

1 GLENN W. PETERSON, ESQ. (SBN 126173)  
 2 **MILLSTONE PETERSON & WATTS, LLP**  
 3 *Attorneys at Law*  
 4 2267 Lava Ridge Court, Suite 210  
 5 Roseville, CA 95661  
 6 Telephone No: (916) 780-8222  
 7 Fax No: (916) 780-8775

8 Attorneys for Plaintiffs  
 9 Michael D. Garman and  
 10 California Construction and Renovations, Inc.

11 JARED T. WALKER, ESQ. (SBN 269029)  
 12 725 30th Street, Suite 201  
 13 Sacramento, CA 95816  
 14 Telephone No: (916) 476-5044  
 15 Fax No: (916) 476-5064

16 Attorney for Defendants  
 17 Rich Booher and  
 18 RM Construction and Development, Inc.

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

21 MICHAEL D. GARMAN; CALIFORNIA )  
 22 CONSTRUCTION AND RENOVATIONS, )  
 23 INC., a California Corporation )  
 24 )  
 25 Plaintiff, )  
 26 )  
 27 vs. )  
 28 )  
 29 RICH BOOHER; RM CONSTRUCTION AND )  
 30 DEVELOPMENT, INC., a California )  
 31 Corporation; and DOES 1 through 10, inclusive, )  
 32 )  
 33 Defendants. )

Case No. 2:12-CV-01905-TLN-EFB

**ORDER TO DISMISS**

Complaint Filed: July 19, 2012  
 Trial Date: February 11, 2014

Based upon the filed stipulation, and good cause appearing, the Stipulated Motion to Dismiss is granted as follows:

1. Plaintiffs’ first cause of action for alleged violations of the Computer Fraud and Abuse Act, 18 U.S.C. Section 1030, is dismissed with prejudice.
2. Plaintiffs’ second cause of action for alleged violations of California Penal Code Section 502 is dismissed without prejudice.



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3. Plaintiffs' third cause of action for alleged false designation of origin, 15 U.S.C. Section 1125, is dismissed with prejudice.

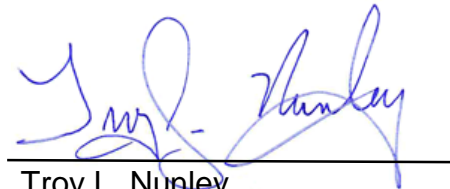
4. Plaintiffs' fourth cause of action for alleged trespass to chattels is dismissed without prejudice.

5. Plaintiffs' fifth cause of action for alleged violations of California Business and Professions Code Section 17200 is dismissed without prejudice.

6. Each party shall bear their own costs and attorney's fees.

**IT IS SO ORDERED.**

Dated: October 30, 2013



Troy L. Nunley  
United States District Judge