

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	I & G Docket No. 01-0001
)	
Lion Raisins, Inc., a California)	
corporation formerly known as)	
Lion Enterprises, Inc., and as)	
Lion Raisins; Lion Raisin)	
Company, a partnership or)	
unincorporated association; Lion)	
Packing Company, a partnership)	
or unincorporated association;)	
Al Lion, Jr., an individual;)	
Dan Lion, an individual;)	
Jeff Lion, an individual; and)	
Bruce Lion, an individual,)	Order Vacating the May 12, 2010,
)	Decision and Order and Dismissing
Respondents)	the Second Amended Complaint

I issued *In re Lion Raisins, Inc.*, ___ Agric. Dec. ____ (May 12, 2010). On May 17, 2010, Lion Raisins, Inc.; Lion Raisin Company; Lion Packing Company; Al Lion, Jr.; Dan Lion; Jeff Lion; and Bruce Lion [hereinafter the Lions] and the Administrator, Agricultural Marketing Service, United States Department of Agriculture [hereinafter the Administrator], filed a “Joint Motion to Vacate the Judicial Officer’s May 12, 2010 Decision and Order and to Dismiss the Complaint with Prejudice” [hereinafter Joint Motion]. The Lions and the Administrator state they have satisfactorily resolved their

differences and a “global” settlement is contingent upon my vacating *In re Lion Raisins, Inc.*, ___ Agric. Dec. ___ (May 12, 2010), and dismissing with prejudice the operative pleading in the instant proceeding. The Second Amended Complaint filed by the Administrator on July 2, 2002, as amended by Administrative Law Judge Jill S. Clifton’s March 9, 2004, “Order Granting Complainant’s Motion to Amend Second Amended Complaint to Conform to Proof, and Changing Caption” is the operative pleading in the instant proceeding.

For good reason shown in the Lions and the Administrator’s Joint Motion, the following Order is issued.

ORDER

1. *In re Lion Raisins, Inc.*, ___ Agric. Dec. ___ (May 12, 2010), is vacated.
2. The Second Amended Complaint, as amended by Administrative Law Judge Jill S. Clifton’s March 9, 2004, “Order Granting Complainant’s Motion to Amend Second Amended Complaint to Conform to Proof, and Changing Caption” is dismissed with prejudice.

Done at Washington, DC

May 18, 2010

William G. Jenson
Judicial Officer