

AXIS SURPLUS INSURANCE  
COMPANY,

Appellant,

vs.

RICHARDSON CONSTRUCTION, INC.,  
A NEVADA CORPORATION,

Respondent.

No. 63130

**FILED**

**SEP 09 2013**

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

***ORDER DISMISSING APPEAL AND  
REMANDING TO THE DISTRICT COURT***

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>

*[Signature]*, J.  
Hardesty

*[Signature]*, J.  
Parraguirre

*[Signature]*, J.  
Cherry

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

cc: Salvatore C. Gugino, Settlement Judge  
Lewis & Roca, LLP/Las Vegas  
Stephenson & Dickinson  
Parker, Nelson & Associates  
Eighth District Court Clerk