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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

TONY MARTINEZ,

Plaintiff,

vs.

WATT-ELKHORN ASSOCIATES,
LP; BIG 5 CORP. dba BIG 5 Sporting
Goods #224; PNS Stores, Inc. dba Big
Lots,

Defendants.

BIG 5 CORP.,

Cross-Complainant.

vs.

WATT-ELKHORN Center, a general
partnership, aka WATT-ELKHORN
ASSOCIATES, L.P., a California
limited partnership, and ROES 1
through 50, Inclusive,

Cross-Defendants.

CASE No. 2:11-CV-02608-MCE-EFB

**ORDER RE: JOINT STIPULATION
FOR DISMISSAL OF CROSS-
CLAIM**

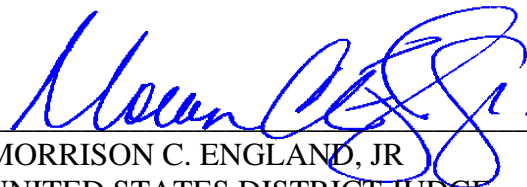
Action Filed: October 4, 2011
Trial Date:

Upon consideration of the Joint Stipulation for Dismissal of Cross-Claim submitted by Cross-Claimant, BIG 5 CORP., and Cross-Defendant, WATT-ELKHORN Center, a general partnership, aka WATT-ELKHORN ASSOCIATES, L.P., a California limited partnership, dated October 28, 2011,

IT IS HEREBY ORDERED that BIG 5 CORP.'s Cross-Claim in the above-entitled action is dismissed *without prejudice*

IT IS SO ORDERED.

Dated: March 8, 2012



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE