

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

2002 AMA Docket No. F & V 989-1

2002 AMA Docket No. F & V 989-2

In re: LIONS RAISINS, INC.

In re: BOGHOSIAN RAISIN PACKING CO., INC.

Petitioners

ORDER

By Order dated November 16, 2006, the Petitioners in these two actions were ordered **TO SHOW CAUSE** on or before December 18, 2006 why these actions should not be **STRICKEN** from the docket for failure to prosecute these actions. The Petitions in both instances were filed with the Hearing Clerk's Office on August 5, 2002, seeking to modify the Raisin Marketing Order, to set aside reserve percentages for other seedless raisins, or to exempt the Petitioners from various provisions and or obligations imposed in connection with the Marketing Order. The cases had been consolidated for hearing and an oral hearing had been set in Fresno, California on November 1, 2005. Prior to the date set for the oral hearing, the Petitioners jointly sought to continue that hearing and without objection from the Respondent, the hearing was postponed by Order entered on October 27, 2005. As noted in the Order to Show Cause, over a year has passed since the entry of that Order without further pleadings being filed or other action taken by the Petitioners to reschedule the matter for hearing.

Accordingly, no pleading having been filed by either of the Petitioners in response to the Order to Show Cause, these actions are **DISMISSED**, with prejudice.

Copies of this Order will be served upon the parties by the Hearing Clerk.

Done at Washington, D.C.
January 16, 2007

PETER M. DAVENPORT
Administrative Law Judge

Copies to: Wesley T. Green, Esquire
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