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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

WHOLE LEAF USA, LLC; et al.,

Plaintiffs,

v.

UNITED SECURITY BANK; et al.

Defendants.

Case No. 5:13-cv-3833-BLF

~~PROPOSED~~ ORDER TO DISMISS
ACTIONS WITH PREJUDICE

[Fed. R. Civ. Proc. 41(a)(1)]

Complaint Filed: August 19, 2013
Cross-Actions Filed: October 11, 2013

Trial Date: May 4, 2015
Courtroom: 3
Honorable Beth Labson Freeman

AND RELATED CROSSCLAIMS,
COUNTERCLAIM, AND THIRD
PARTY COMPLAINT

Pursuant to the Stipulation to Dismiss With Prejudice signed by the necessary parties, the Federal Rules of Civil Procedure 41(a)(1) and upon Good Cause, the Court dismisses the following claims:

1. All claims of Plaintiff MKM Farms, Inc. (“MKM”), on behalf of itself only, against Defendant United Security Bank, WITH prejudice; and
2. MKM and USB waive the right to recover any fees and costs relating to the Dismissal by MKM Farms, Inc. of United Security Bank, Inc; however, MKM Farms, Inc. does not waive any remedy that may be secured from the United States Department of Agriculture for the sums past due from Chieftain Harvesting, Inc.

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The remaining claims and parties unaffected by this Stipulation are:

1. MKM Farms Inc. claims against Defendants, Chieftain Harvesting, Inc. and Mr. David Mills; and

2. Field Fresh Farms, LLC claims against Defendants, Chieftain Harvesting, Inc., and Mr. David Mills.

IT IS SO ORDERED.

DATED: March 30, 2015


THE HONORABLE BETH LABSON FREEMAN
UNITED STATES DISTRICT JUDGE