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

ROHRER BROTHERS, INC., a)	
California corporation,)	2:10-cv-03390-GEB-CMK
)	
Plaintiff,)	
)	<u>ORDER GRANTING MOTION TO</u>
v.)	<u>INTERVENE*</u>
)	
SUPER FRESH WHOLESALE FOODS)	
INC., a California corporation,)	
HOWARD HARTMAN, JR., an)	
individual, and HOWARD HARTMAN,)	
III, an individual,)	
)	
Defendants.)	
_____)	

Intervenor-Applicant Greenfield Fresh, Inc. ("Movant") moves to intervene as a Plaintiff in this action, arguing it is entitled to intervene as a matter of right under Federal Rule of Civil Procedure ("Rule") 24(a)(2) or, in the alternative, permissively under Rule 24(b). Movant attached to its intervention motion a proposed "Intervening Complaint." No party opposes the motion.

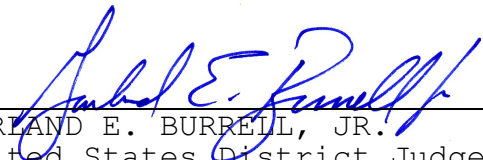
Since it is evident that movant may intervene under Rule 24(b), this portion of the motion is granted, and the issue of whether intervention is appropriate under Rule 24(a)(2) is not reached. Therefore, the Movant has ten days leave from the date on which this order is filed within which to file the proposed "Intervening Complaint"

* This matter is deemed suitable for decision without oral argument. E.D. Cal. R. 230(g).

1 attached to its motion.

2 Dated: April 12, 2011

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GARLAND E. BURRELL, JR.
United States District Judge