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 8 UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION
 10

11 ONIONS ETC., INC., et al.

12 Plaintiffs,

13 v.

14 Z & S FRESH, INC., et al.

15 Defendants.
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Case No.: 1:09-CV-00906-OWW-SMS

**ORDER GRANTING INTERVENING
 PLAINTIFF RICK DREO'S MOTION
 FOR RELIEF FROM ORDER**

Date: September 8, 2009
 Time: 11:00 a.m.
 Place: Courtroom 3
 Judge: Honorable Oliver W. Wanger

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 19 _____A hearing having been held on September 8, 2009 on Intervening Plaintiff RICK DREO's
 20 Motion for Relief from Order and it appearing to the Court that the failure of Intervening Plaintiff
 21 RICK DREO to meet the August 10, 2009 motion filing deadline contained in the court's June 24,
 22 2009 order occurred as a result of excusable neglect, mistake and surprise on his part, it is

23 ORDERED that intervening plaintiff RICK DREO's Motion for Relief from Order is

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1 granted, and that RICK DREO's Motion to Determine Validity, filed on August 19, 2009, is
2 deemed timely filed.

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IT IS SO ORDERED.

Dated: September 9, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE