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SSC Farms II, LLC, SSC Farms III, LLC, SKF Aviation,
LLC, and CSSS, LP d/b/a Central Valley Shippers

*Please see continuation page for a complete list of the
moving parties and their respective counsel.*

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

1 In re:
2 SK FOODS, LP, a California limited
3 partnership, et al.,
4 Debtors.

BANKRUPTCY CASE NO.: 09-29162-D-11

Chapter 11

U.S. District Court Case Nos.

2:10-cv-01492-LKK; 2:10-cv-01493-LKK
2:10-cv-01496-LKK; 2:10-cv-01497-LKK
2:10-cv-01498-LKK; 2:10-cv-01499-LKK
2:10-cv-01500-LKK

**STIPULATION AND ORDER EXTENDING
DEADLINE TO FILE OPPOSITION TO AND
POSTPONING HEARING FOR MOTION
FOR REHEARING ON DECEMBER 10, 2010
ORDER AND JUDGMENT REVERSING
BANKRUPTCY COURT'S ORDER DENYING
A STAY**

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10 BRADLEY SHARP, et al.,
11 Plaintiff,
12 v.
13 SSC FARMS I, LLC, et al.,
14 Defendants.

AP No. 09-02692
DCN: MSS-1

15 BRADLEY SHARP, et al.,
16 Plaintiff,
17 v.
18 SCOTT SALYER, as trustee of the
19 Scott Salyer Revocable Trust, et al.,
20 Defendants.

AP No. 10-02014
DCN: MSS-1

21 BRADLEY SHARP, et al.,
22 Plaintiff,
23 v.
24 SCOTT SALYER, in his individual
25 capacity and as trustee of the Scott
26 Salyer Revocable Trust, et al.,
27 Defendants.

AP No. 10-02015
DCN: MSS-1

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BRADLEY SHARP, et al.,

Plaintiff,

v.

SKF AVIATION, LLC, et al.,

Defendants.

AP No. 10-02016
DCN: MSS-1

BRADLEY SHARP, et al.,

Plaintiff,

v.

FRED SALYER IRREVOCABLE
TRUST, et al.,

Defendants.

AP No. 10-02017
DCN: MSS-1

BRADLEY SHARP, et al.,

Plaintiff,

v.

CSSS, L.P., et al.,

Defendants.

AP No. 09-02543
DCN: MSS-1

CONTINUATION SHEET: PARTIES
AND THEIR RESPECTIVE COUNSEL

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<p>GREGORY C. NUTI, State Bar No. 151754 KEVIN W. COLEMAN, State Bar No. 168538 SCHNADER HARRISON SEGAL & LEWIS LLP One Montgomery Street, Suite 2200 San Francisco, California 94104-5501 Telephone: 415-364-6700 Facsimile: 415-364-6785 gnuti@schnader.com kcoleman@schnader.com</p> <p>Counsel for Bradley D. Sharp, Chapter 11 Trustee</p>	

1 Scott Salyer, individually and as trustee of the Scott Salyer Revocable Trust; the Scott
2 Salyer Revocable Trust; SK PM Corp.; SK Foods, LLC; SKF Canning, LLC; Blackstone Ranch
3 Corporation; Monterey Peninsula Farms, LLC; Salyer Management Company, LLC; SK Farms
4 Services, LLC; SK Frozen Foods, LLC; SS Farms, LLC; SSC Farming, LLC; SSC Farms I, LLC;
5 SSC Farms II, LLC; SSC Farms III, LLC; SKF Aviation, LLC; CSSS, LP d/b/a Central Valley
6 Shippers; Gerard Rose as trustee of the Fred Salyer Irrevocable Trust; and the Fred Salyer
7 Irrevocable Trust (collectively, “Appellants”) and Bradley D. Sharp, as Chapter 11 Trustee of SK
8 Foods, L.P. (“Appellee”), by and through their respective counsel, hereby stipulate (the
9 “Stipulation”) and agree as follows:

10 1. On December 27, 2010, Appellee filed the Motion for Rehearing on December 10,
11 2010 Order and Judgment Reversing Bankruptcy Court’s Order Denying a Stay (the “Motion for
12 Rehearing”) in the above-captioned appeals. The Motion for Rehearing was set for hearing on
13 January 31, 2011 at 10:00 a.m. and the deadline to file an opposition to the Motion for Rehearing
14 was January 17, 2011.

15 2. On December 30, 2010, Appellants filed an opposition to the Motion for
16 Rehearing, asking the Court to delay the hearing until sometime at the end of March 2011
17 because of the illness of one of Appellants’ attorneys and reserving the right of Appellants to file
18 a supplemental opposition to the Motion for Rehearing.

19 3. On January 14, 2011, the Court entered an order (the “Extension Order”)
20 extending the deadline for Appellants to file an opposition to the Motion for Rehearing until
21 January 19, 2011 at 9:00 a.m.

22 4. On or around January 14, 2011, Appellants and Appellee agreed to participate in
23 mediation concerning, among other things, the Motion for Rehearing with Judge Michael
24 McManus in the next sixty (60) days (the “Mediation”). Because the Motion for Rehearing will
25 be negotiated as part of the Mediation, Appellants and Appellee also agreed to postpone the
26 hearing on the Motion for Rehearing to no earlier than March 31, 2011 and, as a result, extend the
27 deadline to file an opposition to the Motion for Rehearing to no earlier than March 17, 2011.

28 5. The parties further agree that the ultimate date of the deadline for Appellants to

1 file their opposition should be determined under the Local Rules of the United States District
2 Court for the Eastern District of California (the "Local Rules") based on the date of the hearing
3 set by the Court.

4 6. Appellants and Appellee believe that delaying the hearing on the Motion for
5 Rehearing and extending the deadline to file an opposition to the Motion for Rehearing will
6 enhance the parties' ability in the Mediation to agree to a consensual resolution of the issues
7 raised in the Motion for Rehearing, although the parties are unable to guarantee at this time that
8 they will be successful.

9 7. On January 21, 2011, the Court entered an order (the "Order") requesting that
10 counsel for the Appellants file a notice indicating why they did not file a timely supplemental
11 opposition to the Motion for Rehearing pursuant to the Extension Order.

12 8. In response to the Order, Appellants hereby apologize to the Court for the delay in
13 filing this Stipulation. Between January 14, 2011 and January 24, 2011, Appellants and Appellee
14 were in the process of negotiating the details of an interim settlement agreement to delay the
15 numerous open issues between Appellants and Appellee, including the Motion for Rehearing,
16 while the parties participate in the Mediation. As a result of such efforts, Appellants and
17 Appellee are hereby filing this Stipulation.

18 9. As a result of the forgoing, Appellants and Appellee hereby jointly request that the
19 Court enter an order continuing the hearing on the Motion for Rehearing to a date no earlier than
20 March 31, 2011, with the deadline for Appellants to file their opposition to the Motion for
21 Rehearing to be determined under the Local Rules, based on the date of the hearing set by the
22 Court.

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24 [remainder of page intentionally left blank]
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1 Dated this 25th day of January, 2011

2 SCHNADER HARRISON SEGAL &
3 LEWIS LLP

4 /S/ MICHAEL M. CARLSON
MICHAEL M. CARLSON
5 Counsel for Bradley D. Sharp, as Chapter 11
Trustee of SK Foods, L.P.

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6 /S/ PAUL J. PASCUZZI
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10 /S/ MALCOLM S. SEGAL
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12 /S/ JAMES C. KEOWEN
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Management Company, LLC, SK Farms
Services, LLC, SK Frozen Foods, LLC, SS
Farms, LLC, SSC Farming, LLC, SSC Farms I,
LLC, SSC Farms II, LLC, SSC Farms III, LLC,
14 SKF Aviation, LLC, and CSSS, LP d/b/a Central
Valley Shippers

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18 /S/ LARRY LICHTENNEGER
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19 Counsel for the Fred Salyer Irrevocable
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Salyer Irrevocable Trust, and Scott Salyer,
20 individually and as trustee of the Scott
Salyer Revocable Trust
21

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2 GOOD CAUSE APPEARING, IT IS ORDERED AS FOLLOWS:

3 1. The hearing on the Motion for Rehearing is continued to April 11, 2011 at 10:00
4 a.m.

5 2. The deadline for Appellants to file their opposition to the Motion for Rehearing
6 shall be determined under the Local Rules.

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8 Dated: January 26, 2011

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10 
11 LAWRENCE K. KARLTON
12 SENIOR JUDGE
13 UNITED STATES DISTRICT COURT
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