

1 BRIAN W. BOSCHEE, ESQ.
Nevada Bar No. 7612
2 E-mail: bboschee@nevadafirm.com
WILLIAM N. MILLER, ESQ.
3 Nevada Bar No. 11658
E-mail: wmiller@nevadafirm.com
4 HOLLEY, DRIGGS, WALCH,
PUZEY & THOMPSON
5 400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
6 Telephone: 702/791-0308
Facsimile: 702/791-1912

7 *Attorneys for Respondents West Edna, Ltd., dba Mojave Electric, Western Surety*
8 *Company, The Whiting Turner Contracting Company, Fidelity and Deposit*
9 *Company of Maryland, Travelers Casualty and Surety Company of America, QH*
10 *Las Vegas, LLC, PQ Las Vegas, LLC, LWTIC Successor LLC, and FC/LW Vegas*

Electronically Filed
May 08 2015 09:47 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

11 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

12 CASHMAN EQUIPMENT COMPANY,
a Nevada corporation,

13 Appellant,

14 v.

15 WEST EDNA ASSOCIATES, LTD. dba
16 MOJAVE ELECTRIC, a Nevada
17 corporation; WESTERN SURETY
18 COMPANY, a surety; THE WHITING
19 TURNER CONTRACTING COMPANY,
20 a Maryland corporation; FIDELITY AND
21 DEPOSIT COMPANY OF
22 MARYLAND, a surety; TRAVELERS
CASUALTY AND SURETY
COMPANY OF AMERICA, a surety; QH
LAS VEGAS LLC, a foreign limited
liability company; PQ LAS VEGAS,
LLC, a foreign limited liability company;
LWTIC SUCCESSOR LLC, an unknown
limited liability; FC/LW VEGAS, a
foreign limited liability company,

23 Respondents.

Supreme Court Case No.: 61715
Supreme Court Case No.: 65819
Supreme Court Case No.: 66452

EJDC Case No.: A642583 & A653029

24 **STIPULATION TO DISMISS RESPONDENTS FIDELITY AND DEPOSIT**
25 **COMPANY OF MARYLAND AND TRAVELERS CASUALTY AND**
26 **SURETY COMPANY OF AMERICA WITH PREJUDICE**

27 COMES NOW, Appellant CASHMAN EQUIPMENT COMPANY
28 ("Cashman"), by and through its undersigned counsel of record, and Respondents

1 FIDELITY AND DEPOSIT COMPANY OF MARYLAND and TRAVELERS
2 CASUALTY AND SURETY COMPANY OF AMERICA (collectively,
3 "Respondents Fidelity and Travelers") (Respondents Fidelity and Travelers and
4 Cashman will be collectively referred to as the "Parties"), by and through their
5 undersigned counsel of record, pursuant to Rule 42 of the Nevada Rules of
6 Appellate Procedure, hereby stipulate and agree as follows:

- 7 1. The Parties agree to dismiss all claims asserted against the
8 Parties in the above-captioned litigation *with prejudice*;¹
- 9 2. Cashman and Respondents Fidelity and Travelers shall each
10 pay their own fees and costs incurred in this action.

11
12 Dated this 7 day of May, 2015.

Dated this 7 day of May, 2015.

13 **HOLLEY, DRIGGS, WALCH,**
14 **PUZEY & THOMPSON**

PEZZILLO LLOYD

15 
16 Brian W. Boschee, Esq. (NBN 7612)
17 William N. Miller, Esq. (NBN 11658)
18 400 South Fourth Street, Third Floor
19 Las Vegas, Nevada 89101
20 *Attorneys for Respondents*

21 
22 Jennifer R. Lloyd, Esq. (NBN 9617)
23 6725 Via Austi Parkway, Ste. 290
24 Las Vegas, Nevada 89119
25 *Attorneys for Appellant*

26 ¹ This dismissal does not affect Cashman's or any of the other Respondents'
27 (including, but not limited to, Western Surety Company, The Whiting Turner
28 Contracting Company, West Edna Associates, LTD. dba Mojave Electric, QH Las
Vegas, LLC, PQ Las Vegas, LLC, LWTIC Successor LLC, and FC/LW Vegas)
claims or rights asserted in this action.

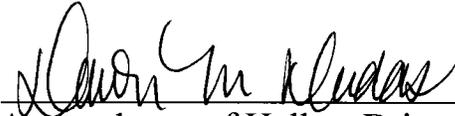
1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of Holley, Driggs, Walch, Puzey &
3 Thompson, and that on the ^{5th} day of May, 2015, I caused to be served a true and
4 correct copy of this **STIPULATION TO DISMISS RESPONDENTS**
5 **FIDELITY AND DEPOSIT COMPANY OF MARYLAND AND**
6 **TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**
7 **WITH PREJUDICE** in the following manner:

8 (ELECTRONIC SERVICE) The above-referenced document was
9 electronically filed on the date hereof and served through the Notice of Electronic
10 Filing automatically generated by that Court's facilities.

11 (UNITED STATES MAIL) By depositing a copy of the above-
12 referenced document for mailing in the United States Mail, first class postage
13 prepaid, at Las Vegas, Nevada, to:

14
15 Jennifer R. Lloyd, Esq.
16 PEZZILLO LLOYD
17 6725 Via Austi Pkwy, Suite 290
Las Vegas, Nevada 89119
Attorneys for Appellant Cashman Equipment Company

18
19
20 
21 An employee of Holley, Driggs, Walch,
Puzey & Thompson