



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
THE HONORABLE MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE**

VITAL DISTRIBUTIONS, LLC,

No. 2:22-cv-00319-MCE-CKD

Plaintiff,

v.

MINUTES

PEPPERIDGE FARM, INCORPORATED,

Date: March 28, 2024

Deputy Clerk: S. Terrin

Defendant.

ECRO Clerk: T. Brown-Pilkinton

_____/

Counsel for Plaintiff: Jake Weaver and Avalon Johnson-Fitzgerald

Counsel for Defendant: J. Noah Hagey, Andrew Levine, and Hannah Dwyer

PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION (ECF No. 83)

- 10:14 a.m. All counsel were present. Carl Holmes, John Lucas, and Ann Munnely were also present as ordered per ECF No. 84.
- 10:19 a.m. The Court heard argument from counsel as stated on the record.
- 10:55 a.m. The Court called, John Lucas, who was sworn and testified as stated on the record. Counsel, J. Noah Hagey, conducted direct examination.
- 11:15 a.m. Counsel, Jake Weaver, cross-examined the witness.
- 11:39 a.m. Defense counsel's request for redirect of the witness was denied.
- 11:40 a.m. The witness was excused. The Court called, Ann Marie Munnely, who was sworn and testified as stated on the record.
- 11:43 a.m. The witness was excused.
- 11:45 a.m. The Court addressed, Carl Holmes, who responded as stated on the record. After hearing argument and witness testimony, the Court GRANTED the Plaintiff's Motion for Preliminary Injunction for the reasons set forth on the record. Counsel was instructed the forthcoming written order will supersede the Court's ruling from the bench.

11:51 a.m. Defense Counsel's request for stay pending appeal was DENIED. The Court set a Final Pretrial Conference on July 25, 2024, at 10:00 a.m., by Zoom videoconference and a Jury Trial on September 3, 2024, at 9:00 a.m., in courtroom 7.

12:01 p.m. The Court adjourned.

TIME IN COURT: 1 hour, 47 minutes