

1 Dale C. Campbell, State Bar No. 99173
 James Kachmar, State Bar No. 216781
 2 W. Scott Cameron, State Bar No. 229828
 WEINTRAUB GENSHLEA CHEDIAK
 3 Law Corporation
 400 Capitol Mall, 11th Floor
 4 Sacramento, California 95814
 (916) 558-6000 – Main
 5 (916) 446-1611 – Facsimile

6 Attorneys for Plaintiffs
 The Morning Star Packing Company,
 7 Liberty Packing Company, LLC, California
 Fruit & Tomato Kitchens, LLC, and
 8 The Morning Star Company

9
 10 UNITED STATES DISTRICT COURT
 11 EASTERN DISTRICT OF CALIFORNIA

12
 13 THE MORNING STAR PACKING)
 COMPANY, a California limited)
 14 partnership; LIBERTY PACKING)
 COMPANY, LLC, a California limited)
 15 liability company; CALIFORNIA FRUIT &)
 TOMATO KITCHENS, LLC, a California)
 16 limited liability company; and THE)
 MORNING STAR COMPANY, a)
 17 California corporation,)

Case No. 2:09-CV-00208 MCE-EFB

18 Plaintiffs,)

REVISÉD STIPULATION AND ORDER
 REGARDING EXTENSION OF TIME FOR
 DEFENDANTS RANDALL RAHAL AND
 INTRAMARK USA, INC. TO RESPOND TO
 COMPLAINT

[Local Rule 6-144(a)]

19 vs.)

20 SK FOODS, L.P., a California limited)
 partnership; SCOTT SALYER, an)
 21 individual; RANDALL RAHAL, an)
 individual; INTRAMARK USA, INC., a)
 22 New Jersey corporation; and DOES 1)
 through 50, inclusive,)

23 Defendants.)
 24)

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 LAW CORPORATION

1 Plaintiffs The Morning Star Packing Company, Liberty Packing Company,
2 LLC, California Fruit & Tomato Kitchens, LLC, and The Morning Star Company
3 (collectively, "Plaintiffs") and defendants Randall Rahal ("Rahal") and Intramark
4 USA, Inc. ("Intramark") (collectively, "Defendants"), by and through their counsel
5 of record, hereby submit the following Stipulation and Proposed Order pursuant
6 to Local Rule 6-144(a):

7 WHEREAS, Plaintiffs filed a Complaint in the above-captioned case on
8 January 5, 2009;

9 WHEREAS, Defendant SK Foods, L.P. filed a motion to dismiss Plaintiffs'
10 complaint on April 8, 2009, which is set for hearing on June 25, 2009;

11 WHEREAS, Defendant Scott Salyer filed a joinder in Defendant SK Foods,
12 L.P.'s motion to dismiss on April 8, 2009;

13 WHEREAS, counsel for Rahal and Intramark previously accepted service of
14 the Summons and Complaint on behalf of Rahal and Intramark in exchange for
15 Plaintiffs' agreement to an initial extension the time for Rahal and Intramark to
16 respond to the Complaint until April 8, 2009;

17 WHEREAS, this is the second extension to respond to the Complaint agreed
18 to by Plaintiffs and Defendants in this matter, and is intended to coordinate the
19 response date of Intramark and Rahal with the response date of SK Foods and
20 Scott Salyer; and

21 WHEREAS, this second extension to respond to the Complaint will not
22 require the modification of any dates of any matters pending before the Court or
23 in the Court's Order Requiring Joint Status Report.

24 THEREFORE, Plaintiffs and Defendants, by and through their respective
25 counsel of record, hereby stipulate as follows:

26 1. Rahal and Intramark shall not contest the sufficiency of process or
27 service of process; provided, however, that by entering into this Stipulation, Rahal
28 and Intramark do not waive any other defense, including, but not limited to, the

1 defense of lack of personal or subject matter jurisdiction or improper venue; and

2 2. The deadline for Rahal and Intramark to respond to the Complaint
3 shall be extended to 10 (ten) days following the Court's ruling on the pending
4 motion to dismiss, or if appropriate, within the time permitted by the Federal Rules
5 of Civil Procedure for responding to an amended complaint, should an amended
6 complaint be filed by Plaintiffs.

7 IT IS SO STIPULATED.

8 Dated: April 9, 2009

WEINTRAUB GENSHLEA CHEDIAK
Law Corporation

10 By: /s/ Dale C. Campbell
Dale C. Campbell

11 Attorneys for Plaintiffs
12 The Morning Star Packing Company,
Liberty Packing Company, LLC,

13 California

Fruit & Tomato Kitchens, LLC, and
14 The Morning Star Company

15 Dated: April 9, 2009

WALDER, HAYDEN & BROGAN, P.A.

17 By: /s/ Christopher D. Adams

18 Christopher D. Adams

19 Attorneys for Defendants
20 Randall Rahal and Intramark USA, Inc.

21 ORDER

22 IT IS SO ORDERED.

23 Dated: April 14, 2009



25 MORRISON C. ENGLAND, JR.
26 UNITED STATES DISTRICT JUDGE