

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD BAYUK, A NEVADA
RESIDENT; SALVATORE
MORABITO, A CALIFORNIA
RESIDENT; TREVOR LLOYD, A
NEVADA RESIDENT; AND
WASHOE CONSTRUCTION
MANAGEMENT SERVICES, LLC,
A NEVADA LIMITED LIABILITY
COMPANY,

Appellants,

vs.

JH, INC., A NEVADA
CORPORATION; JERRY HERBST,
A NEVADA RESIDENT; JERRY
HERBST, AS TRUSTEE OF THE
HERBST GAMING TRUST, A
NEVADA TRUST; HERBST
GAMING, INC., A NEVADA
CORPORATION; BERRY-
HINCKLEY INDUSTRIES, A
NEVADA CORPORATION;
TIMOTHY P. HERBST, AN
INDIVIDUAL; AND TROY D.
HERBST, AN INDIVIDUAL,
Respondents.

No. 54412

FILED

DEC 07 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. [Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

On December 5, 2011, appellants filed a substitution of attorneys and notice, which we construe as a motion, indicating that that they wish to voluntarily dismiss their appeal. Having reviewed the

motion, we grant it. Accordingly, this appeal is dismissed, with the parties to bear their own costs and fees. NRAP 42(b).

It is so ORDERED.¹

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Hon. Brent T. Adams, District Judge
Cathy Valenta Weise, Settlement Judge
Lewis & Roca, LLP/Reno
Jones Vargas/Reno
Washoe District Court Clerk

¹As the parties requested, we direct the clerk of this court to return to the Second Judicial District Court Clerk, any appendices and exhibits filed in this matter.