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

WILLEMS FARMS, INC.,
Plaintiff,
vs.
BASF CORPORATION,
Defendant.

CASE NO. CV F 08-0616 LJO SMS

ORDER TO DENY REQUEST TO DISMISS
(Doc. 38.)

Plaintiff filed an August 20, 2009 request to dismiss this action. Plaintiff's attempt to dismiss this action fails to comply with F.R.Civ.P. 41(a)(1)(A)(ii), which requires a stipulation signed by a defendant who has appeared. As such, this Court DENIES dismissal of this action in the absence of compliance with F.R.Civ.P. 41(a)(1)(A)(ii). This Court ORDERS plaintiff and defendant, no later than August 31, 2009, to file a stipulation which satisfies F.R.Civ.P. 41(a)(1)(A)(ii) and a proposed order to dismiss the defendant. This Court ADMONISHES counsel to obey the Federal Rules of Civil Procedure and this Court's Local Rules. This Court FURTHER ADMONISHES counsel that failure to comply with this order in the absence of good cause will result in imposition of sanctions, including dismissal of this action with or without prejudice.

IT IS SO ORDERED.

Dated: August 21, 2009

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