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10 1:09-cv-02234-LJO-BAM

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20 IN THE UNITED STATES DISTRICT COURT
21 FOR THE EASTERN DISTRICT OF CALIFORNIA
22
23 FRESNO DIVISION

24 **ROCKY MOUNTAIN FARMERS UNION,**
25 *et al.,*

26 **Plaintiffs,**

27 **v.**

28 **RICHARD W. COREY, in his official**
capacity as Executive Officer of the
CALIFORNIA AIR RESOURCES BOARD,
et al.,

Defendants

and Related Consolidated Action.

LEAD CASE NO.
1:09-cv-02234-LJO-BAM

Consolidated With Case No.
1:10-cv-00163-LJO-BAM

ORDER ON UNOPPOSED RULE 41(a)
MOTION TO DISMISS REMAINING
CLAIMS

1 Upon consideration of the Unopposed Rule 41(a) Motion to Dismiss Remaining Claims,
2 presented by Plaintiffs Rocky Mountain Farmers Union, Redwood County Minnesota Corn And
3 Soybeans Growers, Penny Newman Grain, Inc., Fresno County Farm Bureau, Nisei Farmers
4 League, California Dairy Campaign, Rex Nederend, and Growth Energy in Case No. 1:09-cv-
5 02234-LJO-BAM, as well as this Court's June 16, 2017 Memorandum Decision, and the other
6 proceedings in this case, it is hereby ORDERED:

7 1. Plaintiffs' motion to dismiss the claims that remain pending in this Court, which
8 were not dismissed in this Court's June 16, 2017 Memorandum Decision is granted.

9 2. The clerk will enter a final judgment.

10 3. The dismissal of the claims that remained pending is without prejudice to
11 Plaintiffs' appellate rights in the U.S. Court of Appeals for the Ninth Circuit and the Supreme
12 Court, as to all other claims adjudicated in this proceeding.

13 4. Each party shall bear its own costs.

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IT IS SO ORDERED.

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16 Dated: August 14, 2017

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE

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