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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RITA T. HOOPER AND LOUIS G. HOOPER AS TRUSTEES OF THE GORDON HOOPER REAL ESTATE, INC. EMPLOYEES' PENSION AND PROFIT SHARING PLAN, RITA T. HOOPER, INDIVIDUALLY LOUIS G. HOOPER, INDIVIDUALLY GORDON HOOPER REAL ESTATE, INC.,

Plaintiffs,

v.

KENDRICK HOOPER,

Defendant.

) Case No.: 2:08-CV-00699-JAM-KJM

) **ORDER GRANTING PLAINTIFFS' MOTION FOR SUBSTITUTION OF PARTY [F.R.C.P. 25(a)(1)]**

) **Date: September 9, 2009**

) **Time: 9 a.m.**

) **Dept: 6**

) **Judge: The Hon. John A. Mendez**

1 KENDRICK HOOPER,)
)
 2 Counter-Claimant,)
)
 3 v.)
)
 4 RITA T. HOOPER AND LOUIS G.)
)
 5 HOOPER AS TRUSTEES OF THE)
)
 6 GORDON HOOPER REAL ESTATE, INC.)
)
 7 EMPLOYEES' PENSION AND PROFIT)
)
 8 SHARING PLAN; RITA T. HOOPER,)
)
 9 INDIVIDUALLY; LOUIS G. HOOPER,)
)
 10 INDIVIDUALLY; GORDON HOOPER)
)
 11 REAL ESTATE, INC.,)
)
 Counter-Defendants.)
)

12 Upon considering the motion of Plaintiffs Rita T. Hooper and Louis G. Hooper as
 13 Trustees of the Gordan Hooper Real Estate, Inc. Employees Pension and Profit Sharing Plan,
 14 Rita Hooper, individually, Louis G. Hooper, individually and the Gordon Hooper Real Estate,
 15 Inc. ("Hooper Real Estate") for an Order substituting Julie Ann Rackey, individually, as
 16 successor in interest to decedent defendant Kendrick E. Hooper and as successor trustee of the
 17 Kendrick E. Hooper Trust of 2009 U.D.T. dated March 18, 2009, the Court having considered
 18 the moving papers, files in the record, and good cause having been shown, rules as follows:

19 **IT IS HEREBY ORDERED** that Plaintiffs motion to substitute Julie Ann Rackey,
 20 individually as successor in interest to decedent defendant Kendrick E. Hooper and as
 21 successor trustee of the Kendrick E. Hooper Trust of 2009 U.D.T. dated March 18, 2009 is
 22 **GRANTED.**

23 **IT IS SO ORDERED:**

24 Dated: September 9, 2009

25 /s/ John A. Mendez
 26 **THE HONORABLE JOHN A. MENDEZ**

1 **APPROVED AS TO FORM**

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3 _____
4 **Attorney for Decedent Defendant/Counter-Claimant Kendrick Hooper**
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