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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

CHAMPION LABORATORIES, INC.,  
  
                                  Plaintiff,  
  
                  v.  
  
PARKER-HANNIFIN CORPORATION and  
PARKER INTANGIBLES LLC,  
  
                                  Defendants.

Case No. 1:10-CV-02371 OWW -DLB  
Hon. Oliver W. Wanger

**ORDER DISMISSING COUNTS 1-4 OF  
PLAINTIFF’S COMPLAINT**

Upon Consideration of Defendants Parker-Hannifin Corporation and Parker Intangibles LLC’s Motion to Dismiss, Plaintiff Champion Laboratories, Inc.’s Opposition to Motion to Dismiss, Defendants’ Reply in Support of Their Motion to Dismiss, and argument thereupon, this Court issued a Memorandum Opinion on May 17, 2011, dismissing Plaintiff’s false marking claims, Lanham Act claim, and California Business & Professions Code Section 17200 claim against Defendants (Doc. 42).

**IT IS HEREBY ORDERED** that Plaintiff’s false marking claims (Counts 1 and 2 of Plaintiff’s Complaint) are DISMISSED WITH PREJUDICE; Plaintiff’s Lanham Act claim (Count 3 of Plaintiff’s Complaint) is DISMISSED WITHOUT PREJUDICE; and Plaintiff’s claim under California Business & Professions Code Section 17200 (Count 4 of Plaintiff’s Complaint) is

ORDER DISMISSING COUNTS 1-4 OF PLAINTIFF’S COMPLAINT  
Case No. 1:10-CV-02371 OWW –DLB

1 DISMISSED WITHOUT PREJUDICE. Any amended complaint shall be filed by June 6, 2011,  
2 and Defendants shall have twenty (20) days to respond to any amended complaint.

3 IT IS SO ORDERED.

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5 Dated: May 27, 2011

/s/ OLIVER W. WANGER  
United States District Court Judge

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