

THIRD DIVISION

[G.R. No. 131570, April 21, 1999]

**STO. NIÑO DEVELOPMENT CORPORATION, PETITIONER, VS.
BRICCIO SANTOS, RESPONDENT.**

R E S O L U T I O N

GONZAGA-REYES, J.:

This refers to the Joint Motion to Dismiss^[1] signed by Marino G. Santos as representative of the Sto. Niño Development Corporation and as agent of Luis G. Santos, Jr., Margarita Santos-Gaillochot, Lucia Santos-Mota, Ana Santos-de los Santos, and Peter Dennis G. Santos; Briccio G. Santos; and Catalina G. Santos also as representative of the Sto. Niño Development Corporation. The parties are assisted by their respective counsels Saguisag & Associates and Breva & Breva Law Office.

In their joint motion, the parties alleged that, being brothers and sisters, they have settled their differences, thus putting an end to their family quarrels and all their legal disputes that have arisen therefrom; that as part of the compromise, Briccio G. Santos, the eldest, has executed a deed of transfer reconveying 75% of the property known as the Sto. Niño property and has further agreed to pay reasonable premiums to be discussed on the balance of the purchase price to the unpaid co-owners of the property known as the Malvar property to include Marino G. Santos for the improvements he introduced therein; and that the parties have agreed to the mutual withdrawal of all pending actions and proceedings initiated by the respective parties against the other. They pray for the dismissal of the following cases:

1. G. R. No. 131570 entitled Sto. Niño Development Corporation vs. Briccio G. Santos, which is the present Petition for Review on Certiorari pending before this Court from the order of dismissal of the complaint for Reconveyance, Declaration of Nullity or Unenforceability of Contract and Damages initially filed before the Regional Trial Court of Davao City, Branch 14 in Civil Case No. 24,622-96;
2. Civil Case No. 25,448-97 entitled Luis Santos, Jr. et al. vs. Briccio G. Santos, for Rescission and Damages pending with the Regional Trial Court of Davao City, Branch 8; and,
3. Civil Case No. 26,180-98 entitled Briccio G. Santos vs. Marino G. Santos, et al. for Unlawful Detainer pending with the Regional Trial Court of Davao City, Branch 17.

The parties further pray that the Register of Deeds of Davao City be ordered to remove the Notice of *Lis Pendens* on the following transfer certificates of title: