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

SARGIS SARKIZI, an individual,

Plaintiff,

v.

GRAHAM PACKAGING, a
California business entity form
unknown, and DOES 1 through 25,
inclusive,

Defendants.

Case No. 1:13-cv-01435-AWI-SKO

Honorable Anthony W. Ishii

**[PROPOSED] ORDER DISMISSING
PLAINTIFF'S FIFTH CAUSE OF
ACTION AND VACATING ORDER
TO SHOW RE: WHY PLAINTIFF'S
FIFTH CAUSE OF ACTION
SHOULD NOT BE DISMISSED**

(Doc. Nos. 27, 39, 43, 44)

State Action Filed: July 31, 2013

Trial Date: None Set.

This matter is before the Court on Plaintiff SARGIS SARKIZI and Defendant GRAHAM PACKAGING COMPANY's (hereinafter collectively referred to as "the Parties") Stipulation to Dismiss Plaintiff's Fifth Cause of Action for Violations of *California Business & Professions Code* § 17200 and Stipulation to Vacate the Pending Order to Show Cause Re: Why Plaintiff's Fifth Cause of Action for Violations of *California Business & Professions Code* § 17200 Should Not Be Dismissed (Doc. Nos. 43, 44).

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IT IS HEREBY ORDERED that:

1. Plaintiff's Fifth Cause of Action for Violations of *California Business & Professions Code* § 17200 in Plaintiff's First Amended Complaint (Doc. No. 27) is dismissed without prejudice; and
2. The pending Order to Show Cause (Doc. No. 39) is DISCHARGED.

IT IS SO ORDERED.

Dated: December 15, 2014



SENIOR DISTRICT JUDGE