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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. CV 14-05083 RGK (PJWx) Date January 7, 2015

Title ***RESH, et al. v. CHINA AGRITECH, INC., et al.***

Present: The  
Honorable

R. GARY KLAUSNER, U.S. DISTRICT JUDGE

Sharon L. Williams (Not Present)

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings: (IN CHAMBERS) Order Re: Dismissal Order as to Plaintiffs' Claims Against Remaining Defendants**

On September 4, 2014, Michael H. Resh ("Resh"), William Schoenke, Heroca Holding B.V., and Ninella Beheer B.V. (collectively, "Plaintiffs") filed an Amended Class Action Complaint ("FAC") against China Agritech, Inc. ("China AG"), Charles Law ("Law"), and the following other defendants: (1) Yu Chang, (2) Yau-Sing Tang, (3) Gene Michael Bennett, (4) Xiao Rong Teng, (5) Ming Fang Zhu, (6) Lun Zhang Dai, (7) Hai Lin Zhang, and (8) Zheng Anne Wang (collectively, the "Remaining Defendants").

On December 1, 2014, the Court granted motions to dismiss filed by China AG and Law pursuant to Federal Rule of Civil Procedure 12(b)(6), finding that Plaintiffs' class action claims were barred by the statute of limitations. The Court ordered Plaintiffs to show cause as to why the Remaining Defendants should not also be dismissed from this action. On December 8, 2014, Plaintiffs filed a response to the Order.

Plaintiffs fail to provide an adequate reason why, in light of the Court's December 1, 2014 order, the claims against the Remaining Defendants should not also be dismissed. Therefore, the Court **DISMISSES** the Remaining Defendants.

Plaintiffs are not prevented from filing a complaint asserting individual, rather than class action, claims against China AG, Law, and the Remaining Defendants if they so choose.

**IT IS SO ORDERED.**

Initials of Preparer

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