

IN THE SUPREME COURT OF THE STATE OF NEVADA

M.G. FAUCI CONSTRUCTION  
COMPANY, INC., A NEVADA  
CORPORATION,

Appellant,

vs.

LOMAS REGENCY, LLC, A NEVADA  
LIMITED LIABILITY COMPANY, D/B/A  
DAVIDSOHN INDUSTRIAL PARK,

Respondent.

No. 41981

**FILED**

FEB 10 2004

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF 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. NRAP 42(b).

It is so ORDERED.<sup>1</sup>

CLERK OF THE SUPREME COURT  
JANETTE M. BLOOM

BY: *Thomas J. Harris*

cc: Hon. Lee A. Gates, District Judge  
Eugene Osko, Settlement Judge  
Marquis & Aurbach  
Rosenfeld & Money LLP  
Clark County Clerk

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<sup>1</sup> In light of this order, the September 12, 2003, motion to dismiss is denied as moot.