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 5 for the Harold O. Newell Trust,
 Zandee Newell, and Marianne Newell
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7 UNITED STATES BANKRUPTCY COURT
 8 EASTERN DISTRICT OF CALIFORNIA
 9 SACRAMENTO DIVISION

10 In re
 11 VILLAGE CONCEPTS, INC.,
 12 Debtor,

District Court Case No. 2:14-cv-0021

[Bankr. Case No. 12-30911-A]

[AP No. 13-02212]

Date: October 1, 2014
Time: 10:00am
Courtroom: 3 (15th Floor)

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 16 **DAVID FLEMMER**, in his capacity as
 Trustee for the Bankruptcy Estate of
 17 Village Concepts, Inc.,

**ORDER APPROVING DISMISSAL OF
 ACTION**

18 Plaintiff,

v.

19 ZENAIDA O. NEWELL a.k.a. ZANDEE
 20 NEWELL, MARIANNE NEWELL, and
 BRIAN R. KATZ, in his capacity as
 21 Successor Trustee for the Harold O .
 Newell Revocable Trust,

22 Defendants.
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24 Having considered the stipulation between Plaintiff DAVID FLEMMER ((

25 “Plaintiff”), in his capacity as trustee for the Chapter 7 bankruptcy estate of Village

26 Concepts, Inc.; Defendants Brian R. Katz (“Brian Katz”), in his capacity as successor

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1 trustee for the Harold O. Newell Revocable Trust, Zandee Newell (“Zandee”), and
2 Marianne Newell (“Marianne”) (Brian Katz, Zandee, and Marianne collectively referred to
3 as “Defendants”); to dismiss this action pursuant to Federal Rule of Civil Procedure
4 41(a)(2), and good cause appearing therefor;

5 IT IS ORDERED as follows:

6 1. Plaintiff’s claims against Defendants alleging among other things claims to
7 recover alleged usurious interest from Defendants shall be dismissed with prejudice.

8 2. Plaintiff and Defendants shall bear their own costs.

9 3. Defendant, as Third Party Plaintiff, shall make a separate Motion to Dismiss
10 Defendant’s claims against Third Party Defendants Mark Weiner, Nancy Weiner, and
11 Susanville Village, LLC.

12 Dated: October 20, 2015.

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15 UNITED STATES DISTRICT JUDGE
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