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9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

11 RODNEY SCHULTZ AND PATRICIA )  
 12 SCHULTZ, )

13 Plaintiffs, )

14 vs. )

15 SAKAYE ICHIMOTO, individually and )  
 16 as Trustee or Successor under the )  
 17 ICHIMOTO TRUST AGREEMENT )  
 18 DATED SEPTEMBER 22, 1988; )  
 19 ESTATE OF GEORGE T. ICHIMOTO; )  
 20 WALTER COLBURN TUTTLE, )  
 21 individually and as Trustee under the )  
 22 WALTER COLBURN TUTTLE AND )  
 23 JUNE HADLEY TUTTLE )  
 24 REVOCABLE LIVING TRUST )  
 25 AGREEMENT DATED APRIL 22, )  
 26 1981; ESTATE OF MARY J. TUTTLE, )  
 27 also known as JUNE HADLEY )  
 28 TUTTLE, Deceased; DREW A. )  
 RATZLOFF, individually and as Trustee )  
 of the RATZLOFF FAMILY TRUST; )  
 CINDY RATZLOFF, individually and )  
 as Trustee of the RATZLOFF FAMILY )  
 TRUST; GEORGE A. WOLFE; )  
 FRANCES E. WOLFE; EVERETTE )  
 ROSE; ESTATE OF ELZY B. LUNA, )  
 Deceased; ESTATE OF WOODROW )  
 DONATHAN, Deceased; JEWEL )  
 DONATHAN; CLARENCE SOLTAU; )  
 EDELTRUDE SOLTAU; ARTHUR )  
 HINKLEY; MAYBELLE HINKLEY; )  
 ANTHONY ALVES, individually and )  
 doing business as ALVES AND )

Case No. 1:08-CV-00526-OWW-SMS

**ORDER REGARDING DISMISSAL  
 OF SECOND CAUSE OF ACTION  
 STATED IN PLAINTIFFS'  
 COMPLAINT WITH PREJUDICE**

Filed: April 16, 2008

Date: August 17, 2009

Time: 10:00 a.m.

Ctrm: 3

Judge: Hon. Oliver W. Wanger

1 WILLIAMS ENTERPRISES; DEVERE )  
2 WILLIAMS, individually and doing )  
3 business as ALVES AND WILLIAMS )  
4 ENTERPRISES; WILLIAM O. )  
5 JAMISON; CINDA JAMISON; )  
6 ESTATE OF JOHN O. JAMISON, )  
7 Deceased; MARGARET A. JAMISON; )  
8 ESTATE OF MARSHALL PRICE, )  
9 Deceased; JUANITA PRICE; )  
10 TECHNICHEM, INC., a California )  
11 corporation; M.B.L., Inc., a California )  
12 corporation; HOFFMAN/NEW )  
13 YORKER, INC. doing business as )  
14 NJHNY, INC., a Pennsylvania )  
15 corporation; HOYT CORPORATION, a )  
16 Massachusetts corporation; and VIC )  
17 MANUFACTURING COMPANY, a )  
18 Minnesota corporation, )  
19  
20 Defendants. )  
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**TO ALL PARTIES HEREIN AND TO THEIR ATTORNEYS OF RECORD:**

On or about August 17, 2009, Defendant M.B.L., Inc.'s Motion to Dismiss the Second Cause of Action of Plaintiff's Complaint came on regularly for hearing before the Honorable Oliver W. Wanger. The Court ruled as follows:

IT IS HEREBY ORDERED THAT the Second Cause of Action stated in Plaintiffs' complaint is hereby dismissed with prejudice.

IT IS SO ORDERED.

**Dated:** September 14, 2009 /s/ Oliver W. Wanger  
HAMRICK & EVANS, LLP UNITED STATES DISTRICT JUDGE