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10 Counsel for Defendant
 R.R. STREET & CO. INC.

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12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA
 14 FRESNO DIVISION

16 TEAM ENTERPRISES, LLC,

17 Plaintiff,

18 v.

19 WESTERN INVESTMENT REAL
 ESTATE TRUST, aka WESTERN
 20 PROPERTIES TRUST; et al.,

21 Defendants,

22 AND ALL RELATED CROSS-CLAIMS
 23 AND THIRD-PARTY CLAIMS.

No. 1:08-cv-00872-LJO-SMS

**JOINT REQUEST FOR WITHDRAWAL
 WITHOUT PREJUDICE OF PK
 DEFENDANTS' MOTION FOR LEAVE TO
 FILE AN AMENDED ANSWER WITH
 CROSS-CLAIMS AGAINST STREET
 [L.R. 144(a)]; ORDER**

Hearing Date: September 23, 2010
 Time: 9:30 a.m.
 Courtroom: 7
 Judge: Hon. Sandra M. Snyder

24

25 Pursuant to Local Rule 144(a), Defendant R.R. Street & Co. Inc. ("Street") and
 26 Defendants, Cross-Complainants, and Third-Party Plaintiffs PK II Century Center LP;
 27 Pan Pacific Retail Properties, LLC as Successor-in-Interest to Pan Pacific Retail
 28 Properties, Inc.; Kimco Realty Company; and Prudential Real Estate Investors

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1 (collectively, "PK Defendants") respectfully request that the PK Defendants' pending
2 motion for leave to file an amended answer with cross-claims against Street (Doc. 333,
3 filed Aug. 9, 2010) be withdrawn without prejudice and that the hearing on such motion
4 be vacated.

5 Dated: September 9, 2010.

6 Respectfully submitted,

7 /s/ Eric Grant

Eric Grant

8 John B. Thomas

9 Paula Whitten

Hicks Thomas LLP

10 Counsel for Defendant

11 R.R. STREET & CO. INC.

12 GREENBERG TRAURIG, LLP

13 By: /s/ Kathleen E. Finnerty
(as authorized on this date)

14 KATHLEEN E. FINNERTY

15 ANGELA L. DIESCH

16 Attorneys for Defendants,

17 PK II CENTURY CENTER LP;

PAN PACIFIC RETAIL PROPERTIES,

18 LLC AS SUCCESSOR-IN-INTEREST

19 TO PAN PACIFIC RETAIL

PROPERTIES, INC.; KIMCO REALTY

20 COMPANY; AND PRUDENTIAL REAL

ESTATE INVESTORS

21 **IT IS SO ORDERED.**

22 Dated: September 9, 2010.

/s/ Sandra M. Snyder

UNITED STATES MAGISTRATE JUDGE