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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VICTORIANO VALENCIA, et al.,

Plaintiffs,

No. CIV S-09-1228 KJM-KJN

vs.

DEL RIO WEST PALLET COMPANY
INC., et al.,


Defendants.

ORDER

As set forth in plaintiffs' Status Report, filed April 21, 2011, and defendants' Status Report, filed April 25, 2011, and further discussed at a status conference on April 27, 2011, the parties agree that the evidence does not support Federal Labor Standards Act jurisdiction. Accordingly, plaintiffs are hereby ORDERED to file a stipulation of dismissal in compliance with Federal Rule of Civil Procedure 41(a)(1)(ii) within seven calendar days of this order. In the event the plaintiffs fail to provide the aforementioned stipulation of dismissal, plaintiffs are hereby ORDERED to file a motion to amend the complaint within twenty-one calendar days of this order.

IT IS SO ORDERED.

DATED: April 24, 2011.


UNITED STATES DISTRICT JUDGE