

IN THE SUPREME COURT OF THE STATE OF NEVADA

PJB INVESTMENTS, LLC; BI AND LW  
SUSONG FAMILY TRUST, DATED  
NOVEMBER 20, 2001, BRUCE I.  
SUSONG, TRUSTEE; JOHN A.  
CAPDEVILLE FAMILY TRUST, DATED  
MAY 30, 1983, JOHN A. CAPDEVILLE  
AND BARBARA A. CAPDEVILLE, CO-  
TRUSTEES; HERBERT AND  
CATHERINE MCKIBBEN TRUST,  
DATED MARCH 27, 2001, HERBERT E.  
MCKIBBEN AND CATHERINE E.  
MCKIBBEN, TRUSTEES;  
STARKWEATHER FAMILY TRUST,  
DTD 3/30/98, RICHARD  
STARKWEATHER AND JACQUELINE  
STARKWEATHER, TRUSTEES;  
STARKWEATHER TRUST, U/T/A TD  
11/5/76, RICHARD STARKWEATHER  
AND JOAN ZENAN, TRUSTEES;  
WILLIAM P. AND JOANN P. PERRY  
TRUST U/T/A DATED 10/6/2000,  
WILLIAM P. PERRY AND JOANN P.  
PERRY, TRUSTEES; UHALDE FAMILY  
TRUST, HARRIET UHALDE,  
TRUSTEE; ZENAN TRUST DATED  
FEBRUARY 2, 1999, JOAN S. ZENAN,  
TRUSTEE; WHITNEY H. LAUREN  
FAMILY TRUST, DATED 3/5/98,  
WHITNEY H. LAUREN, TRUSTEE;  
HAINES FAMILY 1997 TRUST,  
WILLIAM RONALD HAINES AND  
ESTHERMAE K. HAINES, TRUSTEES;  
SCHROEDER FAMILY TRUST, DATED  
12/28/2000, THEODORE J.  
SCHROEDER AND SUSAN M.  
SCHROEDER, CO-TRUSTEES; HENRY  
CLARK AND ROBERTA CLARK 1993  
FAMILY TRUST, U/T/A, DATED

No. 56024

**FILED**

OCT 05 2010

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

1/14/93, HENRY CLARK AND ROBERTA CLARK, TRUSTEES; DIXON ELECTRIC PENSION PLAN TRUST, GEORGE M. DIXON, TRUSTEE; RAY R. MATARUGA AND FERNANDE O. MATARUGA FAMILY TRUST AGREEMENT DATED 12/21/1992, FERNANDE O. MATARUGA, SUCCESSOR TRUSTEE; DONALD ARTHUR MCCLELLAND AND SHARON ELIZABETH MCCLELLAND LIVING TRUST, DTD 4/3/1987, AS AMENDED, DONALD ARTHUR MCCLELLAND AND SHARON ELIZABETH MCCLELLAND, TRUSTEES; SURVIVOR'S TRUST UNDER THE LEONARD W. AND OPAL A. SMITH FAMILY TRUST AGREEMENT DTD 8/22/1990, OPAL A. SMITH, TRUSTEE; MOLLENHAUER FAMILY TRUST U/D/T 5/22/1997, HORST H. MOLLENHAUER AND MARIA M. MOLLENHAUER, TRUSTEES; LACAER-DOMINI 1997 FAMILY TRUST, DATED 3/5/1997, MARIO DOMINI AND LORRAINE LACAER DOMINI, TRUSTEES; NEVADA LIGHTING PROFIT SHARING PLAN, MARIO DOMINI, TRUSTEE; MOSS FAMILY TRUST, DATED 12/15/1988, STEVEN L. MOSS, DIANE J. MOSS, TRUSTEES; UROLOGIC SURGEONS, LTD. PROFIT SHARING PLAN AND TRUST, FBO STEVEN L. MOSS, M.D., STEVEN L. MOSS, M.D., TRUSTEE; MELARKEY, KNOBEL & MULLIGAN PROFIT SHARING PLAN AND TRUST, MICHAEL J. MELARKEY, JOHN B. MULLIGAN, AND MARK W. KNOBEL, TRUSTEES; CYNTHIA S. PETERSON;

CHARLES FABRE; SUZANNE MATARUGA; KYLE MCCLELLAND; JONI MCCLELLAND; STACY DOUTRE, CUSTODIAN FOR WENDY M. DOUTRE; KELLY RAE; PAMELA HABERMAN; KARL W. KATT AND RENEE GERAKOS-KATT; DARRELL DOUTRE AND STACY DOUTRE; MOSS NEVADA, LLC; AND STANLEY T. PALMER,

Appellants,

vs.

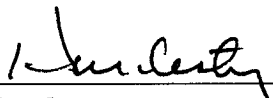
H & E CONSTRUCTION, INC., A NEVADA CORPORATION AND ACME TEXTURE SOURCE, LLC, A NEVADA LIMITED LIABILITY COMPANY,

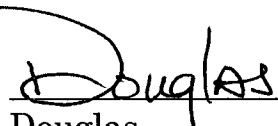
Respondents.


ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, we dismiss this appeal. The parties shall bear their own costs and attorney fees. NRAP 42(b). In light of this dismissal, we vacate our August 11, 2010, "Order of Limited Remand," and deny appellants' motion for stay as moot.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Patrick Flanagan, District Judge  
Robert G. Berry, Settlement Judge  
Washoe Co. Clerk  
Gerrard Cox & Larsen  
Law Offices of Michael B. Springer  
Story Law Group