IN THE SUPREME COURT OF THE STATE OF NEVADA

V & R CONSTRUCTION CONSULTANTS, INC., A NEVADA CORPORATION,

Appellant,

VS.

WDF, INC., A NEW YORK CORPORATION,

Respondent.

No. 53379

FILED

MAY 0 8 2009

TRACIE K MINDEMAN CLERK OF SUPREME COURT BY 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: Thoms H. Hours

cc: Hon. Susan Johnson, District Judge Lansford W. Levitt, Settlement Judge Mortenson & Rafie, LLP Watt, Tieder, Hoffar & Fitzgerald, LLP Eighth District Court Clerk

SUPREME COURT OF NEVADA

CLERK'S ORDER

(O)-1947

09-11457