

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FOUR IN ONE COMPANY, INC., on
behalf of itself and all others
similarly situated,

No. 2:08-cv-03017-MCE-EFB

Plaintiff,

v.

RELATED CASE ORDER

SK FOODS, L.P., INGOMAR PACKING
COMPANY, LOS GATOS TOMATO PRODUCTS,
RANDALL RAHAL, INTRAMARK USA,
INCORPORATED,

Defendants.

DIVERSIFIED FOODS AND SEASONINGS,
INC., individually and on behalf of
all others similarly situated,

No. 2:08-cv-03074-MCE-KJM

Plaintiff,

v.

SK FOODS L.P., INTRAMARK USA, INC.,
and RANDALL LEE RAHAL,

Defendants.

BRUCE FOODS CORPORATION, on behalf
of itself and all others similarly
situated,

No. 2:09-cv-00027-FCD-GGH

Plaintiff,

v.

SK FOODS, L.P., INGOMAR PACKING
COMPANY, LLC, LOS GATOS TOMATO
PRODUCTS, INTRAMARK USA, INC. and
RANDALL LEE RAHAL,

Defendants.

1 Examination of the above-entitled civil actions reveals that
2 these actions are related within the meaning of Local Rule 83-
3 123(a) (E.D. Cal. 1997). The actions involve many of the same
4 defendants and are based on the same or similar claims, the same
5 property transaction or event, similar questions of fact and the
6 same questions of law, and would therefore entail a substantial
7 duplication of labor if heard by different judges. Accordingly,
8 the assignment of the matters to the same judge is likely to
9 effect a substantial savings of judicial effort and is also
10 likely to be convenient for the parties.

11 The parties should be aware that relating the cases under
12 Local Rule 83-123 merely has the result that both actions are
13 assigned to the same judge; no consolidation of the action is
14 effected. Under the regular practice of this court, related
15 cases are generally assigned to the district judge and magistrate
16 judge to whom the first filed action was assigned.

17 IT IS THEREFORE ORDERED that the actions denominated 02:08-
18 cv-03074-MCE-KJM, Diversified Foods and Seasonings, Inc.,
19 individually and on behalf of all others similarly situated v. SK
20 Foods L.P., Intramark USA, Inc., and Randall Lee Rahal and 02:09-
21 cv-00027-FCD-GGH, Bruce Foods Corporation, on behalf of itself
22 and all others similarly situated v. SK Foods, L.P., Ingomar
23 Packing Company, LLC, Los Gatos Tomato Products, Intramark USA,
24 Inc. and Randall Lee Rahal are reassigned to Judge Morrison C.
25 England, Jr. and Edmund F. Brennan for all further proceedings,
26 and any dates currently set in these reassigned cases only are
27 hereby VACATED. The parties are referred to the attached Order
28 Requiring Joint Status Report.

1 Henceforth, the caption on documents filed in the reassigned
2 cases shall be shown as 02:08-cv-03074-MCE-EFB and 02:09-cv-
3 00027-MCE-EFB.

4 IT IS FURTHER ORDERED that the Clerk of the Court make
5 appropriate adjustment in the assignment of civil cases to
6 compensate for this reassignment.

7 IT IS SO ORDERED.

8 Dated: January 14, 2009

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11 MORRISON C. ENGLAND, JR.
12 UNITED STATES DISTRICT JUDGE
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