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

KINGSBURG APPLE PACKERS, INC., dba KINGSBURG ORCHARDS, et al.,)	NO. 1:09-CV-00901-AWI
)	
Plaintiffs,)	ORDER VACATING
)	DECEMBER 14, 2009 HEARING
v.)	DATE AND TAKING MATTERS
)	UNDER SUBMISSION
BALLANTINE PRODUCE, CO., INC., et al.,)	
)	
Defendants.)	
_____)	

PACA Claimant Wagon Wheel Farms and intervening Plaintiff Wagon Wheel Farms’ notice of motion and motion to determine validity of PACA claims, and Intervenor DiBuduo Land Management’s motion for order that DiBuduo Land Management Company’s PACA claim is valid have been set for hearing in this case on December 14, 2009. The court has reviewed the papers and has determined that these matters are suitable for decision without oral argument. Local Rule 78-230(h). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of December 14, 2009, is VACATED, and the parties shall not appear at that time. As of December 14, 2009, the court will take these matters under submission, and will thereafter issue its decisions.

IT IS SO ORDERED.

Dated: December 8, 2009

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE