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11 Attorneys for Defendant
THE CORN REFINERS ASSOCIATION, INC.

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 WESTERN SUGAR COOPERATIVE,
15 a Colorado cooperative, *et al.*,

16 Plaintiffs,

17 v.

18 ARCHER-DANIELS-MIDLAND
COMPANY, a Delaware corporation,
19 *et al.*,

20 Defendants.

Case No. CV11-3473 CBM (MANx)

**[PROPOSED] ORDER RE CERTAIN
DEFENDANTS' MOTION TO
DISMISS PLAINTIFFS' SECOND
AMENDED COMPLAINT**

Hon: Consuelo B. Marshall
Date: March 19, 2012
Time: 11:00 a.m.
Place: Courtroom 2

[Motion to Dismiss Plaintiffs' First
Amended Complaint, Memorandum of
Points and Authorities Filed
Concurrently Herewith]

1 The motion of Defendants Archer-Daniels-Midland Company, Cargill, Inc.,
2 Corn Products International, Inc., Roquette America, Inc., and Tate & Lyle
3 Ingredients Americas, Inc. (the "Member Companies") to dismiss all claims against
4 them in this action with prejudice pursuant to Rules 12(b)(6) and Rule 9(b) of the
5 Federal Rules of Civil Procedure ("Motion") came on for regular hearing on March
6 19, 2012, in Courtroom 2 of the above-referenced court. The Honorable Consuelo B.
7 Marshall presided. Having considered all papers, pleadings and evidence submitted
8 and any oral arguments presented, and good cause appearing therefore, IT IS
9 HEREBY ORDERED THAT Defendants' Motion is GRANTED. Plaintiffs' claim
10 against the Member Companies for violations of Section 43(a) of the Lanham Act is
11 DISMISSED WITH PREJUDICE pursuant to Rule 9(b) and Rule 12(b)(6) for failure
12 to state a claim upon which relief can be granted.

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14 Dated: _____

15 Hon. Consuelo B. Marshall

16 United States District Judge
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