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 8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**
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11	MARVIN D. HORNE, LAURA R.)	1:09-cv-01790-OWW-SKO
	HORNE, and RAISIN VALLEY)	
12	FARMS MARKETING LLC,)	ORDER REGARDING CROSS-MOTIONS
)	FOR SUMMARY JUDGMENT
13	Plaintiffs,)	
)	
14	v.)	
)	
15	UNITED STATES DEPARTMENT OF)	
	AGRICULTURE; TOM VILSACK,)	
16	Secretary of the United)	
	States Department of)	
17	Agriculture (in his official)	
	capacity),)	
18)	
	Defendants.)	
19)	

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 21 This matter came before the Court on January 31, 2011, for
 22 hearing on the parties' cross-motions for summary judgment (Docs.
 23 14, 15). Brian C. Leighton, Esq., appeared on behalf of
 24 Plaintiffs, Marvin D. Horne, Laura R. Horne, and Raisin Valley
 25 Farms Marketing LLC. Benjamin E. Hall, Assistant United States
 26 Attorney, appeared on behalf of Defendants, United States
 27 Department of Agriculture and Tom Vilsack, Secretary. The matter
 28 was argued and submitted, and on February 7, 2011, the Court

1 issued its Memorandum Decision Regarding Cross-Motions for
2 Summary Judgment (Doc. 20). For the reasons stated in the
3 Court's Memorandum Decision,

4 IT IS HEREBY ORDERED as follows:

- 5 1. Plaintiffs' motion for summary judgment is DENIED.
- 6 2. Defendants' motion for summary judgment is GRANTED.
- 7 3. The clerk is directed to enter judgment in favor of
8 Defendants.

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10 **IT IS SO ORDERED.**

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12 Dated: February 16, 2011

/s/ OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE