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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

RESER'S FINE FOODS, INC., a domestic
business corporation,

Plaintiff,

v.

BOB EVANS FARMS, INC., a Delaware
corporation; BOB EVANS FARMS LLC, an
Ohio limited liability corporation; BEF
FOODS, INC., an Ohio corporation,

Defendants.

Case No.: 3:13-cv-00098-AA

STIPULATED MOTION TO DISMISS
DEFENDANTS' FIRST, SECOND, AND
THIRD COUNTERCLAIMS FOR RELIEF

Pursuant to Federal Rule of Civil Procedure 41(a)(2), defendants move to dismiss with prejudice their First Claim for Relief (Intentional Interference with Contract and/or Economic Relations); Second Claim for Relief (Lanham Act False Advertising); and Third Claim for Relief

(Unfair Competition), with each party bearing its own costs and attorney fees as to the foregoing dismissed counterclaims. Plaintiff stipulates to the terms of this dismissal.

Defendants' Fourth Claim for Relief (Breach of Contract, Counts 1-3), First Supplemental Claim for Relief (Intentional Interference with Contract and/or Economic Relations); Second Supplemental Claim for Relief (Fraud); and Third Supplemental Claim for Relief (Breach of Contract/Promissory Estoppel, Counts 1-5), are not subject to this motion and remain pending.

DATED: November 11, 2014.

LANE POWELL PC

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s/ Susan K. Eggum

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ORDER

IT IS SO ORDERED.

DATED this 3 day of December, 2014.



THE HONORABLE ANN AIKEN
United States District Judge