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9 Attorneys for Third-Party Defendant  
 NEVADA LANDSCAPE CORP.

11 **UNITED STATES DISTRICT COURT**  
 12 **DISTRICT OF NEVADA**

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

16 Plaintiff, )

17 v. )

18 D.R. HORTON, INC., a Delaware )  
 19 corporation; U.S. HOME CORPORATION, a )  
 Delaware corporation; LENNAR )  
 20 CORPORATION, a Nevada corporation; )  
 LENNAR SALES CORP., a California )  
 21 corporation, and DOES 1-225, inclusive, )

22 Defendants. )

23 U.S. HOME CORPORATION, a Delaware )  
 24 corporation, )

25 Third-Party Plaintiff, )

26 v. )

27 AMERICAN ASPHALT & GRADING )  
 COMPANY, a Nevada corporation; M&M )  
 CONSTRUCTION, INC., a Nevada )  
 28 corporation; TERRA CONTRACTING, INC., )

CASE NO.: 2:15-cv-01623-GMN-VCF

**STIPULATION AND ORDER DISMISSING  
 D.R. HORTON, INC.'S THIRD-PARTY  
 COMPLAINT AGAINST THIRD-PARTY  
 DEFENDANT NEVADA LANDSCAPE CORP.,  
 ONLY, WITH PREJUDICE**

1 a Nevada corporation; NEVADA )  
LANDSCAPE CORP., a Nevada corporation; )  
2 MS CONCRETE CO., INC., a Nevada )  
corporation; THE SYLVANIE COMPANIES, )  
3 INC. dba DRAKE ASPHALT & CONCRETE, )  
a Nevada company; C&H CONCRETE, LLC )  
4 dba CORONADO CONCRETE, a Nevada )  
Limited Liability company; NEW CREATION )  
5 MASONRY, INC., a Nevada corporation; MSI )  
LANDSCAPING, INC., a Nevada corporation )  
6 fka MIST SYSTEMS INTERNATIONAL, a )  
Nevada corporation, )

7 Third-Party Defendants. )  
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9 D.R. HORTON, INC., a Delaware corporation, )

10 Defendant/Third-Party Plaintiff, )

11 v. )

12 AMERICAN ASPHALT & GRADING )  
COMPANY, a Nevada corporation; DEBOUT )  
CONCRETE, INC., a Nevada corporation; )  
13 BRAVO UNDERGROUND, INC., a Nevada )  
corporation; NEVADA LANDSCAPE CORP., )  
14 d/b/a L&J LANDSCAPE, a Nevada )  
corporation; MS CONCRETE CO., INC., a )  
15 Nevada corporation; NEW CREATION )  
MASONRY, INC., a Nevada corporation; )  
16 SOUTHERN NEVADA PAVING, INC., a )  
Nevada corporation, )

17 Third-Party Defendants. )  
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19 **STIPULATION AND ORDER DISMISSING D.R. HORTON, INC.'S**  
20 **THIRD-PARTY COMPLAINT AGAINST THIRD-PARTY DEFENDANT**  
21 **NEVADA LANDSCAPE CORP., ONLY, WITH PREJUDICE**


22 IT IS HEREBY STIPULATED by and between Defendant / Third-Party Plaintiff D.R.  
23 HORTON, INC., by and through its counsel of record, Elisa L. Wyatt, Esq. of WOOD, SMITH,  
24 HENNING & BERMAN, LLP, and Third-Party Defendant NEVADA LANDSCAPE CORP., by  
25 and through its counsel of record, Eileen Mulligan Marks, Esq. of The MARKS LAW GROUP, LLP  
26 and Melanie C. Polk, Esq. of RAY LEGO & ASSOCIATES, that Defendant / Third-Party Plaintiff  
27 D.R. HORTON, INC.'s Third-Party Complaint against Third-Party Defendant NEVADA  
28 LANDSCAPE CORP., only, is to be dismissed, with prejudice, with each party to bear its own  
attorneys' fees and costs.

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**IT IS SO STIPULATED.**


Dated: 6-2-17

WOOD, SMITH, HENNING & BERMAN, LLP

By:   
Alisa E. Wyatt, Esq.  
Bar No. 013034  
7674 W. Lake Mead Blvd., Suite 150  
Las Vegas, Nevada 89128  
Attorneys for Defendant / Third-Party Plaintiff  
D.R. HORTON, INC.

Dated: June 5, 2017

THE MARKS LAW GROUP, LLP

By:   
Eileen Mulligan Marks, Esq.  
Bar No. 005708  
1120 Town Center Drive, Suite 200  
Las Vegas, Nevada 89144  
Attorneys for Third-Party Defendant  
NEVADA LANDSCAPE CORP.

Dated: \_\_\_\_\_

RAY LEGO & ASSOCIATES

By: \_\_\_\_\_  
Melanie C. Polk, Esq.  
Bar No. 001048  
7450 Arroyo Crossing Parkway, Suite 250  
Las Vegas, Nevada 89113  
Attorneys for Third-Party Defendant  
NEVADA LANDSCAPE CORP.

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**IT IS SO STIPULATED.**

Dated: \_\_\_\_\_

WOOD, SMITH, HENNING & BERMAN, LLP

By: \_\_\_\_\_  
Alisa L. Wyatt, Esq.  
Bar No. 013034  
7674 W. Lake Mead Blvd., Suite 150  
Las Vegas, Nevada 89128  
Attorneys for Defendant / Third-Party Plaintiff  
D.R. HORTON, INC.

Dated: \_\_\_\_\_

THE MARKS LAW GROUP, LLP

By: \_\_\_\_\_  
Eileen Mulligan Marks, Esq.  
Bar No. 005708  
1120 Town Center Drive, Suite 200  
Las Vegas, Nevada 89144  
Attorneys for Third-Party Defendant  
NEVADA LANDSCAPE CORP.

Dated: May 26, 2017

RAY LEGO & ASSOCIATES

By: Melanie C Polk  
Melanie C. Polk, Esq.  
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7450 Arroyo Crossing Parkway, Suite 250  
Las Vegas, Nevada 89113  
Attorneys for Third-Party Defendant  
NEVADA LANDSCAPE CORP.

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**ORDER**


**IT IS HEREBY ORDERED** that Defendant / Third-Party Plaintiff D.R. HORTON, INC.'s Third-Party Complaint against Third-Party Defendant NEVADA LANDSCAPE CORP., only, is dismissed, with prejudice, with each party to bear its own attorneys' fees and costs.

Dated: June 18, 2017

  
UNITED STATES DISTRICT COURT JUDGE

Submitted by:

THE MARKS LAW GROUP, LLP

  
Eileen Mulligan Marks  
Bar No. 005708  
1120 Town Center Drive, Suite 200  
Las Vegas, Nevada 89144

Attorneys for Third-Party Defendant  
NEVADA LANDSCAPE CORP.