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Attorneys for Creditor PLAN BOARD OF
SUNKIST RETIREMENT PLAN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PLAN BOARD OF SUNKIST
RETIREMENT PLAN,

Plaintiff,

vs.

HARDING & LEGGETT, INC.,

Defendant.

CASE NO. 1:12-mc-00048-BAM

STIPULATION AND ORDER TO
TAKE JUDGMENT DEBTOR
EXAMINATION OFF CALENDAR

Dept.: 8
Hon. Barbara A. McAuliffe

WHEREAS, pursuant to prior stipulation by the parties and the Court's
availability, the Court ordered Harding & Leggett, Inc. to appear for a Judgment Debtor
Examination on January 23, 2015, at 9:00 a.m.;

WHEREAS, Defendant Harding & Leggett, Inc. (“Defendant”) and Plaintiff Plan Board of Sunkist Retirement Plan (“Plan Board”) have continued to work together to informally provide information concerning Defendant’s assets, liabilities, and the ownership structure of Defendant;

WHEREAS, Defendant has substantially complied with the terms of the prior stipulations, and has provided the Plan Board with various status reports concerning its asset sales efforts; has provided financial statements, including Profit & Loss statements; and has made substantial payments toward the Judgment(s) at issue;

WHEREAS, the parties wish to avoid the time and expense of travel and appearance for the examination;

NOW, THEREFORE, the parties do hereby stipulate to take the Judgment Debtor Examination, the Honorable Barbara A. McAuliffe presiding, OFF CALENDAR, with any and all objections to the scope of the Judgment Debtor Examination and the Subpoena preserved.

DATED: January 21, 2015 WALRAVEN & WESTERFELD LLP
LARRY A. WALRAVEN
NICOLE E. WURSCHER

By /s/ Nicole E. Wurscher
Nicole E. Wurscher
Attorneys for Plaintiff
Plan Board of Sunkist Retirement Plan

DATED: January _21___, 2015 COLEMAN & HOROWITT, LLP
RUSSELL W. REYNOLDS

By /s/ Russell W. Reynolds
Russell W. Reynolds
Attorneys for Plaintiff
Plan Board of Sunkist Retirement Plan

1 DATED: January _21____, 2015. MURPHY AUSTIN ADAMS SCHOENFELD
2 LLP
3 LISA D. NICOLLS

4 By /s/ Lisa D. Nicolls
5 Lisa D. Nicolls
6 Attorneys for Defendant
7 Harding & Leggett, Inc.

8 **ORDER**

9 Pursuant to the parties' stipulation, the judgment debtor hearing exam scheduled
10 for January 23, 2015 at 9:00 a.m. is VACATED. The parties need not appear.

11 IT IS SO ORDERED.

12 Dated: January 21, 2015

13 /s/ Barbara A. McAuliffe
14 UNITED STATES MAGISTRATE JUDGE
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