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

**KINGSBURG APPLE PACKERS, INC.)
D/B/A KINGSBURG ORCHARDS, et.)
al.,)

Plaintiffs,)

v.)

BALLANTINE PRODUCE CO., INC.,)
et. al.,)

Defendants.)**

**NO. 1:09-CV-901-AWI-JLT

ORDER VACATING APRIL 11,
2011 HEARING DATE AND
TAKING MATTER UNDER
SUBMISSION**

**WAGON WHEEL FARMS, INC., a)
California corporation,)

Intervenor Plaintiff,)

v.)

BALLANTINE PRODUCE CO., INC.,)
et. al.,)

Defendants.)**

Currently pending before the Court is Intervening Plaintiff Wagon Wheel Farms’ motion for final judgment. This motion is set for hearing on April 11, 2011, at 1:30 p.m. in Courtroom 2. The Court has reviewed the papers and has determined that this matter is suitable for decision without oral argument. Local Rule 230(g). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of April 11, 2011, is VACATED, and the

1 parties shall not appear at that time. As of April 11, 2011, the Court will take the matter
2 under submission, and will thereafter issue its decision.

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IT IS SO ORDERED.

Dated: April 6, 2011



CHIEF UNITED STATES DISTRICT JUDGE