

IN THE SUPREME COURT OF THE STATE OF NEVADA

CAPRIOTTI CONSTRUCTION CO.,

Appellant,

vs.

RAINBOW BEND HOMEOWNERS
ASSOCIATION, A NEVADA COMMON-
INTEREST COMMUNITY,

Respondent.

No. 49532

FILED

AUG 20 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

BY *Tracie K. Lindeman*
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.

CLERK OF THE SUPREME COURT
TRACIE K. LINDEMAN

BY: *Thomas H. Hewitt*

cc: Hon. William A. Maddox, District Judge
Senior Justice Robert E. Rose, Settlement Judge
Mark H. Gunderson, Ltd.
Gayle A. Kern
Storey County Clerk