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8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10

11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 39.77 ACRES OF LAND, MORE OR LESS,
 SITUATE IN TULARE COUNTY, STATE OF
 15 CALIFORNIA; RANDALL L. CARROLL,
 TRUSTEE UNDER THE RANDALL L.
 16 CARROLL SEPARATE PROPERTY TRUST;
 ROSEDALE WATER COMPANY, A
 17 CALIFORNIA CORPORATION; SUCCESS
 DEVELOPMENT COMPANY, A CALIFORNIA
 18 CORPORATION; JOYCE D. TZUGARIS AKA
 JOYCE D. KING AKA J.D. TZUGARIS AKA J.D.
 19 KING; CARL ADAIR BROWN AKA C. ADAIR
 BROWN; BARBARA J. BROWN; SUCCESS
 20 MUTUAL WATER COMPANY, A CALIFORNIA
 CORPORATION; SUCCESS PROPERTIES, A
 21 JOINT VENTURE OF J. RAND OLSON AKA
 RAND OLSON AKA RAND J. OLSON AKA
 22 RAND JON OLSON AKA J.R. OLSON, KEITH D.
 OLSON AND C. ADAIR BROWN; CHICAGO
 23 TITLE COMPANY, A CALIFORNIA
 CORPORATION; HARDING & LEGGETT, INC.;
 24 MODOC COUNTY TITLE CO., INC.; JAMES L.
 HOLDEN, TRUSTEE OF THE CHESTER M.
 25 MASON FAMILY TRUST; JAMES BRADLEY
 CLARK AKA JAMES B. CLARK; PAULA DEAN
 26 CLARK AKA PAULA D. CLARK; TULARE
 COUNTY ESCROW CO.; TULARE COUNTY
 27 TREASURER AND TAX COLLECTOR; and
 UNKNOWN OWNERS,
 28 Defendants.

CASE NO. 1:14-cv-01819-TLN-SKO
 STIPULATION AND ORDER OF
 DISMISSAL OF JAMES L. HOLDEN,
 TRUSTEE UNDER THE CHESTER M.
 MASON FAMILY TRUST, BASED UPON
 DISCLAIMER; ORDER THEREON

1 Defendant JAMES L. HOLDEN, TRUSTEE UNDER THE CHESTER M. MASON FAMILY
2 TRUST (hereinafter "JAMES L. HOLDEN, TRUSTEE") and Plaintiff the United States of America,
3 submit the following stipulation to the Court for its approval.

4 First, JAMES L. HOLDEN, TRUSTEE disclaims interest or estate in the real property interests
5 that are the subject matter of this federal condemnation action. This disclaimer does not extend to any
6 other assets held by other parties to this action.

7 Second, in light of this disclaimer of interest in the subject matter of this action, the parties
8 request that JAMES L. HOLDEN, TRUSTEE be dismissed as Defendant in this action, and that any
9 FURTHER service of documents upon JAMES L. HOLDEN, TRUSTEE following service of this
10 Order, is not necessary, and that JAMES L. HOLDEN, TRUSTEE may be omitted from the caption of
11 this case in all subsequent filings with the Court.

12 **Finally, the other parties remain in the case and this dismissal does not close the case file.**

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14 BENJAMIN B. WAGNER
15 United States Attorney

16 Date: 12/17/14

17 By: /s/
18 LYNN TRINKA ERNCE
19 Assistant United States Attorney
20 Attorneys for Plaintiff, United States of America

21 Date: 12/11/14

22 By: /s/
23 JAMES L. HOLDEN, TRUSTEE UNDER THE
24 CHESTER M. MASON FAMILY TRUST
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1 **ORDER**

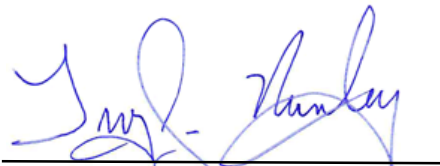
2 IT IS ORDERED that Defendant JAMES L. HOLDEN, TRUSTEE UNDER THE CHESTER M.
3 MASON FAMILY TRUST (hereinafter "JAMES L. HOLDEN, TRUSTEE") is dismissed as Defendant
4 in this action. The Clerk of the Court is directed to terminate said Defendant from the Official Docket of
5 this case.

6 IT IS FURTHER ORDERED that, after this Order is served upon JAMES L. HOLDEN,
7 TRUSTEE, no further documents in this case need to be served upon said Defendant.

8 IT IS FURTHER ORDERED that said JAMES L. HOLDEN, TRUSTEE may be omitted from
9 the caption of this case in all future filings.

10 **IT IS FURTHER ORDERED that other Defendants remain in the case, which is to remain**
11 **open.**

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14 Dated: December 23, 2014

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18 Troy L. Nunley
19 United States District Judge
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