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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

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

Plaintiff

v.

**Z&S FRESHIN, INC., a California
company, et al.,**

Defendant

**AND ALL RELATED CONSOLIDATED
ACTIONS**

CASE NO. 1:09-CV-0906 AWI MJS

**ORDER TAKING JULY 1, 2013
MOTION UNDER SUBMISSION AND
VACATING HEARING**

Intervenor Plaintiff Frank A. Logoluso Farms has noticed for hearing and decision a motion for the Court to enter Judgment in favor of Intervenor Logoluso Farms. The matter was scheduled for a hearing to be held on July 1, 2013. No other party in this action has filed either an opposition to Intervenor Logoluso Farms's motion nor a notice of non-opposition 14 days before the hearing date. See Local Rule 230(c). As such, opposing parties are not entitled to be

1 heard at oral argument in opposition to the motion. See Local Rule 230(c). The Court has
2 reviewed Intervenor Logoluso Farms's motion and the applicable law and has determined that the
3 motion is suitable for decision without oral argument. See Local Rule 230(g).

4 Therefore, IT IS HEREBY ORDERED that the previously set hearing date of July 1, 2013,
5 is VACATED, and no party shall appear at that time. As of July 1, 2013, the Court will take the
6 matter under submission, and will thereafter issue its decision.

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8 IT IS SO ORDERED.

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10 Dated: June 28, 2013



11 SENIOR DISTRICT JUDGE
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