

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

FILED

DEC 04 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

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 H. Harris*

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.