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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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GENERAL ELECTRIC CAPITAL
CORPORATION, et al.,

Plaintiffs,

Civ. No. S-09-3296 FCD/EFB

v.

ORDER

TEN FORWARD DINING, INC., et
al.,

Defendants.

_____/

And Related Counter-Claims

_____/

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This matter is before the court on the motions of counter-defendants General Electric Capital Corporation, CEF Funding II, LLC, and CEF Funding V, LLC to dismiss counter-claimants' Ten Forward Dining, Inc., Delightful Dining, Inc., TGIA Restaurants, Inc., Kobra Restaurant Properties, LLC, and Abdolghassem Alizadeh's counterclaim pursuant to Federal Rule of Civil Procedure ("FRCP") 12(b)(6). On May 3, 2010, counter-claimants

1 filed a statement of non-opposition to the motion to dismiss
2 (Docket #44.) Accordingly, counter-defendants' motion to dismiss
3 is GRANTED.

4 IT IS SO ORDERED.

5 DATED: May 7, 2010



6 FRANK C. DAMRELL, JR.
7 UNITED STATES DISTRICT JUDGE
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