

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH C. KETOLA D/B/A  
WESTWOOD CONSTRUCTION  
COMPANY,

Appellant,

vs.

M&T BANK,

Respondent.

No. 58212

**FILED**

**JUN 22 2011**

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

cc: Hon. James Todd Russell, District Judge  
David Wasick, Settlement Judge  
Jeffrey K. Rahbeck  
Wright, Finlay & Zak, LLP  
Storey County Clerk