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LAW OFFICES
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SUITE 700
NEWPORT BEACH, CALIFORNIA 92660
(949) 752-2911
FAX (949) 752-0953

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

FRESHKO PRODUCE SERVICES, INC.,
a California corporation,

Plaintiffs,

v.

A.L.L. GROUPS, INC., a California
corporation d/b/a VIC'S DISCOUNT
MARKET and d/b/a VIC'S Market;
ASHWANI KUMAR MAYER, an
individual,

Defendants.

CASE NO. 2:15-CV-00234-KJM-AC

**ORDER STRIKING ORDER TO SHOW
CAUSE AND DISMISSING
COMPLAINT WITHOUT PREJUDICE**

Having reviewed and considered Plaintiff FRESHKO PRODUCE SERVICES, INC.'s Response to this Court's Order to Show Cause and updated Status Report concerning Defendants' bankruptcy filings, and good cause appearing therefor:

IT IS HEREBY ORDERED that Plaintiff's Response to the OSC is satisfactory and the OSC is therefore discharged.

IT IS FURTHER ORDERED that Plaintiff's complaint shall be and hereby is dismissed as to all Defendants, *without prejudice*, subject to reopening in the event either

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one or both of Defendants' bankruptcy petitions is dismissed or in the event Plaintiff is granted relief from the automatic stay.

IT IS SO ORDERED.

DATED: August 25, 2016.


UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

1. At the time of service I was over 18 years of age and not a party to this action.
2. My address is 4100 Newport Place Drive, Suite 700, Newport Beach, CA 92660.

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1 On August 25, 2016, I served the following documents: **[PROPOSED] ORDER**
2 **STRIKING ORDER TO SHOW CAUSE AND DISMISSING COMPLAINT**
3 **WITHOUT PREJUDICE**

4 I served the documents on the persons below, as follows:

5 Ashwani Kumar Mayer
6 A.L.L. Groups, Inc. d/b/a
7 Vic's Discount Market; and
8 d/b/a Vic's Market
9331 Boothwyn Way
Elk Grove, CA 95758-7634

9 By United States mail. I enclosed the documents in a sealed envelope or package
10 addressed to the persons at the addresses below and placed the envelope for collection
11 and mailing, following our ordinary business practices. I am readily familiar with this
12 business's practice for collecting and processing correspondence for mailing. On the same
13 day that correspondence is placed for collection and mailing, it is deposited in the
14 ordinary course of business with the United States Postal Service, in a sealed envelope
15 with postage fully prepaid. I am a resident or employed in the county where the mailing
16 occurred. The envelope or package was placed in the mail at Newport Beach, California.

17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct.

19 Dated: August 25, 2016

/s/ Abby Hernandez
Abby Hernandez