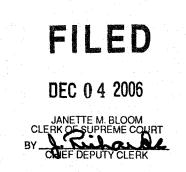
IN THE SUPREME COURT OF THE STATE OF NEVADA

VESTIN REALTY MORTGAGE II, INC., FOR ITSELF AND AS SUCCESSOR TO VESTIN FUND II, LLC; VESTIN MORTGAGE, INC.; VESTIN CAPITAL, INC.; AND VESTIN GROUP, INC., Appellants,

vs.

ERWIN J. SHUSTAK; SHUSTAK & PARTNERS; AND ALBERT E. ALLEN AND MARGARET C. ALLEN, AS TRUSTEES OF THE ALLEN FAMILY TRUST DATED 10/21/1993, Respondents.



No. 48197

ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.¹

CLERK OF THE SUPREME COURT JANETTE M. BLOOM

BY: Thomas U. Hen

cc: Hon. Jessie Elizabeth Walsh, District Judge Eugene Osko, Settlement Judge Gibson, Dunn & Crutcher LLP Morris Pickering Peterson & Trachok/Las Vegas Armstrong Teasdale, LLP/Reno Rawlings Olson Cannon Gormley & Desruisseaux Clark County Clerk

¹ In light of this dismissal, appellants' motion to remove this appeal from the settlement conference program is denied as moot.

SUPREME COURT OF NEVADA