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16
17 IN THE UNITED STATES DISTRICT COURT
18 FOR THE EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

19 **BRITZ FERTILIZERS, INC.**

20 Plaintiffs,

21 vs.

22 **BAYER CORPORATION; BAYER
CROPSCIENCE, LP;**

23 Defendants.
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Case No.: 1:06-CV-00287-OWW-DLB

(Consolidated for all purposes with Case No.
1:07-CV-00846)

**STIPULATION FOR DISMISSAL;
ORDER THEREON**

1 Pursuant to the provisions of Fed. R. Civ. P. 41(a)(1), the parties, by and
2 through their respective counsel, hereby stipulate that this action and each and every claim
3 therein be dismissed with prejudice. Each side to bear its own attorneys fees and costs.

4 Respectfully submitted,

5 Dated: December 3, 2010

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7 DAMRELL, NELSON, SCHRIMP,
8 PALLIOS, PACHER & SILVA

CLIFFORD & BROWN

9 FRAME & MATSUMOTO

By: /s/ T. Mark Smith
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Attorneys for Defendant
Bayer Corporation &
Bayer Crop Science LP

11 By: /s/ Ted R. Frame
12 TED R. FRAME,
13 Attorneys for Plaintiff
Britz Fertilizers, Inc.

14
15 **ORDER**

16 The above stipulation is APPROVED, and this action is hereby DISMISSED WITH
17 PREJUDICE.

18
19 IT IS SO ORDERED.

20 Dated: December 15, 2010

 /s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE