

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA, A
CONNECTICUT CORPORATION; JOHN
W. ZERWECK; JAIME ZERWECK;
STEVEN CRUZ; VASSILIKI CRUZ; SCOTT
FREIDUS; AND NAOMI FREIDUS,

Appellants,

vs.

TRUSTEES OF THE NORTHERN NEVADA
LABORERS HEALTH & WELFARE TRUST
FUND, NORMAN DIANDA, JOHN
MADOLE, CRAIG HOLT, DAN RUSNAK,
RICH HOUTS, AND RICHARD DALY;
TRUSTEES OF THE LABORERS PENSION
TRUST FUND FOR NORTHERN NEVADA,
NORMAN DIANDA, JOHN MADOLE,
CRAIG HOLT, DAN RUSNAK, RICH
HOUTS, AND RICHARD DALY;
TRUSTEES OF THE CONSTRUCTION
WORKERS VACATION SAVINGS TRUST
PLAN, JOHN MADOLE, NORMAN
DIANDA, CRAIG HOLT, DAN RUSNAK,
RICH HOUTS, AND RICHARD DALY;
TRUSTEES OF THE LABORERS
TRAINING TRUST FOR NORTHERN
NEVADA, JOHN MADOLE, FRED
REEDER, DAVE ELIZONDA, DAN
RUSNAK, RICH HOUTS, AND RICHARD
DALY; TRUSTEES OF THE NORTHERN
NEVADA OPERATING ENGINEERS
HEALTH & WELFARE TRUST FUND,
JOHN MADOLE AND RUSSELL BURNS;
TRUSTEES OF THE OPERATING
ENGINEERS AND PARTICIPATING
EMPLOYERS PREAPPRENTICE,
APPRENTICE, AND JOURNEYMAN
AFFIRMATIVE ACTION TRAINING FUND
FOR NORTHERN NEVADA, JOHN

No. 57747

FILED

OCT 17 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *S. Young*
DEPUTY CLERK

MADOLE AND RUSS BURNS; TRUSTEES OF THE OPERATING ENGINEERS PENSION TRUST FUND, GIL CROSTHWAITE AND RUSS BURNS; TRUSTEES OF THE OPERATING ENGINEERS VACATION AND HOLIDAY PAY PLAN, GIL CROSTHWAITE AND RUSS BURNS; AND TRUSTEES OF THE OPERATING ENGINEERS PENSIONED OPERATING ENGINEERS HEALTH & WELFARE TRUST FUND, GIL CROSTHWAITE AND RUSS BURNS,
Respondents.

JOHN W. ZERWECK; JAIME ZERWECK; STEVEN CRUZ; VASSILIKI CRUZ; SCOTT FREIDUS; AND NAOMI FREIDUS,
Appellants,

vs.

TRUSTEES OF THE NORTHERN NEVADA LABORERS HEALTH & WELFARE TRUST FUND, NORMAN DIANDA, JOHN MADOLE, CRAIG HOLT, DAN RUSNAK, RICH HOUTS, AND RICHARD DALY; TRUSTEES OF THE LABORERS PENSION TRUST FUND FOR NORTHERN NEVADA, NORMAN DIANDA, JOHN MADOLE, CRAIG HOLT, DAN RUSNAK, RICH HOUTS, AND RICHARD DALY; TRUSTEES OF THE CONSTRUCTION WORKERS VACATION SAVINGS TRUST PLAN, JOHN MADOLE, NORMAN DIANDA, CRAIG HOLT, DAN RUSNAK, RICH HOUTS, AND RICHARD DALY; TRUSTEES OF THE LABORERS TRAINING TRUST FOR NORTHERN NEVADA, JOHN MADOLE, FRED REEDER, DAVE ELIZONDA, DAN RUSNAK, RICH HOUTS, AND RICHARD DALY; TRUSTEES OF THE NORTHERN NEVADA OPERATING ENGINEERS

No. 58820


HEALTH & WELFARE TRUST FUND,
JOHN MADOLE AND RUSSELL
BURNS; TRUSTEES OF THE
OPERATING ENGINEERS AND
PARTICIPATING EMPLOYERS
PREAPPRENTICE, APPRENTICE, AND
JOURNEYMAN AFFIRMATIVE ACTION
TRAINING FUND FOR NORTHERN
NEVADA, JOHN MADOLE AND RUSS
BURNS; TRUSTEES OF THE
OPERATING ENGINEERS PENSION
TRUST FUND, GIL CROSTHWAITE
AND RUSS BURNS; TRUSTEES OF THE
OPERATING ENGINEERS VACATION
AND HOLIDAY PAY PLAN, GIL
CROSTHWAITE AND RUSS BURNS;
AND TRUSTEES OF THE OPERATING
ENGINEERS PENSIONED OPERATING
ENGINEERS HEALTH & WELFARE
TRUST FUND, GIL CROSTHWAITE
AND RUSS BURNS,
Respondents.


ORDER PARTIALLY DISMISSING APPEAL IN DOCKET NO. 57747
AND DISMISSING APPEAL IN DOCKET NO. 58820

Appellants John W. Zerweck, Jaime Zerweck, Steven Cruz, Vassiliki Cruz, Scott Freidus and Naomi Freidus have filed a notice of withdrawal and voluntary dismissal, which we construe as a motion to voluntarily dismiss their appeals in these consolidated matters. Having reviewed the motion, we grant it. Accordingly, Docket No. 57747 is hereby dismissed as to John W. Zerweck, Jaime Zerweck, Steven Cruz, Vassiliki Cruz, Scott Freidus and Naomi Freidus, only. Docket No. 58820 is

dismissed entirely with the parties to bear their own costs and fees.
NRAP 42(b).

It is so ORDERED.¹


_____, J.
Douglas


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Janet J. Berry, District Judge
Shadek & Reese
The Law Office of Jason Guinasso, Ltd.
Jenkins & Carter
Washoe District Court Clerk

¹We direct the clerk of this court to deconsolidate these appeals and modify the caption in Docket No. 57747 accordingly.