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11 Attorneys for: Intervenor Plaintiff and Cross-Defendant TERENCE J. LONG, TRUSTEE
12 PURSUANT TO COURT ORDER

13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

15 **ONIONS ETC., INC., and DUDA FARM**
16 **FRESH FOODS, INC.,**

17 Plaintiffs,

18 v.

19 **Z & S FRESH, INC., a California corporation;**
20 **Z & S DISTRIBUTING COMPANY, INC., a**
21 **California corporation; MARTIN J.**
22 **ZANINOVICH, an individual; LOREN**
23 **SCHOENBURG, an individual; MARGARET**
24 **aka MARGE SCHOENBURG, an individual,**

25 Defendants.

26 **AND ALL RELATED ACTIONS.**

Case No.: 1:09-cv-00906-AWI-MJS

AMENDED STIPULATION OF
VOLUNTARY DISMISSAL AND ORDER
THEREON

27 IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rules of Civil
28 Procedure 41(a), by and between Intervenor Plaintiff and Cross-Defendant TERENCE J.
LONG, TRUSTEE PURSUANT TO COURT ORDER, and Defendant, Cross-Complainant and
Counter-Complainant FRESNO-MADERA FEDERAL LAND BANK ASSOCIATION,
FLCA, as follows:

1. That the action commenced on February 17, 2010 by Intervenor Plaintiff and
Cross-Defendant TERENCE J. LONG, TRUSTEE PURSUANT TO COURT ORDER, is

1 hereby dismissed with prejudice as against Defendant, Cross-Complainant and Counter-
2 Complainant FRESNO-MADERA FEDERAL LAND BANK ASSOCIATION, FLCA only,
3 with each party to bear his or its own attorneys' fees and costs.

4 2. That the cross-action commenced on September 9, 2009 by Defendant, Cross-
5 Complainant and Counter-Complainant FRESNO-MADERA FEDERAL LAND BANK
6 ASSOCIATION, FLCA, is hereby dismissed with prejudice as against Intervenor Plaintiff and
7 Cross-Defendant TERENCE J. LONG, TRUSTEE PURSUANT TO COURT ORDER only,
8 with each party to bear his or its own attorneys' fees and costs.

9 Dated: December 5, 2011

PERKINS, MANN & EVERETT, APC

10
11 By: /s/ Jan T. Perkins.
12 Jan T. Perkins, attorneys for Intervenor
13 Plaintiff and Cross-Defendant TERENCE J.
14 LONG, TRUSTEE PURSUANT TO COURT
15 ORDER

16 Dated: December 5, 2011

LANG, RICHERT & PATCH

17
18 By: /s/ Scott J. Ivy.
19 Scott J. Ivy, attorneys for Defendant, Cross-
20 Complainant and Counter-Claimant FRESNO-
21 MADERA FEDERAL LAND BANK
22 ASSOCIATION, FLCA

23 **ORDER**

24 THE PARTIES HAVING SO STIPULATED, IT IS HEREBY ORDERED that the
25 complaint in intervention initiated by Intervenor Plaintiff and Cross-Defendant TERENCE J.
26 LONG, TRUSTEE PURSUANT TO COURT ORDER, is dismissed with prejudice as against
27 Defendant, Cross-Complainant and Counter-Complainant FRESNO-MADERA FEDERAL
28 LAND BANK ASSOCIATION, FLCA only, and the cross-action initiated by Defendant,

1 Cross-Complainant and Counter-Complainant FRESNO-MADERA FEDERAL LAND BANK
2 ASSOCIATION, FLCA, is dismissed with prejudice as against Intervenor Plaintiff and Cross-
3 Defendant TERENCE J. LONG, TRUSTEE PURSUANT TO COURT ORDER, only, with
4 each party to bear his or its own attorneys' fees and costs.

5
6 IT IS SO ORDERED.

7
8 Dated: December 6, 2011



CHIEF UNITED STATES DISTRICT JUDGE