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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GOLDEN EAGLE INSURANCE  
CORPORATION and GENERAL  
INSURANCE COMPANY OF AMERICA,

No. C 12-05438 WHA

Plaintiffs,

v.

MOON MARINE (U.S.A.)  
CORPORATION, a California  
Corporation.

**ORDER GRANTING  
IN PART DEFENDANT'S  
MOTION TO STAY AND  
VACATING HEARING**

Defendant.

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In this action for declaratory relief to determine the extent of coverage, plaintiff General Insurance Company of America concedes coverage and is in fact defending six pending claims in other courts brought by consumers who fell ill with *Salmonella* infections. According to the Centers for Disease Control and Prevention, there could be as many as 425 plaintiffs. General Insurance contends that its total exposure is limited to one million dollar per occurrence limit. Defendant Moon Marine (U.S.A.) Corporation contends that the limit extends to the two million dollar per aggregate limit. Whether or not all of the insured events arise from a single occurrence will depend upon how the bacteria got into the fish in the first place. Possibly, it was a single occurrence, perhaps it was separate, but similar, occurrence. Possibly different batches were involved. The case involving General Insurance will be stayed until all or most of the underlying cases are litigated. The manner in which bacteria developed will likely be explored


1 in the underlying litigation. And with the benefit of that information it will be easier tell if all  
2 cases arose from a single occurrence. A further case management conference in this case will be  
3 held on **DECEMBER 12, 2012, AT 11:00 A.M.**

4 However, plaintiff Golden Eagle Insurance Corporation's case against Moon Marine  
5 goes forward. There is no stay as to that aspect.

6 The hearing on the motion, scheduled for January 24, 2012, is hereby **VACATED**.

7  
8 **IT IS SO ORDERED.**

9  
10 Dated: January 22, 2013.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE