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 Small Business Administration
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8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10 KINGS VALLEY INDUSTRIES,)
 a California corporation,)
 11)
 Plaintiff,)
 12)
 v.)
 13 STOCKTON INGREDIENT SERVICES,)
 CORP., a California corporation;)
 14 INTERNATIONAL QUALITY)
 INGREDIENTS, a Netherlands limited)
 15 liability company; FARM BRANDS)
 LIMITED, a New Zealand limited liability)
 16 company; A.E.J. PROPERTIES, LLC, a)
 California limited liability company; ZIONS)
 17 FIRST NATIONAL BANK, a Utah corp.;)
 CAPITAL ACCESS GROUP, INC., a)
 18 California corporation; SMALL BUSINESS)
 ADMINISTRATION, an Agency of the)
 19 United States Government; ENDURO)
 SYSTEMS, INC. dba INTERSYSTEMS,)
 20 a California corporation; GRIDER)
 ELECTRIC CORPORATION, a California)
 21 corporation; UNITED RENTALS NORTH)
 WEST INC., an Oregon corporation; and)
 22 DOES 1 through 50, inclusive,)
 23 Defendants.)
 24

2:11-cv-02450-LKK -GGH

**STIPULATION TO DISMISS
 DEFENDANT SMALL BUSINESS
 ADMINISTRATION WITHOUT
 PREJUDICE AND REMAND THE
 REMAINDER OF THE CASE; ORDER**

25 Plaintiff Kings Valley Industries ("Kings Valley") and the United States of America,
 26 Small Business Administration ("SBA"), acting through counsel, stipulate that the SBA be
 27 dismissed without prejudice from this action and that the remainder of the case may be remanded
 28 back to San Joaquin Superior Court, and the parties will bear their own costs and fees, if any,

1 arising from this action. The parties request the Court endorse this stipulation by way of formal
2 order.

3 Respectfully submitted,

4 Dated: September 20, 2011

BENJAMIN B. WAGNER
United States Attorney

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7 By: /s/Jeffrey J. Lodge
JEFFREY J. LODGE
Assistant U.S. Attorney
Attorneys for United States of America

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10 Dated: September 20, 2011


WAGNER & WAGNER,
a Professional Corporation

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13 By: /s/Bryan N. Wagner
BRYAN N. WAGNER
Attorneys for Plaintiff Kings Valley
Industries

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16 **ORDER**

17 Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure and the terms of
18 the stipulation set forth above, the United States of America, Small Business Administration is
19 dismissed as a party without prejudice. The remainder of the case shall be remanded to San
20 Joaquin County Superior Court.

21 Dated: September 22, 2011

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LAWRENCE K. KARLTON
25 SENIOR JUDGE
26 UNITED STATES DISTRICT COURT
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