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(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Trustee  
 Terence J. Long

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA

ONIONS, ETC., INC. and DUDA FARM  
 FRESH FOODS, INC.,

Plaintiffs,

v.

Z&S FRESH, INC. fdba Z&S  
 DISTRIBUTING CO., INC., MARTIN J.  
 ZANINOVICH, LOREN SCHOENBURG,  
 AND MARGARET aka MARGE  
 SCHOENBURG,

Defendants.

Case No. 1:09-CV-00906-OWW-MJS

**ORDER BY THE COURT ON TRUSTEE'S  
 MOTION FOR FURTHER INSTRUCTION**

On June 25, 2010 Trustee's Terence J. Long's (the "Trustee") Motion for Further Instruction came on for hearing with this Court. Mandy L. Jeffcoach of McCormick, Barstow, Sheppard, Wayte & Carruth LLP and Jan Perkins of Perkins, Mann & Everett appeared on behalf of the Trustee Terence J. Long. Norman Morrison of Walter & Wilhelm Law Group, a Professional Corporation appeared on behalf of Defendants Z&S FRESH, INC. and MARTIN J. ZANINOVICH ("Z&S"). All other appearances by counsel are noted on the record.

After reviewing the papers submitted in this matter and hearing all arguments by counsel, the Court orders as follows:

1. That the Trustee's primary goal initially was the marshaling of assets easily identifiable. With the Court's order on June 25, 2010 regarding IG Fruit's claim, that phase of the case has been completed with the exception of the further administration and disbursement of assets from the Trust;

2. That this matter has now transitioned into “Trust Collection Litigation” and the litigation shall proceed with the Trustee acting, in essence, as the representative plaintiff for all claimants to the Trust's assets; and

3. That the PACA Beneficiary Committee ("PBC") as established by the Court's order on June 24, 2009 [Docket No. 48] shall continue to be in existence with the participation from the representative for Z&S FRESH, INC., Mark Burrell, being stayed. At any time in the future Z&S FRESH, INC. can petition this Court for the stay to be lifted if it believes that it is necessary.

4. With respect to the Trust Collection Litigation, the PBC can determine whether a steering committee should be appointed and who shall be members of that committee going forward in the trust collection litigation.

**IT IS SO ORDERED.**

Dated: July 6, 2010

/s/ OLIVER W. WANGER  
UNITED STATES DISTRICT JUDGE