1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 UNITED STATES OF AMERICA, 11 Plaintiff, 12 V. CR. NO. S-10-061 LKK 13 FREDERICK SCOTT SALYER, 14 Defendant. 15 IN RE: 16 SK FOODS, L.P. 17 Debtor. 18 BRADLEY SHARP, CIV. NO. S-10-1492 LKK 19 Plaintiff, 20 V. 21 SSC FARMS 1, LLC, et al., 22 Defendants. 23 IN RE: 24 SK FOODS, L.P. CIV. NO. S-10-1493 LKK 25 Debtor. 26

(BK) Salyer v. Sharp

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1 IN RE:
 2 SK FOODS, L.P.
 3
            Debtor.
 4 BRADLEY SHARP,
                                       CIV. NO. S-10-1496 LKK
 5
             Plaintiff,
 6
               V.
7 CSSS, L.P., et al.,
 8
             Defendants.
 9
   IN RE:
10 SK FOODS, L.P.
            Debtor.
11
12 BRADLEY SHARP,
                                        CIV. NO. S-10-1497 LKK
13
            Plaintiff,
14
                 v.
15 FRED SALYER IRREVOCABLE
   TRUST, et al.,
16
            Defendants.
17
18 IN RE:
19 SK FOODS, L.P.
20
            Debtor.
21 BRADLEY SHARP,
                                         CIV. NO. S-10-1498 LKK
22
             Plaintiff,
23
                V.
24 SKF AVIATION, LLC., et al.,
25
             Defendants.
26
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IN RE:
   SK FOODS, L.P.
 3
              Debtor.
   BRADLEY SHARP,
                                             CIV. NO. S-10-1499 LKK
 4
 5
              Plaintiff,
 6
                   V.
 7
   SCOTT SALYER, et al.,
 8
              Defendants.
 9
    IN RE:
10
   SK FOODS, L.P.
              Debtor.
11
12 BRADLEY SHARP,
                                             CIV. NO. S-10-1500 LKK
1.3
              Plaintiff,
14
                   v.
                                                  ORDER
15
   SCOTT SALYER, et al.,
16
              Defendants.
17
         On July 8, 2010, the court related the following seven
18
   bankruptcy appeals to United States of America v. Frederick Scott
19
20
   Salyer, 2:10-cr-00061-LKK:
         (1) In re SK Foods, L.P., et al. v. Bradley D. Sharp, 2:10-
21
22
              cv-01492;
23
         (2) <u>In re SK Foods</u>, <u>L.P.</u>, 2:10-cv-01493;
         (3) In re SK Foods, L.P., et al. v. Bradley D. Sharp, 2:10-
24
25
              cv-01496;
26 ////
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(4) <u>In re SK Foods, L.P., et al. v. Bradley D. Sharp</u>, 2:10-cv-01497;

1.3

2.4

- (5) <u>In re SK Foods, L.P., et al. v. Bradley D. Sharp</u>, 2:10-cv-01498;
- (6) <u>In re SK Foods, L.P., et al. v. Bradley D. Sharp</u>, 2:10-cv-01499; and
- (7) In re SK Foods, L.P., et al. v. Bradley D. Sharp, 2:10-cv-01500.

These cases were related because Frederick Scott Salyer ("Salyer"), defendant in the above captioned criminal action, had moved for a stay in the above captioned bankruptcy actions on the grounds that, inter alia, the criminal proceedings encompasses or overlaps the subject matter of the bankruptcy actions. Salyer's motions were denied by the bankruptcy court. According to the briefing schedule set in the bankruptcy appeals, Salyer's opening briefs are due on August 5, 2010; the bankruptcy trustee's opening briefs are due on August 19, 2010; and Salyer's reply briefs may be submitted as late as September 2, 2010. Only after such briefing is completed may Salyer inform the court that the appeals are ready for oral argument.

On June 17, 2010, Salyer filed a motion in the criminal action seeking this court to enjoin and stay discovery in all pending bankruptcy adversary proceedings. This court set the motion to be heard at 9:15 a.m. on August 3, 2010. On July 6, 2010, the bankruptcy trustee filed an opposition to Salyer's motion. Salyer's reply was submitted on July 16, 2010.

It appears to the court that all issues to be raised in the above captioned bankruptcy appeals may be resolved during the August 3, 2010 hearing. Accordingly, the court shall dispose of the bankruptcy appeals along with the criminal motion absent objection by any interested parties. Any objections shall be filed in writing on or before 12:00 p.m. on Monday, August 2, 2010. Objecting parties must also appear at the hearing August 3, 2010 hearing. IT IS SO ORDERED.

SENIOR JUDGE

UNITED STATES DISTRICT COURT

DATED: July 27, 2010.