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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA FRESNO DIVISION
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 STEPHEN C. LYON, et al.,

15 Defendants.
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Case No. 07-CV-00491 LJO GSA

**ORDER RE JOINT DISMISSAL
WITHOUT PREJUDICE OF SECOND
AMENDED JOINT THIRD-PARTY
COMPLAINT OF STEPHEN C. LYON,
SUZANNE S. LYON, RUSSELL R.
TONDA, AND DIANE M. TONDA
AGAINST CERTAIN THIRD PARTY
DEFENDANTS**

17 AND RELATED COUNTER-CLAIMS,
18 CROSS-CLAIMS AND THIRD PARTY
CLAIMS.

19 STEPHEN C. LYON; SUZANNE S.
20 LYON; RUSSELL R. TONDA' DIANE M.
TONDA

21 Third-Party Plaintiffs

22 vs.

23 THE DOW CHEMICAL COMPANY, et al.,

24 Third-Party Defendants,
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26 On January 8, 2009 Defendants, Cross-Complainants, Cross-Defendants, and
27 Third-Party Plaintiffs Stephen C. Lyon, Suzanne S. Lyon, Russell R. Tonda, and Diane M
28 Tonda jointly requested, pursuant to Federal Rules of Civil Procedure 41(a) and 41(c), and

1 Local Rule 5-137(b), to voluntarily dismiss their 3rd Party Complaint filed on or about May
2 29, 2008, without prejudice, as to 3rd-Party Defendants Adam Hart, Jack Hart, Estate of Harry
3 Halford, Dawine D. Harford, Hillary's Auto Sales, Sark's Auto Sales, Modesto Mazda &
4 Isuzu, Rule Dale Mitsubishi & Hyundia, Transmatic Transmissions, Inc., Transmatic
5 Automotive & Smog, Inc., and Joe's Automotive Center only, with each party to bear its own
6 fees and costs.

7 As the above parties have not yet served a responsive pleading, the request is
8 GRANTED.

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11 IT IS SO ORDERED.

12 DATED: 1/9/2009

/s/ LAWRENCE J. O'NEILL
HONORABLE LAWRENCE J. O'NEIL
UNITED STATES DISTRICT JUDGE