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13 Attorneys for Defendant

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA

17 THE BOARD OF TRUSTEES, in their  
capacities as Trustees of the PATTERSON  
18 VEGETABLE COMPANY AND  
TEAMSTERS LOCAL 948 HEALTH AND  
19 WELFARE TRUST,

20 Plaintiff,

21 vs.

22 PATTERSON VEGETABLE COMPANY,  
LLC,

23 Defendant.  
24

Case No. CV 12 4287 EMC

**UPDATED JOINT CASE  
MANAGEMENT CONFERENCE  
STATEMENT; [PROPOSED] ORDER**

Date: January 31, 2013  
Time: 10:30 AM  
Courtroom: 5, 17<sup>th</sup> Floor  
Judge: Hon. Edward M. Chen

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1 Plaintiff Board of Trustees of the Patterson Vegetable Company and Teamsters Local 948  
2 Health and Welfare Trust and Defendant Patterson Vegetable Company, LLC respectfully request  
3 that the Court continue the case management conference originally scheduled for January 31, 2013  
4 at 10:30 a.m. for an additional 90 days. The parties believe such continuance will allow the parties  
5 to continue to explore whether the case may be resolved without further court proceedings.

6 Since the last case management conference on November 30, 2012, the parties have agreed  
7 to a confidentiality agreement to facilitate the informal production of financial documents by  
8 Defendant Patterson Vegetable Company to the Plaintiff Board of Trustees. The confidentiality  
9 agreement has been signed by Defendant and will soon be signed by Plaintiff. After the agreement  
10 is completely executed, Defendant will provide documents to Plaintiff that are intended to assist in  
11 Plaintiff's due diligence and assessment of whether further action in this case is warranted, in light  
12 of Defendant's winding down.

13 The parties spoke with the Court's ADR Program on January 24, 2013 and have set a  
14 further ADR phone conference for April 17, 2013.

15  
16 DATED: January 24, 2013

WEINBERG, ROGER & ROSENFELD

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18 By: /s/Ezekiel D. Carder  
19 Ezekiel D. Carder  
20 Attorneys for Plaintiff  
21 THE BOARD OF TRUSTEES, in their capacities  
as Trustees of the PATTERSON VEGETABLE  
COMPANY AND TEAMSTERS LOCAL 948  
HEALTH AND WELFARE TRUST

22 DATED: January 24, 2013

TRUCKER ♦ HUSS

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24 By: /s/Clarissa A. Kang  
25 Clarissa A. Kang  
26 Attorneys for Defendant  
PATTERSON VEGETABLE COMPANY, LLC

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I attest that I have obtained Mr. Carder's concurrence in the filing of this document.

DATED: January 24, 2013

/s/Clarissa A. Kang  
Clarissa A. Kang

**[PROPOSED] ORDER**

The Updated Joint Case Management Conference Statement and Proposed Order is hereby adopted by the Court. The Case Management Conference scheduled for January 31, 2013 is hereby removed from the calendar and continued to April 25, 2013 at 10:30 a.m. The parties shall file an updated case management statement one week prior to the case management conference.

DATED: 1/25, 2013

