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10 Attorneys for Third-Party Defendant  
 11 AMERICAN ASPHALT & GRADING COMPANY

12 UNITED STATES DISTRICT COURT  
 13 DISTRICT OF NEVADA

14 \* \* \* \* \*

15 AZURE MANOR/RANCHO DE PAZ  
 16 HOMEOWNERS ASSOCIATIONS, a Nevada  
 17 residential, common-interest planned  
 18 community,

19 Plaintiff,

20 vs.

21 D.R. HORTON, INC., a Delaware corporation,  
 22 and DOES 1-100, inclusive,

23 Defendant.

24 D.R. HORTON, INC.

25 Third-Party Plaintiff,

vs.

ALLARD ENTERPRISES d/b/a IRON  
 SPECIALISTS,; AMERICAN ASPHALT &  
 GRADING COMPANY; ATRIUM DOOR  
 AND WINDOW COMPANY; BEBOUT  
 CONCRETE, INC.; BEL-AIR PLASTERING,  
 INC.; CENTRAL VALLEY INSULATION;

CASE NO. 2:14-CV-02222-JCM-NJK  
 DEPT NO.

**STIPULATION AND ORDER FOR  
 DISMISSAL OF THIRD-PARTY  
 DEFENDANT AMERICAN ASPHALT &  
 GRADING COMPANY, WITH PREJUDICE**

1 CRATIVE TOUCH INTERIORS, INC.;

2 DISTINCTIVE MARBLE, INC.; EFFICIENT

3 ENTERPRISES, INC. d/b/a EFFICIENT

4 ELECTRIC, INC.; GILMORE

5 CONSTRUCTON, LLC; HARRISON

6 LANDSCAPE COMPANY, LLC; MAJESTI

7 CPLUMING, IN.C; NEVADA

8 LANDSCAPING, INC.; NEW CRATION

9 MASONRY, INC.; OPM, INC. d/b/a

10 CONSOLIDATED ROOFING; QUALITY

11 WOOD PRODUCTS, LTD.; SILVER STATE

12 FIREPLACES, INC.; SOUTHERN NEVADA

13 PAVING, INC.; SUMMIT DRYWALL &

14 PAINT, LLC; SUNRISE MECHANICAL, INC.;

15 SUNSTATE COMPANIES, INC. d/b/a

16 SUNSTATE LANDSCAPE; WESTERN

17 SHOWER DOOR; ZEPEDA BROS. PAIN &

18 DRYWALL, LLC; and DOES 1 through 150,

19  
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Third-Party Defendants.

**STIPULATION AND ORDER FOR DISMISSAL OF THIRD-PARTY DEFENDANT  
AMERICAN ASPHALT & GRADING COMPANY, WITH PREJUDICE**

IT IS HEREBY STIPULATED by Defendants/Third-Party Plaintiffs D.R. HORTON, INC. and Third-Party Defendant AMERICAN ASPHALT & GRADING COMPANY, that Third-Party Defendant AMERICAN ASPHALT & GRADING COMPANY is hereby dismissed from the above-captioned matter **with prejudice**.

The parties further stipulate that neither party is to be considered the prevailing party and the claims originally made against American Asphalt were not frivolous. However, AMERICAN ASPHALT & GRADING COMPANY does not stipulate that any defects exist or are alleged to exist in their scope of work.

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2 This Stipulation is entered into in good faith, in the interest of judicial economy, and not for the  
3 purposes of delay. Each party are to bear its own fees and costs.

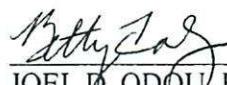
4 DATED: <sup>OCTOBER</sup> ~~September~~ 2, 2019

DATED: <sup>October</sup> ~~September~~ 2, 2019

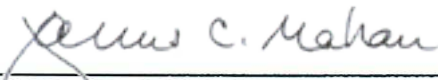
5 LUH & ASSOCIATES

WOOD SMITH HENNING & BERMAN

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Nevada State Bar No. 13034  
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Las Vegas, Nevada 89128  
Attorneys for Defendants  
D.R. HORTON, INC.

14  
15 **IT IS SO ORDERED.**

16   
17 \_\_\_\_\_  
18 UNITED STATES DISTRICT JUDGE

19 DATED: October 7, 2019  
20 \_\_\_\_\_