

**Jan T. Perkins #057995
Jerry H. Mann #095466
Douglas V. Thornton #154956
Craig A. Tristao #256528
PERKINS, MANN & EVERETT
A Professional Corporation
2222 West Shaw Avenue, Suite 202
Fresno, California 93711
Telephone (559) 447-5700
Facsimile (559) 447-5600**

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

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

ONIONS ETC., INC., and DUDA FARM
FRESH FOODS, INC.,

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

Plaintiffs.

V.

Z & S FRESH, INC., a California corporation;
Z & S DISTRIBUTING COMPANY, INC., a California corporation; MARTIN J. ZANINOVICH, an individual; LOREN SCHOENBURG, an individual; MARGARET aka MARGE SCHOENBURG, an individual.

**AMENDED STIPULATION OF
VOLUNTARY DISMISSAL AND ORDER
THEREON**

Defendants.

AND ALL RELATED ACTIONS.

IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rules of Civil 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

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By: /s/ Jan T. Perkins.

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Jan T. Perkins, attorneys for Intervenor Plaintiff and Cross-Defendant TERENCE J. LONG, TRUSTEE PURSUANT TO COURT ORDER

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Dated: December 5, 2011 LANG, RICHERT & PATCH

By: /s/ Scott J. Ivy.

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Scott J. Ivy, attorneys for Defendant, Cross-Complainant and Counter-Claimant FRESNO-MADERA FEDERAL LAND BANK ASSOCIATION, FLCA

ORDER

33 THE PARTIES HAVING SO STIPULATED, IT IS HEREBY ORDERED that the
34 complaint in intervention initiated by Intervenor Plaintiff and Cross-Defendant TERENCE J.
35 LONG, TRUSTEE PURSUANT TO COURT ORDER, is dismissed with prejudice as against
36 Defendant, Cross-Complainant and Counter-Complainant FRESNO-MADERA FEDERAL
37 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.

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7 IT IS SO ORDERED.

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Dated: December 6, 2011


9 CHIEF UNITED STATES DISTRICT JUDGE

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