

IN THE SUPREME COURT OF THE STATE OF NEVADA

CASE PACIFIC COMPANY, A
CALIFORNIA CORPORATION,
Appellant,
vs.
CAPRIATI CONSTRUCTION
CORPORATION, INC., A RHODE
ISLAND CORPORATION; FIDELITY
AND DEPOSIT COMPANY OF
MARYLAND; AND ZURICH
AMERICAN INSURANCE COMPANY,
Respondents.

No. 65703

FILED

SEP 28 2015

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

**ORDER DISMISSING APPEAL
AND VACATING ORAL ARGUMENT**

Pursuant to 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). The oral argument of this matter, currently scheduled for December 16, 2015, at 10:30 a.m. in Las Vegas, is therefore vacated.

It is so ORDERED.

CLERK OF THE SUPREME COURT
TRACIE K. LINDEMAN

BY: *[Signature]*

cc: Hon. Douglas Smith, District Judge
Gibbs Giden Locher Turner Senet & Wittbrodt LLP
Susan Frankewich, Ltd.
Eighth District Court Clerk

15-29329