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CHRISTENSEN JAMES & MARTIN
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*Attorneys for Painters and Floorcoverers Joint Committee
and Cement Masons and Plasterers Joint Trust Funds*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

BOARD OF TRUSTEES OF PAINTERS &
FLOORCOVERERS JOINT COMMITTEE;

Plaintiff,

vs.

GREAT AMERICAN INSURANCE
COMPANY, *et al.*,

Defendants.

Case No.: 2:16-cv-01301-JCM-NJK

CONSOLIDATED WITH:

Case No.: 2:16-cv-01315-JCM-CWH

**STIPULATION AND ORDER FOR
DISMISSAL**

BOARD OF TRUSTEES OF THE
CEMENT MASONS AND PLASTERERS
HEALTH AND WELFARE TRUST, *et al.*;

Plaintiffs,

vs.

RECREATION DEVELOPMENT
COMPANY, LLC, *et al.*,

Defendants.

CHRISTENSEN JAMES & MARTIN
7440 WEST SAHARA AVE., LAS VEGAS, NEVADA 89117
PH: (702) 255-1718 & FAX: (702) 255-0871

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Plaintiffs and Defendants (collectively referred to as “Parties”), each acting through their respective undersigned counsel, hereby stipulate and agree as follows:

1. All claims asserted by Plaintiff Board of Trustees of Painters & Floorcoverers Joint Committee in Case No. 2:16-cv-01301-JCM-NJK are dismissed with prejudice;

2. All claims asserted by Plaintiffs Board of Trustees of the Cement Masons and Plasterers Health and Welfare Trust, Board of Trustees of the Cement Masons and Plasterers Joint Pension Trust, Board of Trustees of the Cement Masons and Plasterers Vacation Saving Trust, and Board of Trustees of the Cement Masons and Plasterers Joint Apprenticeship Training Trust in Case No. 2:16-cv-01315-JCM-CWH are dismissed with prejudice;

3. All crossclaims asserted by Defendant Recreation Development Company, LLC in Case No. 2:16-cv-01301-JCM-NJK and Case No. 2:16-cv-01315-JCM-CWH are dismissed without prejudice;

4. All crossclaims asserted by Defendant SR Construction, Inc. in Case No. 2:16-cv-01301-JCM-NJK and Case No. 2:16-cv-01315-JCM-CWH are dismissed without prejudice;

5. All claims in the consolidated cases having been dismissed, Case No. 2:16-cv-01301-JCM-NJK and Case No. 2:16-cv-01315-JCM-CWH are dismissed; and

6. Each party shall bear its own attorney’s fees and costs, except that Great American Insurance Company reserves its right to be reimbursed and indemnified from Defendants Recreation Development Company, LLC, Jeffrey A. Whittle, Shelley K. Whittle, and Albert E. Nelson against the fees and costs it has incurred in this action as set forth in a settlement agreement between the Parties.

[SIGNATURES ON FOLLOWING PAGE]

1 Dated this 14th day of April, 2017.

2 **CHRISTENSEN JAMES & MARTIN**

3 By: /s/ Wesley J. Smith
4 Wesley J. Smith, Esq. (SBN 11871)
5 7440 W. Sahara Avenue
6 Las Vegas, Nevada 89117
7 *Attorneys for Painters and Floorcoverers
8 Joint Committee and Cement Masons and
9 Plasterers Joint Trust Funds*

10 **KERR LAW OFFICES**

11 By: /s/ P. Sterling Kerr
12 P. Sterling Kerr, Esq. (SBN 3978)
13 2450 St. Rose Pkwy., #120
14 Henderson, NV 89074
15 *Attorneys for Recreation Development
16 Company, LLC, Jeffrey A. Whittle, and
17 Shelley K. Whittle*

18 **ALLISON LAW FIRM**

19 By: /s/ Noah G. Allison
20 Noah G. Allison, Esq. (SBN 6202)
21 3191 E. Warm Springs Rd.
22 Las Vegas, NV 89120
23 *Attorneys for S R Construction, Inc.*

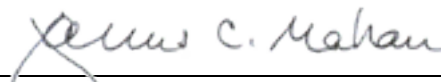
THE FAUX LAW GROUP

By: /s/ Leland K. Faux
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Company*

LAW OFFICE OF JOHN W. THOMSON

By: /s/ John W. Thomson
John W. Thomson, Esq. (SBN 5802)
2450 St. Rose Parkway, Suite 120
Henderson, NV 89074
Attorneys for Albert Nelson

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

April 19, 2017
Dated: _____

Submitted by:
25 **CHRISTENSEN JAMES & MARTIN**
26 By: /s/ Wesley J. Smith
27 Wesley J. Smith, Esq. (SBN 11871)
28 *Attorneys for Plaintiffs*

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CERTIFICATE OF SERVICE

I am an employee of Christensen James & Martin. On the date of filing the foregoing papers 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 IC 4-1 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 with prepaid first-class postage, addressed to the 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 below which was incorporated by reference and made final in the w at their last-known mailing address.

ELECTRONIC MAIL: By sending the above-referenced document via electronic mail to those persons and those addresses listed below:

CHRISTENSEN JAMES & MARTIN

By: /s/ Natalie Saville

CHRISTENSEN JAMES & MARTIN
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