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7 Attorneys for Third-Party Defendant,  
 8 M&M CONSTRUCTION, INC.

9  
 10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 AZURE MANOR/RANCHO DE PAZ )  
 HOMEOWNERS ASSOCIATION, a Nevada )  
 residential, common-interest planned community, )

13 Plaintiff, )

14 vs. )

15 D.R. HORTON, INC., a Delaware corporation; )  
 U.S. HOME CORPORATION, a Delaware )  
 16 corporation; LENNAR CORPORATION, a )  
 Nevada corporation; LENNAR SALES CORP., a )  
 17 California corporation, and DOES 1-225, )  
 inclusive, )

18 Defendants. )

19 \_\_\_\_\_ )  
 20 U.S. HOME CORPORATION, a Delaware )  
 corporation, )

21 Third-Party Plaintiff, )

22 vs. )

23 AMERICAN ASPHALT & GRADING )  
 COMPANY, a Nevada corporation; M&M )  
 24 CONSTRUCTION, INC., a Nevada corporation; )  
 TERRA CONTRACTING, INC., a Nevada )  
 25 corporation; NEVADA LANDSCAPE CORP., a )  
 Nevada corporation; MS CONCRETE CO., INC., )  
 26 a Nevada corporation; THE SYLVANIE )  
 COMPANIES, INC. dba DRAKE ASPHALT & )  
 27 CONCRETE, a Nevada company; C&H )  
 CONCRETE, LLC dba CORONADO )  
 28 CONCRETE, a Nevada limited liability )  
 company; NEW CREATION MASONRY, INC.. )

Case No. 2:15-cv-01623-GMN-VCF

**STIPULATION AND ORDER  
 DISMISSING U.S. HOME  
 CORPORATION'S THIRD-PARTY  
 COMPLAINT AGAINST THIRD-PARTY  
 DEFENDANT M&M CONSTRUCTION  
 WITH PREJUDICE**

1 a Nevada corporation; MSI LANDSCAPING, )  
INC., a Nevada corporation fka MIST SYSTEMS )  
2 INTERNATIONAL, a Nevada corporation,, )  
3 Third-Party Defendants. )  
4

5 It is hereby stipulated and agreed to between Defendant/Third-Party Plaintiff U.S. HOME  
6 CORPORATION, by through its attorneys of record Gregory H. King, Esq. and Sarah J. Odia, Esq.  
7 of the law firm of PAYNE & FEARS, LLP and Third-Party Defendant M&M CONSTRUCTION,  
8 INC. by and through its attorneys of record, Lucian J. Greco, Jr., Esq. and Chata N. Holt, Esq. of  
9 the law firm of BREMER, WHYTE, BROWN & O'MEARA, LLP, hereby stipulate that U.S.  
10 HOME CORPORATION'S Third-Party Complaint against M&M CONSTRUCTION, INC. is  
11 hereby DISMISSED WITH PREJUDICE, along with any and all claims U.S. HOME  
12 CORPORATION has against M&M CONSTRUCTION, INC. in this matter. Each party is to bear  
13 their own attorneys' fees and costs.  
14


15 DATED this 10<sup>th</sup> day of November, 2016

DATED this 10<sup>th</sup> day of November, 2016

16 **PAYNE & FEARS, LLP**

**BREMER WHYTE BROWN & O'MEARA,  
LLP**

18 By: /s/ Sarah J. Odia  
19 Gregory H. King, Esq.  
Nevada Bar No. 7777  
20 Sarah J. Odia, Esq.  
Nevada Bar No. 11053  
21 7251 W. Lake Mead Blvd., #525  
Las Vegas, Nevada 89128  
22 Attorneys for Defendants/Third-Party  
Plaintiffs, U.S. HOME CORPORATION,  
23 LENNAR CORPORATION and LENNAR  
SALES CORP.  
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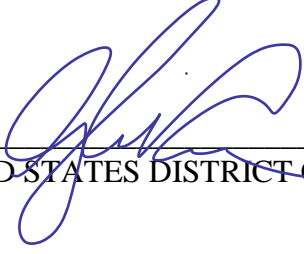
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M&M CONSTRUCTION, INC.

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**ORDER**

IT IS HERBY ORDERED, ADJUDGED, AND DECREED that U.S. HOME CORPORATION'S Third-Party Complaint against M&M CONSTRUCTION, INC. shall be dismissed with prejudice and that the parties shall bear their own attorneys' fees and costs in connection with these claims.

Dated this <sup>15</sup> day of November, 2016

  
UNITED STATES DISTRICT COURT JUDGE

Respectfully Submitted By:  
BREMER WHYTE BROWN & O'MEARA LLP

By:   
Lucian J. Greco, Jr., Esq.  
Nevada Bar No. 10600  
Chata Holt, Esq.  
Nevada Bar No. 12228  
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M&M CONSTRUCTION, INC.