

1 Scott J. Ivy, #197681
Lang, Richert & Patch
2 5200 N. Palm Ave., Suite 401
Post Office Box 40012
3 Fresno, California 93755-0012
(559) 228-6700 Phone
4 (559) 228-6727 Fax

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6 Attorneys for Defendant, FRESNO-MADERA
FEDERAL LAND BANK ASSOCIATION, FLCA
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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

10 ONIONS ETC., and DUDA FARM FRESNO
11 FOODS, INC.,

12 Plaintiffs,

13 v.

14 Z&S FRESH, INC., a California corporation,
fdba Z&S DISTRIBUTING COMPANY,
15 INC., a California corporation; MARTIN J.
ZANINOVICH, an individual; LOREN
16 SCHOENBURG, an individual; MARGARET
aka MARGE SCHOENBERG, an individual,

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18 Defendants
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Case No.: 1:09-cv-00906-OWW-SMS

**ORDER GRANTING DEFENDANT
FRESNO-MADERA LAND BANK
ASSOCIATION, FCLA'S COUNTER
MOTION FOR LEAVE TO FILE
AMENDED COMPLAINT [410] AND
DENYING THE TRUSTEE'S MOTION
TO INTERVENE [422]**

Date: January 20, 2009
Time: 10:30 a.m.
Dept: 7

1 FRANK A. LOGOLUSO FARMS, a
California Corporation,

2 Intervenor Plaintiff,

3 v.

4 Z&S FRESH, INC., fdba Z&S
5 DISTRIBUTING, CO., INC., a California
6 corporation; MARTIN J. ZANINOVICH, an
individual; LOREN SCHOENBERG an,
7 individual; MARGARET aka MARGE
SCHOENBERG, an individual; TWO PLAY
8 PROPERTIES, LLC, a California limited
liability company; TWO PLAY PROPERTIES
9 ARIZONA, LLC, an Arizona limited liability
company; THREE PLAY FARMS, a
10 California general partnership; FOUR PLAY
RANCH, a California general partnership; ZM
11 FRESNO SPECIAL T'S, INC., a California
corporation; FRESNO-MADERA FEDERAL
12 LAND BANK ASSOCIATION, FLCA, a
corporation existing and operating under the
13 Farm Credit Act of 1971, as amended and
BANK OF THE WEST, a California
corporation,

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15 Defendants.
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19 Upon consideration of Fresno-Madera Federal Land Bank's (the "Land Bank") Opposition
20 and Counter Motion to Amend [D.E. #410] (the "Counter Motion") and all supporting and opposing
21 documentation and arguments of counsel, if any,

22 **IT IS HEREBY ORDERED** that the Land Bank's Counter Motion to Amend is
23 GRANTED;

24 **IT IS FURTHER ORDERED** that the Land Bank's Second Amended Cross Complaint
25 and First Amended Counter Complaint is hereby deemed timely filed as of the entry date of this
26 Order;

27 **IT IS FURTHER ORDERED** that all Defendants, Cross Defendants and Counter
28 Defendants shall have twenty (20) days from the entry date of this Order to Answer or otherwise

1 plead in response to the Land Bank's Second Amended Cross Complaint and First Amended
2 Counter Complaint.

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5 IT IS SO ORDERED.

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7 Dated: February 11, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE