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7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
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10 TAYLOR FARMS CALIFORNIA,
11 et al.,

NO. CIV. S-08-2657 LKK/GGH

12 Plaintiffs,

13 v.

O R D E R

14 JC PRODUCE, LLC,

15 Defendant.
16 _____/

17 This action arises under the Perishable Agricultural
18 Commodities Act ("PACA"), 7 U.S.C. §§ 499a-499t. On July 23, 2009,
19 defendant JC Produce moved to resolve the claim asserted against
20 it by Chong's Produce. That motion was noticed for hearing on
21 August 31, 2009. Claimant Chong's Produce failed to respond to the
22 motion and, after reviewing the evidence tendered in support, on
23 August 26, 2009 the court granted the motion and denied the claim.

24 On August 31, 2009, claimant filed a document notifying the
25 court of its inability to attend the hearing set for that date. In
26 that document, claimant has tendered evidence that appears to

1 oppose defendant's motion.

2 Accordingly, the court construes claimant's August 31, 2009
3 filing as a motion for reconsideration of the court's August 26,
4 2009 order. The court ORDERS as follows:

5 1. Defendant's opposition or statement of non-opposition to
6 the motion for reconsideration SHALL be filed and served
7 not later than September 18, 2009.

8 2. Claimant Chong's Produce's reply, if any, SHALL be filed
9 and served not later than September 25, 2009. At that
10 time, the court will calendar a hearing if necessary.

11 IT IS SO ORDERED.

12 DATED: September 8, 2009.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT