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9 Attorneys for Plaintiff  
 10 OCEANO PACKING COMPANY, LLC



11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13 OCEANO PACKING COMPANY, LLC )

Case No. C08 00839 JW

14 Plaintiff, )

STIPULATION AND ORDER TO SUBMIT  
 TO MEDIATION

15 v. )

N.D. Local Rule 3.5(c)

16 TRUE ORGANIC PRODUCTS, INC., A )  
 17 California Corporation; and )  
 18 WESTERNFARM SERVICE, INC., A )  
 19 Delaware Corporation, )

20 Defendants. )

21 WHEREAS, Plaintiff OCEANO PACKING COMPANY, LLC (“Plaintiff” or “Oceano”) and  
 22 Defendant WESTERN FARM SERVICE (“Western”) and Defendant TRUE ORGANIC PRODUCTS,  
 23 INC. (“True”) have agreed to submit this case (the “Federal Court Action”) to mediation through this  
 24 Court’s Alternative Dispute Resolution Program;

25 WHEREAS, the parties have also agreed to include a related State Court Action (*Western Farms*  
 26 *Services Inc. v. Oceano Packing Company, LLC*, San Luis Obispo County Superior Court, Case No.  
 27 CV080074) (“State Court Action”), as part of the mediation submitted through this Court’s Alternative  
 28 Dispute Resolution Program;

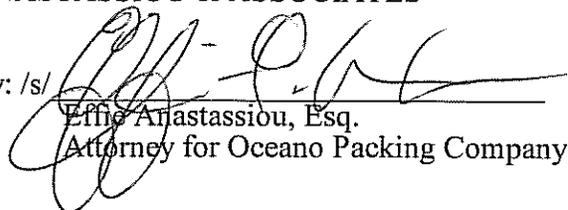
WHEREAS, the parties in the State Court Action are identical to the parties in the Federal Court  
 Action, and the claims in the State Court Action are substantially similar to the claims in the Federal Court  
 Action;

1 WHEREAS, during the continued ADR telephone conference call on November 10, 2008, the  
2 parties, by and through their respective attorneys of record, communicated to the ADR Staff Attorney, Mr.  
3 Daniel Bowling, that they intended to submit the Federal Court Action to mediation through this Court's  
4 Alternative Dispute Resolution Program, and also communicated to Mr. Bowling that they intended to  
5 submit the State Court Action as part of the mediation;

6 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff and Defendant Western,  
7 along with Defendant True, by and through their respective attorneys of record, that the parties agree to  
8 submit the Federal Court Action to mediation through this Court's Alternative Dispute Resolution Program,  
9 and to include the State Court Action as part of the mediation;

10  
11 Dated: November 10, 2008

ANASTASSIOU & ASSOCIATES

12  
13 By: /s/ 

Effie Anastassiou, Esq.

Attorney for Oceano Packing Company, LLC

14  
15 Dated: November \_\_, 2008

PETRIE, DORFMEIER & MORRIS, LLP

16  
17 By: /s/ \_\_\_\_\_

Dale Dorfmeier, Esq.

Attorney for Western Farm Service, Inc.

18  
19 Dated: November \_\_, 2008

JACOBSON, HANSEN, NAJARIAN & McQUILLAN

20  
21 By: /s/ \_\_\_\_\_

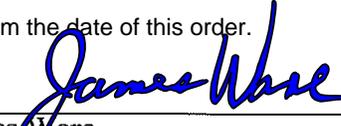
Leith Hansen, Esq.

Attorney for True Organic Products, Inc.

22  
23 **ORDER**

24 It is hereby ordered that this Federal Court Action shall be submitted to mediation through this  
25 Court's Alternative Dispute Resolution Program, and the related State Court Action shall also be included  
26 as part of the mediation. Deadline to complete mediation within 90 days from the date of this order.

27 Dated: November 24, 2008

  
28 Honorable James Ware  
United States District Court Judge

1 WHEREAS, during the continued ADR telephone conference call on November 10, 2008, the  
2 parties, by and through their respective attorneys of record, communicated to the ADR Staff Attorney, Mr.  
3 Daniel Bowling, that they intended to submit the Federal Court Action to mediation through this Court's  
4 Alternative Dispute Resolution Program, and also communicated to Mr. Bowling that they intended to  
5 submit the State Court Action as part of the mediation;

6 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff and Defendant Western,  
7 along with Defendant True, by and through their respective attorneys of record, that the parties agree to  
8 submit the Federal Court Action to mediation through this Court's Alternative Dispute Resolution Program,  
9 and to include the State Court Action as part of the mediation;

10  
11 Dated: November \_\_, 2008

ANASTASSIOU & ASSOCIATES

12  
13 By: /s/ \_\_\_\_\_  
Effie Anastassiou, Esq  
Attorney for Oceano Packing Company, LLC

14  
15 Dated: November 13, 2008

PETRIE, DORFMEIER & MORRIS, LLP

16  
17 By: /s/ Dale L. (Ho)  
Dale Dorfmeier, Esq.  
Attorney for Western Farm Service, Inc.

18  
19 Dated: November \_\_, 2008

JACOBSON, HANSEN, NAJARIAN & McQUILLAN

20  
21 By: /s/ \_\_\_\_\_  
Leith Hansen, Esq.  
Attorney for True Organic Products, Inc

22 **ORDER**

23 It is hereby ordered that this Federal Court Action shall be submitted to mediation through this  
24 Court's Alternative Dispute Resolution Program, and the related State Court Action shall also be included  
25 as part of the mediation.

26 Dated: \_\_\_\_\_

27 \_\_\_\_\_  
Honorable James Ware  
United States District Court Judge

1 WHEREAS, during the continued ADR telephone conference call on November 10, 2008, the  
 2 parties, by and through their respective attorneys of record, communicated to the ADR Staff Attorney, Mr.  
 3 Daniel Bowling, that they intended to submit the Federal Court Action to mediation through this Court's  
 4 Alternative Dispute Resolution Program, and also communicated to Mr. Bowling that they intended to  
 5 submit the State Court Action as part of the mediation;

6 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff and Defendant Western,  
 7 along with Defendant True, by and through their respective attorneys of record, that the parties agree to  
 8 submit the Federal Court Action to mediation through this Court's Alternative Dispute Resolution Program,  
 9 and to include the State Court Action as part of the mediation;

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Dated: November \_\_, 2008

ANASTASSIOU & ASSOCIATES

By: /s/ \_\_\_\_\_  
 Effie Anastassiou, Esq.  
 Attorney for Oceano Packing Company, LLC

Dated: November \_\_, 2008

PETRIE, DORFMEIER & MORRIS, LLP

By: /s/ \_\_\_\_\_  
 Dale Dorfmeier, Esq.  
 Attorney for Western Farm Service, Inc.

Dated: November 11, 2008

JACOBSON, HANSEN, NAJARIAN & McQUILLAN

By: /s/ \_\_\_\_\_  
 Leith Hansen, Esq.  
 Attorney for True Organic Products, Inc.

**ORDER**

It is hereby ordered that this Federal Court Action shall be submitted to mediation through this  
 Court's Alternative Dispute Resolution Program, and the related State Court Action shall also be included  
 as part of the mediation.

Dated: \_\_\_\_\_

\_\_\_\_\_  
 Honorable James Ware  
 United States District Court Judge