

1 Patrick J. Gorman (SBN 131138)  
 Bruce M. Brown (SBN 075943)  
 2 **WILD, CARTER & TIPTON**  
 A Professional Corporation  
 3 246 West Shaw Avenue  
 Fresno, California 93704  
 4 Telephone: (559) 224-2131  
 Facsimile: (559) 229-7295  
 5 E-mail: [pgorman@wctlaw.com](mailto:pgorman@wctlaw.com)

6 Attorneys for Plaintiffs in Intervention, Aron Margosian, Four Play Farms, George Margosian,  
 7 Margosian Bros., Three Play Farms, Two Play Farms, LLC and Visalia Produce Sales, Inc.

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

|    |                                      |                                   |
|----|--------------------------------------|-----------------------------------|
| 11 | ONIONS ETC., INC., and DUDA FARM )   | Case Number 1:09-CV-00906-AWI-MJS |
|    | FRESH FOODS, INC., )                 |                                   |
| 12 | )                                    | <b>STIPULATION FOR VOLUNTARY</b>  |
|    | Plaintiffs, )                        | <b>DISMISSAL; ORDER</b>           |
| 13 | )                                    | _____                             |
|    | v. )                                 |                                   |
| 14 | )                                    |                                   |
|    | Z&S FRESH, INC., a California )      |                                   |
| 15 | corporation; Z&S DISTRIBUTING )      |                                   |
|    | COMPANY, INC., a California )        |                                   |
| 16 | corporation, MARTIN ZANINOVICH, an ) |                                   |
|    | individual; MARGARET aka MARGE )     |                                   |
| 17 | SCHOENBURG, an individual, et al. )  |                                   |
|    | )                                    |                                   |
| 18 | Defendants )                         |                                   |
|    | _____ )                              |                                   |
| 19 | AND ALL RELATED ACTIONS )            |                                   |
| 20 | _____ )                              |                                   |

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1 IT IS HEREBY STIPULATED AND AGREED, pursuant to *Federal Rules of*  
2 *Civil Procedure, Rule 41(a)(1)*, by and between Defendants, Loren Schoenburg and Margaret  
3 Schoenburg and Plaintiffs in Intervention, Aron Margosian, Four Play Farms, George Margosian,  
4 Margosian Bros., Three Play Farms, Two Play Farms, LLC and Visalia Produce Sales, Inc. as  
5 follows:

6 That the actions commenced on July 10, 2009, July 13, 2009 and July 31, 2009,  
7 by Plaintiffs in Intervention, Aron Margosian (Doc. 74), Four Play Farms (Doc. 72), George  
8 Margosian (Doc. 75), Margosian Bros. (Doc. 76), Three Play Farms (Doc. 78), Two Play Farms,  
9 LLC (Doc. 186) and Visalia Produce Sales, Inc. (Doc. 64) are hereby dismissed, as against  
10 Defendants, Loren Schoenburg and Margaret Schoenburg only, with each party to bear their own  
11 attorneys' fees and costs. The dismissals are with prejudice as to the claims plead in the above  
12 referenced Complaints in Intervention only and the parties, through their counsel, acknowledge  
13 and agree that the dismissals shall have no force or effect over any claims between the parties in  
14 the action currently pending in Tulare County Superior Court, Case No. 10-238202.

15  
16 Dated: January 31, 2013

WILD, CARTER & TIPTON  
A Professional Corporation

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18 By: /s/ Patrick J. Gorman  
PATRICK J. GORMAN  
19 Attorneys for Aron Margosian, Four  
20 Play Farms, George Margosian,  
21 Margosian Bros., Three Play Farms,  
Two Play Farms, LLC, and Visalia  
Produce Sales, Inc.

22 Dated: January 31, 2013

WILKINS, DROLSHAGEN &  
CZESHINSKI, LLP

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25 By: /s/ James H. Wilkins  
JAMES H. WILKINS  
26 Attorneys for Loren Schoenburg  
27 and Margaret Schoenburg  
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**ORDER**

THE PARTIES HAVING SO STIPULATED, IT IS HEREBY ORDERED that the above-captioned actions initiated by Plaintiffs in Intervention Aron Margosian, Four Play Farms, George Margosian, Margosian Bros., Three Play Farms, Two Play Farms, LLC and Visalia Produce Sales, Inc. are dismissed as against Defendants, Loren Schoenburg and Margaret Schoenburg only, with each party to bear their own attorneys' fees and costs. The dismissals are with prejudice as to the claims plead in the above referenced Complaints in Intervention only and shall have no force or effect over any claims between the parties in the action currently pending in the Tulare County Superior Court, Case No. 10-238202.

IT IS SO ORDERED.

Dated: January 31, 2013



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SENIOR DISTRICT JUDGE