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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DAIRY AMERICA, INC.,

Plaintiff,

vs.

CASE NO. CV F 07-0537 LJO SKO

**ORDER TO DISMISS AND TO CLOSE
ACTION**
(Doc. 238.)

NEW YORK MARINE AND GENERAL
INSURANCE CO., et al.,

Defendants.

Based on the remaining parties' stipulation for dismissal under F.R.Civ.P. 41(a)(1)(A)(ii), this
Court:

- 1. DISMISSES with prejudice this entire action;
- 2. VACATES all pending matters; and
- 3. DIRECTS the clerk to close this action.

IT IS SO ORDERED.

Dated: September 10, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE