

IN THE SUPREME COURT OF THE STATE OF NEVADA

R&O CONSTRUCTION COMPANY, A  
UTAH CORPORATION AND WESTERN  
SURETY COMPANY, A NEVADA  
CORPORATION,

Appellants,

vs.

PEEL BRIMLEY, LLP, AS  
SUCCESSOR-IN-INTEREST TO X-  
TREME X-CAVATION, INC. A NEVADA  
CORPORATION,

Respondent.

R&O CONSTRUCTION COMPANY, A  
UTAH CORPORATION AND WESTERN  
SURETY COMPANY, A NEVADA  
CORPORATION,

Appellants,

vs.

PEEL BRIMLEY, LLP, AS  
SUCCESSOR-IN-INTEREST TO X-  
TREME X-CAVATION, INC., A  
NEVADA CORPORATION,

Respondent.

No. 62042 ✓

**FILED**

**JUN 10 2013**

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

No. 62287

***ORDER RESOLVING MOTIONS AND DISMISSING APPEALS***

Cause appearing, the unopposed motions to consolidate these related appeals and for substitution of respondent are granted. Accordingly, these matters are consolidated for all appellate purposes, and the captions for these appeals shall be amended to be consistent with this order.

Further, pursuant to the settlement conference, the stipulation of the parties and cause appearing, these appeals are

dismissed.<sup>1</sup> The parties shall bear their own costs and attorney fees.  
NRAP 42(b).

Finally, pursuant to the notice of withdrawal of co-counsel, the law firm Callister, Nebeker & McCullough shall be removed from the docket of this appeal. See NRAP 46(e).

It is so ORDERED.

CLERK OF THE SUPREME COURT  
TRACIE K. LINDEMAN

BY: Thomas A. Harris

cc: Hon. Jerome T. Tao, District Judge  
Paul H. Schofield, Settlement Judge  
Aldrich Law Firm, Ltd.  
Callister Nebeker & McCullough  
Peel Brimley LLP/Henderson  
Eighth District Court Clerk

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<sup>1</sup>In light of the parties' stipulated dismissal, appellants' motion to enforce a settlement agreement and respondent's motion to dismiss the appeal in Docket No. 62042 for mootness or for an order to show cause why that appeal should not be dismissed, are denied as moot.