

1 Effie F. Anastassiou, Esq. (State Bar #96279)  
 Karli R. Jungwirth, Esq. (State Bar #227956)  
 2 ANASTASSIOU & ASSOCIATES  
 242 Capitol Street  
 3 Post Office Box 2210  
 Salinas, California 93902  
 4 Telephone: (831) 754-2501  
 Facsimile: (831) 754-0621  
 5  
 Attorneys for Plaintiff  
 6 MAJOR FARMS, INC.

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 8 **IN THE UNITED STATES DISTRICT COURT**  
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

10 HIGASHI FARMS, INC., a corporation; K&S )  
 FARMS, LLC, a limited liability company; M. )  
 11 NISHIMORI FARMS, INC., a corporation; )  
 MANN PACKING CO., INC., a corporation; )  
 12 MARTIN JEFFERSON & SONS, a )  
 partnership; MERRILL FARMS, LLC, a )  
 13 limited liability company; NEW STAR )  
 FRESH FOODS, LLC, a limited liability )  
 14 company; TAYLOR FARMS CALIFORNIA, )  
 INC., a corporation; )

15 Plaintiffs,

16 v.

17 BANK OF THE WEST, a California banking )  
 18 corporation, as Administrative Agent for )  
 itself, AGSTAR FINANCIAL SERVICES, )  
 19 PCA/FLCA, and FCS FINANCIAL, PCA; )  
 STEVE FRANSON, as Receiver for SALYER )  
 20 AMERICAN FRESH FOODS, a California )  
 Corporation, )

21 Defendants.

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 23 AND ALL RELATED ACTIONS.  
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Case Nos.: 09-CV-04983-JF  
 09-CV-04985-JF  
 09-CV-04207-JF

**PLAINTIFF MAJOR FARMS, INC.'S NOTICE OF WITHDRAWAL OF PACA TRUST CLAIM AND AGREED DISMISSAL OF COMPLAINT AND REQUEST FOR DISMISSAL WITH PREJUDICE AS TO DEFENDANTS BANK OF THE WEST AND RECEIVER STEVE FRANSON ONLY AND ~~PROPOSED~~ ORDER REGARDING DISMISSAL**

1 Pursuant to the Stipulation to Resolve and Release Claims of Major Farms, Inc. and Dismiss  
2 Pending complaint/Complaint in Intervention and/or Withdrawal of Claim dated May 20, 2011,  
3 concurrently filed herewith as ECF No. 83, Plaintiff Major Farms, Inc. hereby gives notice that it is  
4 withdrawing its PACA Trust Claim, as to Defendants Bank of the West and Receiver Steven Franson  
5 *only*, and it respectfully requests that this Court dismiss Major Farms, Inc.'s Complaint as to Defendants  
6 Bank of the West and Receiver Steve Franson *only*.

7  
8 Dated: June 22, 2011

  
ANASTASSIOU & ASSOCIATES

9 By: /s/ Effie F. Anastassiou  
10 Effie F. Anastassiou, Esq.  
11 Attorneys for Plaintiff,  
Major Farms, Inc.

12 **ORDER**

13 PURSUANT TO STIPULATION, IT IS SO ORDERED that Major Farms, Inc.'s Complaint is  
14 dismissed as to Defendants Bank of the West and Receiver Steven Franson *only*.

15 SO ORDERED.

16  
17 Dated: 7/13/11

  
United States District Court Judge Jeremy Fogel

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