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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

L'OTTAVO RISTORANTE, DANIEL  
HARVEY and SYLVIA HIE, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

INGOMAR PACKING COMPANY, LOS  
GATOS TOMATO PRODUCTS, INTRAMARK  
USA, INC., and RANDAL LEE RAHAL,

Defendants.

No. 09-CV-1945 MCE-EFB

STIPULATION AND ORDER  
SETTING JOINT STATUS REPORT  
FOR JULY 9, 2010

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Plaintiffs L'Ottavo Ristorante, Daniel Harvey and Sylvia Hie, by and through Interim Class Counsel, and Defendants Ingomar Packing Company ("Ingomar") and Los Gatos Tomato Products ("Los Gatos"), by and through their counsel of record, submit the following Stipulation and [Proposed] Order to set the date to submit the Joint Status Report contemplated in the Court's May 25, 2010 Minute Order (Doc. No. 34) for July 9, 2010.

The above parties filed a joint status report on April 19, 2010. At that time the parties expected the Department of Justice would object to proceeding with deposition discovery. As a result, the parties proposed postponing certain scheduling until no earlier than such time as the Department of Justice filed its then-anticipated superseding indictment in its criminal case against Frederick Scott Salyer.

A/73396742.1

1           The Department of Justice filed its superseding indictment against Mr. Salyer on  
2 April 29, 2010.


3           On May 24, 2010, in the related matter *Four-In-One Company, Inc., et al., v. SK*  
4 *Foods, L.P., et al.*, Case No. 08-CV-03017-MCE-EFB, the Department of Justice informed  
5 counsel for the parties in that matter that it required further time to consider whether to continue  
6 to object to deposition discovery. The parties here have no reason to believe the Department of  
7 Justice would take a different position on deposition discovery in this matter.

8           On May 25, 2010, the Court ordered a further Joint Status Report within ten days  
9 of the filing of the superseding indictment or not later than July 9, 2010, whichever was earlier.

10          To accommodate the government's request for additional time to consider  
11 whether to request a further stay of deposition discovery, the Parties shall have until July 9, 2010  
12 to file the Joint Status Report.

13                   IT IS SO ORDERED.

14 DATED: June 9, 2010

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16 MORRISON C. ENGLAND, JR.  
17 UNITED STATES DISTRICT JUDGE

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23 Stipulated to and approved by:

24 Dated: June 4, 2010

Respectfully submitted,

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27 /s/ Michael R. Reese  
28 Michael R. Reese

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