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Attorneys for Defendant, Martin J. Zaninovich

8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION**

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

Plaintiff,

12 vs.

13 Z&S FRESH, INC. fdba Z&S  
 14 DISTRIBUTING CO., INC., MARTIN J.  
 15 ZANINOVICH, LOREN SCHOENBURG,  
 16 AND MARGARET aka MARGE  
 17 SCHOENBURG

Defendants

CASE NO. 1:09-CV-00906-OWW-MJS

JUDGMENT FOLLOWING ACCEPTANCE  
 OF DEFENDANT MARTIN J.  
 ZANINOVICH'S OFFER OF JUDGMENT  
 PURSUANT TO FEDERAL RULE OF CIVIL  
 PROCEDURE RULE 68 BY PLAINTIFF

Complaint Filed: May 22, 2009  
 Trial Date: July 12, 2011

18 AND INTERVENING ACTIONS

19 AND CROSS-COMPLAINTS

20 Defendant MARTIN J. ZANINOVICH having tendered a Offer of Judgment made  
 21 pursuant to Federal Rules of Civil Procedure Rule 68, and Plaintiff Mark L. Pascoe  
 22 (collectively the "Parties") having timely accepted such Offer of Judgment in accordance  
 23 with Fed. Rules Civ. P. Rule 68 in the principal sum of \$8,423.65, plus costs accrued to  
 24 date of the offer in the amount of \$79.80, the Parties hereby request that this Court  
 25 enter judgment in the total sum of \$8,503.45 against Martin J. Zaninovich pursuant to  
 26 Federal Rules of Civil Procedure Rule 68(a). A copy of the Offer of Judgment is  
 27 attached hereto as Exhibit "A".

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1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

2 1. Judgment on Plaintiff's claim filed in this matter is entered in favor of  
3 Plaintiff as against Defendant Martin J. Zaninovich, in the cumulative sum of \$8,503.45,  
4 representing the principal sum of \$8,423.65 and costs in the amount of \$79.80.

5 2. This partial judgment, made pursuant to Federal Rules of Civil Procedure  
6 Rule 68(a), shall be merged into the final judgment to be entered in this matter.

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8 IT IS SO ORDERED.

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10 Dated: September 9, 2010

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/s/ OLIVER W. WANGER  
Hon. Oliver W. Wanger  
United States District Judge,  
Eastern District of California (Fresno)

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