

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

E-FILED 12-17-10
JS-6

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

C&G Farms, Inc.,
Plaintiff,
v.
Kenton Shank, et al.,
Defendants.

CASE NO. CV 09-7633-GHK (ANx)
JUDGMENT

Based on our December 16, 2010 Order granting Defendants Kenton Shank (“Shank”), Celtic Capitol Corporation (“Celtic”), and Commercewest Bank’s (“Commercewest”) Motion for Summary Judgment against Plaintiff C&G Farms, Inc. (“Plaintiff”), **IT IS HEREBY ADJUDGED** that Plaintiff’s claims under the Perishable Agricultural Commodities Act (“PACA”) and state law claims to the extent premised on PACA are **DISMISSED with prejudice**. Shank’s counterclaim is **DISMISSED as moot**. Celtic and Commercewest’s cross-claims (asserting state law claims) and any remaining state law claims in the Complaint are **DISMISSED without prejudice** to their reassertion in state court. 28 U.S.C. § 1367(c)(3).

1 Based on our August 18, 2010 Order approving the settlement agreement between
2 Plaintiff and Defendant Sally Coleman (“Coleman”), **IT IS HEREBY ADJUDGED** that
3 Plaintiff’s claims against Coleman are **DISMISSED with prejudice**.

4 Based on our August 26, 2010 Order dismissing Defendant Richard Bennett
5 (“Bennett”) pursuant to a settlement agreement, **IT IS HEREBY ADJUDGED** that
6 Plaintiff’s claims against Bennett are **DISMISSED with prejudice**.

7
8 **IT IS SO ORDERED.**

9 DATED: December 16, 2010

10
11 
12 _____
13 GEORGE H. KING
14 United States District Judge
15
16
17
18
19
20
21
22
23
24
25
26
27
28