

IN THE SUPREME COURT OF THE STATE OF NEVADA

VINCENT W. HESSER, etc.,  
Appellant,  
vs.  
KENNEDY FUNDING, INC., etc.,  
Respondent.

No. 81383

FILED

OCT 27 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

SETTLEMENT PROGRAM FINAL STATUS REPORT

A "Zoom" "Attorneys' Only" Settlement Conference in this matter having been scheduled for October 27, 2020, but taken off calendar for the reasons stated below, I file following Final Status Report of the proceedings:

- / / The parties have agreed to a settlement of this matter.
- / / The parties have not been able to agree to a settlement of this matter.
- / X / This appeal should be removed from the Court's Settlement Program for the following reasons:

Because of the nonresponsiveness of both sides' counsel in connection with the setting of a Rule 16(b) Pre-Mediation Conference, following the undersigned's September 2020 voice mails and email prompt to both sides' counsel, and because of the nonresponsiveness of both sides' counsel, following the undersigned's October 7, 2020 emailed sua sponte "last opportunity" setting of an "Attorneys Only" Settlement Conference in the circumstances, following that unresponded-to prompt, which was followed by the continued "radio silence" of both sides counsel following the undersigned's email of October 20, 2020 --- giving both sides' notice that the Settlement Conference set for October 27, 2020 would be taken off calendar and a final report would be filed with the Court recommending removal of this matter from the Court's Settlement Program, without further notice, if both sides did not email back the undersigned back by October 23, 2020 --- the undersigned respectfully recommends to the Court, as follows:

In the circumstances, this matter should be removed from the Court's Settlement Program.

*[Signature]*  
Settlement Judge

The settlement judge shall file this report with the Supreme Court within 10 days from the date of any settlement conference. See NRAP 16(e)(3).

OCT 27 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

20-39252