

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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