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11 Attorneys for: Intervenor Plaintiff and Cross-Defendant TERENCE J. LONG, TRUSTEE
12 PURSUANT TO COURT ORDER

13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

15 ONIONS ETC., INC., and DUDA FARM
16 FRESH FOODS, INC.,

17 Plaintiffs,

18 v.

19 Z & S FRESH, INC., a California corporation;
20 Z & S DISTRIBUTING COMPANY, INC., a
21 California corporation; MARTIN J.
22 ZANINOVICH, an individual; LOREN
23 SCHOENBURG, an individual; MARGARET
24 aka MARGE SCHOENBURG, an individual,

25 Defendants.

Case No.: 1:09-cv-00906-AWI-MJS

**AMENDED STIPULATION OF
VOLUNTARY DISMISSAL AND ORDER
THEREON**

26 AND ALL RELATED ACTIONS.

27 IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rules of Civil
28 Procedure 41(a), by and between Intervenor Plaintiff and Cross-Defendant TERENCE J.
LONG, TRUSTEE PURSUANT TO COURT ORDER, and Defendant, Cross-Complainant and
Counter-Complainant FRESNO-MADERA FEDERAL LAND BANK ASSOCIATION,
FLCA, as follows:

1. That the action commenced on February 17, 2010 by Intervenor Plaintiff and
Cross-Defendant TERENCE J. LONG, TRUSTEE PURSUANT TO COURT ORDER, is

1 hereby dismissed with prejudice as against Defendant, Cross-Complainant and Counter-
2 Complainant FRESNO-MADERA FEDERAL LAND BANK ASSOCIATION, FLCA only,
3 with each party to bear his or its own attorneys' fees and costs.

4 2. That the cross-action commenced on September 9, 2009 by Defendant, Cross-
5 Complainant and Counter-Complainant FRESNO-MADERA FEDERAL LAND BANK
6 ASSOCIATION, FLCA, is hereby dismissed with prejudice as against Intervenor Plaintiff and
7 Cross-Defendant TERENCE J. LONG, TRUSTEE PURSUANT TO COURT ORDER only,
8 with each party to bear his or its own attorneys' fees and costs.

9 Dated: December 5, 2011

PERKINS, MANN & EVERETT, APC

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11 By: /s/ Jan T. Perkins.
12 Jan T. Perkins, attorneys for Intervenor
13 Plaintiff and Cross-Defendant TERENCE J.
14 LONG, TRUSTEE PURSUANT TO COURT
15 ORDER

16 Dated: December 5, 2011

LANG, RICHERT & PATCH

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18 By: /s/ Scott J. Ivy.
19 Scott J. Ivy, attorneys for Defendant, Cross-
20 Complainant and Counter-Claimant FRESNO-
21 MADERA FEDERAL LAND BANK
22 ASSOCIATION, FLCA

23 **ORDER**

24 THE PARTIES HAVING SO STIPULATED, IT IS HEREBY ORDERED that the
25 complaint in intervention initiated by Intervenor Plaintiff and Cross-Defendant TERENCE J.
26 LONG, TRUSTEE PURSUANT TO COURT ORDER, is dismissed with prejudice as against
27 Defendant, Cross-Complainant and Counter-Complainant FRESNO-MADERA FEDERAL
28 LAND BANK ASSOCIATION, FLCA only, and the cross-action initiated by Defendant,

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Cross-Complainant and Counter-Complainant FRESNO-MADERA FEDERAL LAND BANK ASSOCIATION, FLCA, is dismissed with prejudice as against Intervenor Plaintiff and Cross-Defendant TERENCE J. LONG, TRUSTEE PURSUANT TO COURT ORDER, only, with each party to bear his or its own attorneys' fees and costs.

IT IS SO ORDERED.

Dated: December 6, 2011



CHIEF UNITED STATES DISTRICT JUDGE