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5 Attorneys for Plaintiffs
 6 AMEROPA AG and
 AMEROPA NORTH AMERICA, INC.

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 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10 FRESNO DIVISION

11 AMEROPA AG, and AMEROPA NORTH
 12 AMERICA, INC.

13 Plaintiffs

14 v.

15 MOORE AGRICULTURAL PRODUCTS
 16 COMPANY, INC.,

17 Defendant.

No.: 1:07-CV-01182-OWW-GSA
 (Action Dismissed)

**APPLICATION AND ORDER FOR
 EXONERATION AND RELEASE OF
 MONIES (\$10,000) DEPOSITED INTO
 REGISTRY FUND IN LIEU OF
 SECURITY BOND
 (Local Rule 67-150(g))**

18 On August 17, 2007, Plaintiffs AMEROPA AG and AMEROPA NORTH AMERICA,
 19 INC. (collectively "Ameropa" and/or "Plaintiffs"), through their undersigned counsel, deposited
 20 the amount of ten thousand dollars (\$10,000) with the Clerk of the Court (in the Treasury
 21 Registry) pursuant to Local Rule 65-1-151(h) (Docket #22). This deposit was made in lieu of
 22 bond and pursuant to the *ex parte* Writ of Possession and Temporary Restraining Order executed
 23 by this Court on August 15, 2007 (Docket # 17). A true copy of the check stub for this deposit
 24 and of the Court's Receipt Number CAE100000199 acknowledging this deposit of \$10,000 from
 25 Holland & Knight LLP on behalf of Plaintiffs is attached hereto as Exhibit A.

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1 The parties thereafter reached a settlement agreement and, pursuant to that agreement,
2 this action was dismissed on May 21, 2008 (Docket #35). Plaintiffs, through their undersigned
3 counsel, now respectfully request the return of the \$10,000 on deposit to Plaintiffs, through their
4 undersigned counsel. Return of the funds is appropriate at this time because there no longer is an
5 obligation of Plaintiffs to be secured by the deposit and the dispute between the parties that was
6 the subject of this action has been settled and the case dismissed.

7 WHEREFORE Plaintiffs respectfully request that the Court exonerate the \$10,000 in
8 funds deposited with the Court in this matter and direct the Clerk to disburse those funds to
9 Holland & Knight LLP so that Holland & Knight LLP can then remit these funds to Plaintiffs.

10 January 15, 2010

Respectfully submitted,

HOLLAND & KNIGHT LLP

/s/ Charles L. Coleman III

By: Charles L. Coleman III (SBN 65496)

Attorneys for Plaintiffs
AMEROPA AG and
AMEROPA NORTH AMERICA, INC.

17 **ORDER FOR DISBURSEMENT OF FUNDS PAID INTO COURT BY PLAINTIFFS**

18 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the \$10,000 deposit
19 made in lieu of surety bond is hereby exonerated. The Clerk of the Court is hereby directed to
20 disburse the \$10,000 deposit to Plaintiffs, by check payable to the order of Holland & Knight
21 LLP Client Trust Account.

22 IT IS SO ORDERED.

23 Dated: January 27, 2010

25 /s/ OLIVER W. WANGER

26 UNITED STATES SENIOR DISTRICT JUDGE