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7 Attorneys for Plaintiffs Enns Pontiac, Buick, & GMC Truck, Earl L. Enns & Esther
Enns as Trustees of the 2004 Enns Family Trust, Harold J. Enns & Patricia L. Enns
8 as Trustees for the Family Trust

9
10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 ENNS PONTIAC, BUICK, & GMC }
TRUCK , a California Corporation; }
13 EARL L. ENNS and ESTHER J. }
ENNS as Trustees of the 2004 Enns }
14 Family Trust; and HAROLD J. }
ENNS and PATRICIA L. ENNS as }
15 Trustees for the Family Trust,

16 Plaintiffs,

17 v.

18 ORELIA FLORES, an individual; }
SACHIKO YAMAGUCHI, as }
19 administrator to THE ESTATE OF }
SIETO YAMAGUCHI; THE }
ESTATE OF SIETO YAMAGUCHI, }
20 deceased; PATRICIA CLOTHIER }
and CAROLYN WHITESIDES, as }
21 administrators to THE ESTATE OF }
HERBERT LEE; PATRICIA }
22 CLOTHIER and CAROLYN }
WHITESIDES, as administrators to }
23 THE ESTATE OF MABEL LEE; }
THE ESTATE OF MABEL LEE, }
24 deceased; THE ESTATE OF }
HERBERT LEE, deceased; }
25 REEDLEY STEAM LAUNDRY; }
REEDLEY DRY CLEANING }
26 WORKS; JOHN PEARCE, an }
individual; PATSY MARTINEZ, an }
27 individual; LOUIE MARTINEZ, an }
individual,

28 Defendants.

NO: 1:07-CV-01043-OWW-DLB

**ORDER REGARDING
DEFENDANTS' MOTIONS TO
DISMISS SECOND AMENDED
COMPLAINT**

Hearing Date: June 20, 2011
Time: 10:00 a.m.
Courtroom: 3
Judge: Oliver W. Wanger

ORDER REGARDING DEFENDANTS' MOTIONS
TO DISMISS SECOND AMENDED COMPLAINT

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2 TO EACH PARTY AND THEIR ATTORNEY OF RECORD:

3 Pursuant to the Court's August 29, 2011 Memorandum Decision and Order Re
4 Defendants' Motion to Dismiss Second Amended Complaint ("SAC") and having
5 considered the motions, memoranda, declarations, exhibits filed, and arguments
6 made during the June 20, 2011 hearing in connection with (1) Defendant Sachiko
7 Yamaguchi, as administrator to the Estate of Sieto Yamaguchi's motion to dismiss
8 Plaintiffs' SAC, and (2) Defendants Patricia Clothier and Carolyn Whitesides as
9 administrators for the Estate of Herbert Lee and the Estate of Mabel Lee (together,
10 the "Lee Administrators"), the Estate of Herbert Lee, the Estate of Mabel Lee,
11 Reedley Steam Laundry, and Reedley Dry Cleaning Works' (collectively, "Lee
12 Defendants") motion to dismiss the SAC, the Court ORDERED the following:

13 1. Sachiko Yamaguchi's motion to dismiss is DENIED.

14 2. The Lee Defendants' motion to dismiss is GRANTED in part and
15 DENIED in part as follows:

- 16 a. GRANTED WITH PREJUDICE as to the Estate of Herbert Lee and
17 the Administrators of the Estate of Herbert Lee; and
18 b. DENIED as to the Estate of Mabel Lee and the Administrators of the
19 Estate of Mabel Lee.

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21
22 IT IS SO ORDERED.

23 Dated: September 8, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE