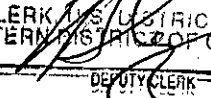


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

FILED

FEB 04 2013

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY: 
DEPUTY CLERK

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

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

ONIONS ETC., INC., and DUDA FARM)
FRESH FOODS, INC.,)

Plaintiffs,)

v.)

Z&S FRESH, INC., a California)
corporation; Z&S DISTRIBUTING)
COMPANY, INC., a California)
corporation, MARTIN ZANINOVICH, an)
individual, MARGARET aka MARGE)
SCHOENBURG, an individual, et al.)

Defendants)

AND ALL RELATED ACTIONS)

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

**STIPULATION FOR VOLUNTARY
DISMISSAL; ORDER**

Onions Etc., Inc. et al. v. Z & S Fresh, Inc. et al.

Doc 866

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
4 Margosian, Margosian Bros., Three Play Farms, Two Play Farms, LLC and Visalia Produce
5 Sales, Inc. as 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

17
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

23
24
25 By: /s/ James H. Wilkins
JAMES H. WILKINS
26 Attorneys for Loren Schoenburg
27 and Margaret Schoenburg
28

ORDER

1
2 THE PARTIES HAVING SO STIPULATED, IT IS HEREBY ORDERED that
3 the above-captioned actions initiated by Plaintiffs in Intervention Aron Margosian, Four Play
4 Farms, George Margosian, Margosian Bros., Three Play Farms, Two Play Farms, LLC and
5 Visalia Produce Sales, Inc. are dismissed as against Defendants, Loren Schoenburg and Margaret
6 Schoenburg only, with each party to bear their own attorneys' fees and costs. The dismissals are
7 with prejudice as to the claims plead in the above referenced Complaints in Intervention only
8 and shall have no force or effect over any claims between the parties in the action currently
9 pending in the Tulare County Superior Court, Case No. 10-238202.

10
11 IT IS SO ORDERED.

12
13 Dated: 2-1-13


UNITED STATES DISTRICT JUDGE