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11 Attorneys for: Intervenor Plaintiff TERENCE J. LONG, TRUSTEE PURSUANT TO COURT
 12 ORDER

13 **UNITED STATES DISTRICT COURT**
 14 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

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

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

17 Plaintiffs,

18 v.

**ORDER ON RULE 16 SCHEDULING
 CONFERENCE AND MOTION FOR
 PROTECTIVE ORDER**

19 Z & S FRESH, INC., a California corporation;
 20 Z & S DISTRIBUTING COMPANY, INC., a
 21 California corporation; MARTIN J.
 22 ZANINOVICH, an individual; LOREN
 23 SCHOENBURG, an individual; MARGARET
 24 aka MARGE SCHOENBURG, an individual,

25 Defendants.

26 AND ALL RELATED ACTIONS.

27 On July 16, 2010, at the request of Intervenor Plaintiff TERENCE J. LONG,
 28 TRUSTEE PURSUANT TO COURT ORDER (the “Trustee”), a Rule 16 Scheduling
 Conference and Motion for Protective Order came on for hearing with this Court. Jan T.
 Perkins and Ray S. Pool of Perkins, Mann, & Everett, APC, and Mandy L. Jeffcoach of
 McCormick, Barstow, Sheppard, Wayte & Carruth LLP appeared on behalf of the Trustee.
 Scott Ivy of Lang, Richert & Patch appeared on behalf of Cross-Complainant and Counter-
 Complainant FRESNO-MADERA FEDERAL LAND BANK ASSOCIATION (“FMFLB”).

1 Jim Wilkins of Wilkins, Drolshagen & Czesinski, LLP, appeared on behalf of Defendants
2 LOREN SCHOENBURG and MARGARET SCHOENBURG. All other appearances by
3 counsel are noted on the record.

4 Having reviewed the papers submitted in this matter and heard all arguments by
5 counsel,

6 **IT IS HEREBY ORDERED THAT:**

7 1. Responses to the outstanding discovery propounded by FMFLB to the
8 individual PACA beneficiaries shall be coordinated through the Trustee. Said coordination
9 shall consist of the Trustee: (a) obtaining a verification from each PACA beneficiary as to the
10 responses provided to FMFLB's interrogatories and requests for admission; (b) preparing one
11 omnibus document that responds to FMFLB's interrogatories, another omnibus document that
12 responds to FMFLB's requests for admission, and another omnibus document that responds to
13 FMFLB's requests for documents; and (c) if the interrogatory or request and the accompanying
14 response are identical for more than one PACA beneficiary, stating once in the applicable
15 omnibus document the interrogatory or request and the accompanying response as to all
16 applicable PACA beneficiaries.

17 2. The responses to the discovery propounded by FMFLB, as described in
18 paragraph one, shall be served by mail on or before September 16, 2010.

19 3. As to the responses to the outstanding discovery propounded by Loren
20 Schoenburg to various PACA beneficiaries and the Trustee, only the Trustee shall provide
21 responses and said responses shall be binding on all of the PACA beneficiaries. The responses
22 of the Trustee shall be to the discovery propounded to the Trustee.

23 4. To the extent that, in any of the documents produced in response to
24 FMFLB's discovery as described in paragraph one, there is newly discovered information
25 bearing on any questions or areas of inquiry as to any depositions completed prior to FMFLB's
26 receiving the responses, FMFLB shall have the option of continuing such depositions with
27 respect to the newly discovered information.

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1 5. The parties shall prepare a joint proposed case schedule and file the same
2 on or before August 6, 2010.

3 **IT IS SO ORDERED.**

4 Dated: August 30, 2010

/s/ OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE

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