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Attorneys for Third-Party Plaintiffs
1059 Lakeshore Boulevard LLC,
Barry Kane, and Anna Kane

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

GARY A. PULVER dba PULVER
CONSTRUCTION COMPANY, an
individual,

Plaintiff,
v.

BARRY KANE, an individual; ANNA
KANE, an individual; and 1059
LAKESHORE BOULEVARD LLC, a
Nevada limited liability company fka 1059
Lakeshore Drive LLC,

Defendants.

Case No.: 3:20-cv-00673-MMD-CLB
Honorable Miranda M. Du

**ORDER GRANTING
STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE**

1059 LAKESHORE BOULEVARD LLC,
a Nevada limited liability company,

Counterclaimant,

v.

GARY A. PULVER dba PULVER
CONSTRUCTION COMPANY, an
individual, and ROES 1-50, inclusive,

Counter-Defendants.

GARY A. PULVER dba PULVER
CONSTRUCTION COMPANY, an
individual,

Third-Party Plaintiff,

V.

CRUZ CONSTRUCTION COMPANY,
INC., a Nevada corporation,

Complaint Filed: December 4, 2020

Third-Party

Defendant.

10 IT IS HEREBY STIPULATED, by and among Third-Party Plaintiffs 1059
11 LAKESHORE BOULEVARD LLC, BARRY KANE, and ANNA KANE (collectively,
12 “Lakeshore”), by and through their counsel, ALAN R. WECHSLER of MOUNTAININSIDE
13 LAW, and Third-Party Defendant CRUZ CONSTRUCTION COMPANY, INC. (“Cruz”),
14 by and through its counsel, JOHN A. ABERASTURI of ERICKSON, THORPE &
15 SWAINSTON, LTD and BRANDON D. MILLAM of DOYLE HERNANDEZ MILLAM,
16 pursuant to Rules 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Rule 68(d)(2) of
17 the Nevada Rules of Civil Procedure, and Nevada Revised Statutes 17.117(7), that the
18 above-entitled action and all third-party claims asserted by Lakeshore in the action,
19 including all third-

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1 party claims in the action assigned to Lakeshore by Gary A. Pulver dba Pulver Construction
2 Company, shall be dismissed with prejudice in their entirety, with Lakeshore and Cruz to
3 each bear their own costs and attorneys' fees.

4 **IT IS SO STIPULATED.**

5 Dated this 7th day of March, 2025

6 Dated this 7th day of March, 2025

7 By: /s/ Alan R. Wechsler
8 Alan R. Wechsler, Esq., Bar No.
9 13782
10 MOUNTAININSIDE LAW
11 940 Southwood Blvd., Suite 102
Incline Village, NV 89451
Telephone: (775) 548-5020

12 By: /s/ John A. Aberasturi
13 John A. Aberasturi, Esq., Bar No. 1692
14 ERICKSON, THORPE & SWAINSTON,
15 LTD
16 1885 S. Arlington Ave., Suite 205
17 Reno, NV 89509
18 Telephone: (775) 786-3930

19 *Attorney for Third-Party Plaintiffs*
20 *1059 Lakeshore Boulevard LLC,*
Barry Kane, and Anna Kane

21 *Attorneys for Third-Party Defendant*
Cruz Construction Company, Inc.

22 Dated this 7th day of March, 2025

23 By: /s/ Brandon D. Millam
24 Brandon D. Millam, Esq., Bar No.
16730
25 DOYLE HERNANDEZ MILLAM
11811 N. Tatum Blvd. Suite 2900
26 Phoenix, AZ 85028
Telephone: (602) 240-6711

27 *Attorneys for Third-Party Defendant*
Cruz Construction Company, Inc.

28 **IT IS SO ORDERED.**

29 
30 UNITED STATES DISTRICT JUDGE

31 DATED: March 10, 2025

CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the age of 18 years and not a party to the within action. I am employed in the County of Washoe, State of Nevada, within which county the subject service occurred. My business address is 940 Southwood Blvd, Suite 102, Incline Village, Nevada 89451.

On **March 7, 2025**, I served the following document described as: ***STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE*** on the following interested parties and in the manner described below:

to be completed by:

delivery via electronic filing. I caused such document(s) to be electronically filed and served through the United States District Court's CM/ECF System for the within action. This service complies with the Federal Rules of Civil Procedure and Local Rule IC 4-1. The file transmission was reported as complete and a copy of the Court's Notice of Electronic Filing will be maintained with the original document(s) in our office.

<p>John A. Aberasturi Brent L. Ryman ERICKSON, THORPE & SWAINSTON, LTD. 1885 S. Arlington Ave., Suite 205 Reno, NV 89509 Telephone: (775) 786-3930 jaberasturi@etsreno.com bryman@etsreno.com</p> <p><i>Local Counsel for Third-Party Defendant Cruz Construction Company, Inc.</i></p>	<p>William H. Doyle Brandon D. Millam DOYLE HERNANDEZ MILLAM 11811 N. Tatum Blvd. Suite 2900 Phoenix, AZ 85028 Telephone: (602) 240-6711 wdoyle@doylelawgroup.com bmillam@doylelawgroup.com</p> <p><i>Attorneys for Third-Party Defendant Cruz Construction Company, Inc.</i></p>
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I declare that I am employed in the offices of a member of the bar of this Court at whose direction this service was made.

Executed on **March 7, 2025**, at Incline Village, Nevada.

/s/ Alan R. Wechsler