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12 Attorneys for Defendant,  
 13 IKON OFFICE SOLUTIONS, INC.

14 IN THE UNITED STATES DISTRICT COURT  
 15 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 16 FRESNO DIVISION

18 CHOWCHILLA ELEMENTARY  
 SCHOOL DISTRICT, a California Department  
 19 of Education entity,  
 20 Plaintiff,  
 21 v.  
 22 IKON OFFICE SOLUTIONS, INC., an Ohio  
 Corporation, and DOES 1-50,  
 23 Defendants.

Case No. 1:10-cv-01603-OWW-SMS

**ORDER GRANTING THE MOTIONS TO  
 DISMISS FILED BY CHOWCHILLA  
 ELEMENTARY SCHOOL DISTRICT AND  
 THIRD PARTY DEFENDANTS AND  
 AFFORDING IKON OFFICE SOLUTIONS  
 LEAVE TO AMEND**

Judge: Oliver W. Wanger  
 Location: Courtroom \_\_, Floor \_\_

26 Having considered the motions of Counter-Defendant CHOWCHILLA ELEMENTARY  
 27 SCHOOL DISTRICT (hereinafter "CESD") to dismiss the Counterclaim of Defendant and Third  
 28 Party Plaintiff IKON OFFICE SOLUTIONS, INC. ("IKON"), and the motions of Third Party

1 Defendants TIMOTHY KENT and the RAY MORGAN COMPANY to dismiss IKON's first and  
2 sixth claims against Third Party Defendants, and IKON's oppositions thereto, it is hereby ordered  
3 as follows:

4 1. The CESD's motion to dismiss IKON's counterclaim is GRANTED. IKON is  
5 GRANTED LEAVE TO AMEND its counterclaim within twenty (20) days from the date of this  
6 Order, and Plaintiff shall have twenty (20) days thereafter to respond thereto; and

7 2. Third Party Defendants' motion to dismiss IKON's first and sixth claims is  
8 GRANTED. IKON is GRANTED LEAVE TO AMEND its complaint against Third Party  
9 Defendants within twenty (20) days from the date of this Order, and Third Party Defendants shall  
10 have twenty (20) days thereafter to respond thereto.

11  
12 IT IS SO ORDERED.

13 Dated: March 8, 2011

/s/ OLIVER W. WANGER

United States District Judge