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**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 10-8012

Rosalino Perez-Benites, Individually and on behalf of all others similarly situated, et al.

Respondents

v.

Candy Brand, LLC, et al.

Petitioners

Appeal from U.S. District Court for the Western District of Arkansas - El Dorado
(1:07-cv-01048-HFB)

MANDATE

In accordance with the judgment of 05/20/2010, and pursuant to the provisions of Federal Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above-styled matter.

May 20, 2010

Clerk, U.S. Court of Appeals, Eighth Circuit

Case: 10-8012 Page: 1 Date Filed: 05/20/2010 Entry ID: 3666849

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 10-8012

Rosalino Perez-Benites, Individually and on behalf of all others similarly situated; Luis Alberto Asencio-Vasquez, Individually and on behalf of all others similarly situated; Pascual Noriega-Narvaez, Individually and on behalf of all others similarly situated,

Respondents

v.

Candy Brand, LLC; Arkansas Tomato Shippers, LLC; Charles Searcy; Randy Clanton; Brooks Linesby,

Petitioners

Appeal from U.S. District Court for the Western District of Arkansas - El Dorado
(1:07-cv-01048-HFB)

JUDGMENT

Petition for permission to file interlocutory appeal has been considered by the court and is denied.

May 20, 2010

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans