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7 *Attorneys for Plaintiffs Allied World National*
Assurance Company and Allied World Assurance
8 *Company (U.S.) Inc.*

9 For a complete list of stipulating parties and their
10 counsel please see Continuation Page

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 ALLIED WORLD NATIONAL
14 ASSURANCE COMPANY, a New
Hampshire corporation, and ALLIED
15 WORLD ASSURANCE COMPANY (U.S.)
INC., a Delaware corporation,

16 Plaintiffs,

17 v.

18 SK PM CORP., a California corporation aka
19 "S.K. Foods PM Corp.," SK FOODS, L.P., a
California limited partnership, FREDERICK
20 SCOTT SALYER, an individual,
BLACKSTONE RANCH, a California
21 corporation aka "Blackstone Ranch Calif 'S'
Corp.," LISA CRIST, an individual, MARK
22 MCCORMICK, an individual,

23 (caption continued on next page)
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Case No. 1:10-CV-01262-OWW-JLT

Hon. Oliver W. Wanger
Ctm. 3

**STIPULATION AND ORDER TO
CONTINUE HEARING ON THE
SALYER PARTIES' MOTION TO STAY
CIVIL PROCEEDINGS PENDING
CRIMINAL PROSECUTION**

1 SCOTT SALYER REVOCABLE TRUST, a
2 trust, THE CAROLINE GAZELLE SALYER
3 IRREVOCABLE TRUST, a trust, THE
4 STEFANIE ANN SALYER IRREVOCABLE
5 TRUST, a trust, SS FARMS, LLC, a California
6 limited liability company, SK FOODS, LP
7 401K PLAN, an ERISA plan aka "SK Foods
8 L.P. Blackstone Ranch & SK Foods L.P. 401K
9 Plan," SARS, LLC, a California limited
10 liability company, CSSS LP, a California
11 limited partnership d/b/a Central Valley
12 Shippers, SK FOODS LLC, a Nevada limited
13 liability company, S.K. FOODS PM CORP., an
14 entity or a d/b/a of unknown legal capacity,
15 SKF AVIATION, LLC, a California limited
16 liability company, SSC FARMING, LLC, a
17 California limited liability company, RHM
18 INDUSTRIAL/SPECIALTY FOODS, INC., a
19 California corporation d/b/a Colusa County
20 Canning Company and d/b/a SK Foods –
21 Colusa Canning, CARMEL WINE
22 MERCHANTS LLC, a California limited
23 liability company, CIRCLE PACIFIC LTD., a
24 New Zealand company, SUNRISE COAST
25 JAPAN, an entity or a d/b/a of unknown legal
26 capacity, SSC FARMS I, LLC, a California
27 limited liability company, SSC FARMS II,
28 LLC, a California limited liability company,
SK FARM SERVICES, LLC, a California
limited liability company, SK FROZEN
FOODS, LLC, a California limited liability
company, SALYER AMERICAN
INSURANCE SERVICES, a California limited
liability company, SSC FARMS III, LLC, a
California limited liability company, SALYER
AMERICAN COOLING, a general
partnership, SALYER WESTERN COOLING
COMPANY, a general partnership, YUMA
AMERICAN COOLING CORPORATION, an
entity or a d/b/a of unknown legal capacity,
SAWTOOTH COOLING, LLC, a California
limited liability company, and SALYER
AMERICAN FRESH FOODS, a California
corporation,

Defendants.

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Trustee*

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*Counsel for Frederick Scott Salyer individually
and as trustee for the Scott Salyer Revocable
Trust, Robert Pruett, Trustee for the Caroline
Gazelle Salyer 1999 Irrevocable Trust, the
Caroline Gazelle Salyer 2007 Irrevocable
Trust, the Stefanie Ann Salyer 1999 Irrevocable
Trust and the Stefanie Ann Salyer 2007
Irrevocable Trust, SK PM Corp., aka "S.K.
Foods PM Corp.," Blackstone Ranch, aka
"Blackstone Ranch Calif 'S' Corp.," SS Farms,
LLC, SARS, LLC, CSSS LP, d/b/a Central
Valley Shippers, SK Foods LLC, S.K. Foods
PM Corp., SKF Aviation, LLC, SSC Farming
LLC, SSC Farms I, LLC, SSC Farms II, LLC,
SSC Farms III, LLC, SK Farm Services, LLC,
SK Frozen Foods, LLC, Carmel Wine
Merchants LLC, Salyer American Cooling,
Salyer American Fresh Foods*

1 WHEREAS, on April 28, 2011, the following parties filed a Motion to Stay Civil
2 Proceedings Pending Criminal Prosecution (“Motion to Stay”):

- 3 • Frederick Scott Salyer individually and as trustee for the Scott Salyer Revocable Trust,
- 4 • Robert Pruett, Trustee for the Caroline Gazelle Salyer 1999 Irrevocable Trust, the
5 Caroline Gazelle Salyer 2007 Irrevocable Trust, the Stefanie Ann Salyer 1999
6 Irrevocable Trust and the Stefanie Ann Salyer 2007 Irrevocable Trust,
- 7 • SK PM Corp., aka “S.K. Foods PM Corp.,”
- 8 • Blackstone Ranch, aka “Blackstone Ranch Calif ‘S’ Corp.,”
- 9 • SS Farms, LLC,
- 10 • SARS, LLC,
- 11 • CSSS LP, d/b/a Central Valley Shippers,
- 12 • SK Foods LLC,
- 13 • S.K. Foods PM Corp.,
- 14 • SKF Aviation, LLC,
- 15 • SSC Farming LLC,
- 16 • SSC Farms I, LLC,
- 17 • SSC Farms II, LLC,
- 18 • SSC Farms III, LLC,
- 19 • SK Farm Services, LLC,
- 20 • SK Frozen Foods, LLC,
- 21 • Carmel Wine Merchants LLC,
- 22 • Salyer American Cooling, and
- 23 • Salyer American Fresh Foods,

24 (collectively referred to herein as the “Salyer Parties”);

25 WHEREAS, the Salyer Parties’ Motion to Stay is currently set to be heard on June 13,
26 2011, at 11:00 a.m.;

27 WHEREAS, counsel for Plaintiffs has a conflict that will prevent him from being able to
28 attend the hearing on the Motion to Stay on June 13, 2011;

1 WHEREAS, the next available date that the undersigned counsel are available to attend
2 the hearing on the Motion to Stay is July 11, 2011;

3 WHEREAS, in light of Plaintiffs' counsel's conflict, the parties have agreed that the
4 Motion to Stay can be heard on July 11, 2011, at 10:00 a.m., a time that is currently available for
5 hearing motions pursuant to the individual motion hearing dates page for Judge Oliver W.
6 Wanger;

7 NOW THEREFORE, Plaintiffs, Bradley D. Sharp, Chapter 11 Trustee for SK Foods, L.P.,
8 and RHM Industrial/Specialty Foods, Inc., and the Salyer Parties, through counsel, hereby
9 stipulate and request that:

10 1. The Court continue the hearing on the Salyer Parties' Motion to Stay until July 11,
11 2011, at 10:00 a.m.; and

12 2. That the deadlines for Plaintiffs' opposition to the Motion to Stay and the Salyer
13 Parties' reply in support of the Motion to Stay will be calculated based upon the continued
14 hearing date pursuant to the Local Rules.

15 Dated: May 23, 2011

TROUTMAN SANDERS LLP

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By: /s/ Peter R. Lucier

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Terrence R. McInnis

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Kevin F. Kieffer

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Peter R. Lucier

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*Attorneys for Plaintiffs Allied World National
Assurance Company and Allied World Assurance
Company (U.S.) Inc.*

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Dated: May 23, 2011

LAW OFFICES OF DAVID C. WINTON

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By: /s/ David C. Winton (authorized 5/23/2011)

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David C. Winton

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*Counsel for the "Salyer Defendants," listed
above*

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Dated: May 23, 2011

SCHNADER HARRISON SEGAL & LEWIS LLP

By: /s/ Kathryn N. Richter (authorized 5/23/2011)

Gregory C. Nuti
Kevin W. Coleman
Kathryn N. Richter

*Attorneys for Bradley D. Sharp, Chapter 11
Trustee*

CERTIFICATION

Pursuant to Local Rule 131(e), I, PETER R. LUCIER, certify that on May 23, 2011 David C. Winton and Kathryn N. Richter authorized me to submit this Stipulation and Order to Continue Hearing on the Salyer Parties' Motion to Stay Civil Proceedings Pending Criminal Prosecution.

ORDER

IT IS SO ORDERED.

Dated: May 24, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE