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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION**

BLACK GOLD POTATO SALES, INC.,)	Case No. 1:08-CV-01488-GSA
))	
Plaintiff,)	ORDER OF DISMISSAL WITH
))	PREJUDICE
vs.))	[Hon. Gary S. Austin]
))	
DISCOVERY GARDENS, LLC, a)	
California limited liability)	
company; and CALIFORNIA OREGON)	
SEED, INC., an Oregon)	
corporation,)	
))	
Defendants.)	
_____)	
))	
AND RELATED COUNTERCLAIM)	
_____)	

Pursuant to the stipulation filed by the parties on April 26, 2010, this action is dismissed with prejudice pursuant to Federal Rule of Civil 41(a)(1)(A)(ii). Each side is to bear its own fees and costs. The Court shall retain jurisdiction to enforce the settlement agreement.

IT IS SO ORDERED.

Dated: April 28, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE