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6 Attorneys for Plaintiff in Intervention, TWO PLAY PROPERTIES, a California
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8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**
 10 **FRESNO DIVISION**

11 ONIONS ETC., INC.; DUDA FARM)
 12 FRESH FOODS, INC.,)

13 Plaintiffs,)

14 v.)

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

19 Defendants.)

20)
 21 _____)
 22 TWO PLAY PROPERTIES, a California)
 Limited Liability Company)

23 Intervenor Plaintiff)
 24 _____)

Case Number 1:09-CV-00906-OWW-MJS

**STIPULATION OF VOLUNTARY
 DISMISSAL; ORDER**

25 IT IS HEREBY STIPULATED AND AGREED, pursuant to *Federal Rules of*
 26 *Civil Procedure, Rule 41(a)(1)*, by and between Intervenor Plaintiff, Two Play Properties, a
 27 California limited liability company and Defendant Martin J. Zaninovich as follows:

28 ///

1 That the action commenced on July 13, 2009 and amended on July 31, 2009, by
2 plaintiff in intervention, Two Play Properties, a California limited liability company (Doc. 77 and
3 Doc. 186) is hereby dismissed with prejudice as against defendant Martin J. Zaninovich only,
4 with each party to bear their own attorneys' fees and costs.

5
6 Dated: September 17, 2010

WILD, CARTER & TIPTON
A Professional Corporation

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8 By: /s/ Patrick J. Gorman
PATRICK J. GORMAN
9 Attorneys for Two Play Properties, a
California Limited Liability Company

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11 Dated: September 17, 2010

WALTER-WILHELM LAW GROUP
A Professional Corporation

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13 By: /s/ Norman D. Morrison, IV
NORMAN D. MORRISON, IV
14 Attorneys for Martin J. Zaninovich

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16 **ORDER**

17 THE PARTIES HAVING SO STIPULATED, IT IS HEREBY ORDERED that the above-
18 captioned action initiated by plaintiff in intervention Two Play Properties is dismissed with
19 prejudice as against defendant Martin J. Zaninovich only, with each party bearing their own
20 attorneys' fees and costs.

21 IT IS SO ORDERED.

22 Dated: September 17, 2010

/s/ Oliver W. Wanger
23 UNITED STATES DISTRICT JUDGE