

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

WELLS FARGO CAPITAL FINANCE,
INC., formerly known as Wells Fargo
Foothill, Inc., a California corporation, as
Administrative Lender and Agent on behalf
of itself, Bank of America, N.A., and The
CIT Group/Business Credit, Inc.,

Plaintiff,

v.

NORTH PACIFIC GROUP, INC., an
Oregon corporation; NOR PAC
ENTERPRISES, INC., an Oregon
corporation; RTH LUMBER CO., an
Oregon corporation; and BURNS
HOLDINGS, INC., a dissolved Oregon
corporation

Defendants.

CV No. 10-cv-00065 KI

FINAL JUDGMENT OF DISMISSAL OF
CLAIMS OF PLAINTIFF WELLS FARGO
CAPITAL FINANCE, INC.

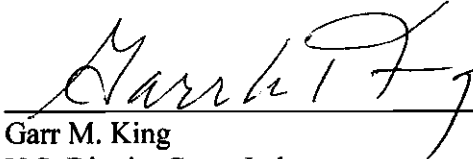
~~[Proposed]~~

This judgment is based on the Stipulation For Judgment of Dismissal of Claims of Plaintiff Wells Fargo Capital Finance, Inc. Pursuant to Fed. R. Civ. P. 54(b), the court expressly determines that there is no just reason for delay and directs that this judgment is a final judgment. The court relies on the facts of this case and the authority of Securities and Exchange Commission v. Capital Consultants LLC, 453 F.3d 1166, 1174-75 (9th Cir. 2006), which shows that in the receivership context entry of a final judgment pursuant to Fed. R. Civ. P. 54(b) provides a party such as the plaintiff with the finality it is entitled to while permitting the receiver to proceed with making distributions pursuant to a distribution plan.

NOW, THEREFORE, it is hereby

ORDER AND ADJUDGED that all claims of Plaintiff Wells Fargo Capital Finance, Inc., against the defendants are dismissed without prejudice and without costs, disbursements, or attorney fees.

DATED 1-30-2012, 2012.



Garr M. King
U.S. District Court Judge

Submitted by:
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