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 15 UNITED STATES DISTRICT COURT
 16 EASTERN DISTRICT OF CALIFORNIA

17 PARAMOUNT FARMS, INC., a)
 Delaware corporation,)
 18)
 Plaintiff,)
 19)
 v.)
 20)
 VENTILEX B.V., a business entity of)
 21 form unknown; and DOES 1-20)
 inclusive,)
 22)
 Defendants.)
 23)
 24)
 25)
 26)

Case No. 08-CV-01027-LJO-SKO
 Assigned to Hon. Lawrence J. O'Neill
 Assigned to Hon. Magistrate Sheila K. Oberto

STIPULATION

Complaint filed: July 18, 2008

1 Plaintiff Paramount Farms, Inc. (“Plaintiff” or “Paramount”) and Defendant
2 Ventilex B.V. (“Defendant” or “Ventilex”), by and through their respective counsel,
3 hereby agree as follows:

4 Whereas, on or about July 27, 2010, Defendant filed a motion to compel
5 disclosure of documents (the “Motion”), including (a) all documents responsive to
6 Request No. 3 contained in Defendant Ventilex B.V.’s First Set of Requests for
7 Production of Documents, including, without limitation, all documents concerning
8 the performance, utilization or modification of the FMC Machine; (b) all documents
9 responsive to Request No. 5 contained in Defendant Ventilex B.V.’s First Set of
10 Requests for Production of Documents, including, without limitation, all documents
11 evidencing the combined financial statements of Plaintiff Paramount Farms, Inc.;
12 and (c) a privilege log pursuant to Federal Rule of Civil Procedure 26(b)(5);

13 Whereas, after continued attempts to meet and confer, the parties reached
14 agreement with respect to the production of documents responsive to Request No. 3
15 and the privilege log;

16 Whereas, the parties appeared by telephone before the Honorable Sheila K.
17 Oberto on August 27, 2010 for argument on the remainder of the Motion;

18 Whereas, the Court denied the Motion for disclosure of Paramount’s
19 combined financial statements, except to order that Paramount produce documents
20 relating to the tax treatment/depreciation for the Ventilex pasteurizer, to the extent
21 such documents exist;

22 NOW, THEREFORE, Plaintiff Paramount Farms, Inc. and Defendant
23 Ventilex B.V., by and through their respective counsel, hereby stipulate and agree as
24 follows:

25 1. With respect to the Motion for production of documents responsive to
26 Request No. 3, Plaintiff represents that it has already produced all documents
27 concerning the utilization of the FMC Machine and that it has no documents

1 concerning modification of the FMC Machine. Plaintiff shall produce all responsive
2 documents concerning the performance of the FMC Machine (i.e., down-time and
3 re-validation) on or before September 1, 2010;

4 2. With respect to the Motion for production of documents responsive to
5 Request No. 5, the Court denies the Motion, except that Paramount shall produce
6 documents relating to the tax treatment/depreciation for the Ventilex pasteurizer, to
7 the extent such documents exist, on or before September 1, 2010; and

8 3. Plaintiff shall produce a privilege log on or before September 1, 2010.

9 **IT IS SO STIPULATED.**

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Dated: August 30, 2010

ROLL LAW GROUP P.C.

By: /s/ Adam P. Zaffos

Adam P. Zaffos
Attorneys for Plaintiff
PARAMOUNT FARMS, INC.

Dated: August 30, 2010

BALLARD SPAHR LLP

By: /s/ Alan S. Petlak

Alan S. Petlak
and

MORRISON COHEN LLP

Donald H. Chase
Edward P. Gilbert
Latisha V. Thompson
Attorneys for Defendant
VENTILEX B.V.

ORDER

Pursuant to the parties’ Stipulation and good cause appearing therefore, it is ordered, with respect to Defendant’s motion to compel (the “Motion”), as follows:

1. With respect to the Motion for production of documents responsive to Request No. 3, Plaintiff represents that it has already produced all documents concerning the utilization of the FMC Machine and that it has no documents concerning modification of the FMC Machine. Plaintiff shall produce all responsive documents concerning the performance of the FMC Machine (i.e., down-time and re-validation) on or before September 1, 2010;

2. With respect to the Motion for production of documents responsive to Request No. 5, the Court denies the Motion, except that Paramount shall produce documents relating to the tax treatment/depreciation for the Ventilex pasteurizer, to the extent such documents exist, on or before September 1, 2010; and

3. Plaintiff shall produce a privilege log on or before September 1, 2010.

IT IS SO ORDERED.

Dated: August 31, 2010

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE