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7 Attorney for Third-Party Defendant
BEBOUT CONCRETE, INC.

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 AZURE MANOR/RANCHO DE PAZ
HOMEOWNERS ASSOCIATION, a Nevada
11 residential, common-interest planned
community.

CASE NO.: 2:14-cv-02222-JCM-NJK

12 Plaintiffs,

STIPULATION AND ORDER TO
DEEM SETTLEMENT AGREEMENT
AND RELEASE FULLY EXECUTED
AND FOR DISMISSAL OF THIRD-
PARTY DEFENDANT BEBOUT
CONCRETE, INC., WITH
PREJUDICE

13 vs.

14 D.R. HORTON, INC., a Delaware
15 corporation, and DOES 1-100, inclusive,

16 D.R. HORTON, INC.

17 Third-Party Plaintiff

18 v.

19 ALLARD ENTERPRISES d/b/a IRON
SPECIALISTS; AMERICAN ASPHALT &
20 GRADING COMPANY; ATRIUM DOOR
AND WINDOW COMPANY; BEBOUT
21 CONCRETE, INC.; BEL-AIR
PLASTERING, INC.; CENTRAL VALLEY
22 INSULATION; CREATIVE TOUCH
INTERIORS, INC.; DISTINCTIVE
23 MARBLE, INC.; EFFICIENT ELECTRIC,
INC.; GILMORE CONSTRUCTION, LLC;
24 HARRISON LANDSCAPE COMPANY,
LLC; MAJESTIC PLUMBING, INC.;
25 NEVADA LANDSCAPING, INC.; NEW
CREATION MASONRY, INC.; OPM, INC.
26 d/b/a CONSOLIDATED ROOFING;
QUALITY WOOD PRODUCTS LTD.;
27 SILVER STATE FIREPLACES, INC.;
SOUTHERN NEVADA PAVING, INC.

1 SUMMIT DRYWALL & PAINT, LLC;
2 SUNRISE MECHANICAL, INC.;
3 SUNSTATE COMPANIES, INC. d/b/a
4 SUNSTATE LANDSCAPE; WESTERN
5 SHOWER DOOR; ZEPEDA BROS. PAINT
& DRYWALL, LLC; and DOES 1 through
150,

Third-Party Defendants.

6 **STIPULATION AND ORDER TO DEEM SETTLEMENT AGREEMENT AND**
7 **RELEASE FULLY EXECUTED AND FOR DISMISSAL OF THIRD-PARTY**
8 **DEFENDANT BEBOUT CONCRETE, INC., WITH PREJUDICE**

9 IT IS HEREBY STIPULATED, by and between Third-Party Defendant BEBOUT
10 CONCRETE, INC., by and through its attorneys of record, the law firm of Grant & Associates,
11 and Defendants/Third-Party Plaintiffs D.R. HORTON, INC., by and through its attorneys of
12 record, Wood Smith Henning & Berman LLP, that (1) Bebout Concrete, Inc. is a permanently
13 revoked corporation, inactive since 2014, and therefore does not have a representative to sign
14 the Settlement Agreement and Release; (2) Bebout Concrete, Inc. and D.R. Horton, Inc.
15 stipulate that the Settlement Agreement and Release, attached as "Exhibit A" should be deemed
16 fully executed by this Court; and (3) Defendants/Third-Party Plaintiffs' *Third-Party Complaint*
17 in Case No. 2:14-cv-02222-JCM-NJK, and all causes of action contained therein, is hereby
18 dismissed, with prejudice, as to Third-Party Defendant BEBOUT CONCRETE, INC., only.

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Each party shall bear its own attorneys' fees and costs.

IT IS SO STIPULATED.

DATED this 2 day of January ²⁰²⁰ ~~2019~~

WOOD SMITH HENNING & BERMAN,
LLP

Betty J. Wyatt NV Bar No. 14517 h
ELISA L. WYATT, ESQ.

Nevada Bar No. 13034
2881 Business Park Court, Suite 200
Las Vegas, Nevada 89128
Attorneys for Defendants/
Third-Party Plaintiffs
D.R. HORTON, INC.

DATED this 3rd day of January, 20~~19~~²⁰

GRANT & ASSOCIATES

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Las Vegas, Nevada 89113
Attorney for Third-Party Defendant
BEBOUT CONCRETE, INC.

ORDER

IT IS SO ORDERED.

Dated January 9, 2020.

Jess C. Mahan
UNITED STATES DISTRICT COURT JUDGE