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**CHRISTENSEN JAMES & MARTIN**  
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*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

EMPLOYEE PAINTERS' TRUST; NORTHERN NEVADA PAINTERS AND ALLIED TRADES JOINT APPRENTICESHIP AND TRAINING TRUST FUND, each acting by and through its designated fiduciary, Todd Koch; and INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES INDUSTRY PENSION TRUST FUND, acting by and through its designated fiduciary, Gary J. Meyers,

Plaintiffs,

v.

SIMAS FLOOR COMPANY, INC., a Nevada Corporation; GAIL SIMAS WARD, an Individual; GREAT AMERICAN INSURANCE COMPANY, a foreign corporation; SIMAS FLOOR CO, INC., a California Corporation doing business as ROBERT SIMAS FLOOR CO.; JAMES EDWARD SIMAS, an Individual and Sole Proprietor doing business as J.E. SIMAS FLOORS; CARMICHAEL FLOOR COMPANY, a foreign corporation; PLATTE RIVER INSURANCE COMPANY, a foreign corporation; BISON CONSTRUCTION, a Nevada Corporation; BROWN CONSTRUCTION, INC., a foreign corporation; GLEN/MAR CONSTRUCTION, INC., a foreign corporation; K-W WESTERN, INC., a Nevada Corporation; K7 CONSTRUCTION, INC., a Nevada Corporation; FRANK LEPORI CONSTRUCTION, INC., a Nevada Corporation; PELLETT CONSTRUCTION, LLC, a Nevada limited liability company; SUNSERI CONSTRUCTION, INC., a foreign corporation; WESTERN SURETY COMPANY, foreign corporation; TRAVELERS

Case No.: 2:12-CV-00848-KJD-VCF

**NOTICE AND ORDER OF VOLUNTARY DISMISSAL OF DEFENDANTS BISON CONSTRUCTION, MYRON MARTIN AND RHONDA MARTIN WITHOUT PREJUDICE [FRCP 41(a)(2)]**

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CASUALTY AND SURETY COMPANY OF AMERICA, a foreign corporation; MYRON MARTIN, an Individual; RHONDA MARTIN, an Individual; THOMAS PELLETT, an Individual; SABRINA PELLETT, an Individual; JOHN DOES I - X; and ROES ENTITIES, I-X,

Defendants.

The above-named Plaintiffs, acting by and through their counsel, Christensen James & Martin, pursuant to FRCP Rule 41(a)(2), do hereby dismiss its claims in the above-entitled action without prejudice as against Defendants BISON CONSTRUCTION, MYRON MARTIN and RHONDA MARTIN only.

DATED this 22nd day of June, 2012.

CHRISTENSEN JAMES & MARTIN

By: /s/ Sara D. Cope  
Sara D. Cope, Esq.  
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*Attorneys for Plaintiffs*

IT IS SO ORDERED.

Dated this 25 day of June, 2012.



DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

I am an employee of Christensen James & Martin. On the date of filing of Notice and Order of Voluntary Dismissal of Bison Construction, Myron Martin and Rhonda Martin Without Prejudice [FRCP 41(a)(2)], with the Clerk of Court I caused a true and correct copy to be served in the following manner:

**ELECTRONIC SERVICE:** Pursuant to Local Rule LR 5-4 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

**UNITED STATES MAIL:** By depositing a true and correct copy of the above-referenced document into the United States Mail, postage prepaid, via First Class and Certified, addressed to the following parties at their last-known mailing address(es):

**OVERNIGHT COURIER:** By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed on the attached service list at their last-known mailing address.

**FACSIMILE:** By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

**CHRISTENSEN JAMES & MARTIN**

By:           /s/ Natalie Larson            
Natalie Larson