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8 **Attorneys for Plaintiff**

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 10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

13 **INN FOODS, INC.,**

Case No.: 5:08-cv-03022-JF

14 **Plaintiff,**

15 **vs.**

16 **DENISE E. FLEMMING and CHARLES**
 17 **JOHN FLEMMING,**

18 **Defendants.**

19 **FINAL JUDGMENT ON DEFAULT**

20 THIS MATTER having come before the Court on Plaintiff's Application for
 21 Entry of Final Default Judgment, and the Court having reviewed the file and being
 22 otherwise duly advised in the premises, it is hereby ORDERED and ADJUDGED that:

23 1. The Plaintiff is a valid trust beneficiary under Section 5(c) of the
 24 Perishable Agricultural Commodities Act of 1930, as amended, 7 U.S.C. 499e(c)
 25 ("PACA"), against Defendant Charles John Flemming in the total amount of
 26 \$62,796.82 all of which qualifies for protection under PACA, until satisfied, for which
 27 let execution issue;

28 2. Judgment is herby entered in favor Plaintiff, and against Defendant
 Charles John Flemming, in the total amount of \$62,796.82 which consists of the
 original principal of \$62,262.82, plus \$534.00 in costs, for which let execution issue
 forthwith.

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3. Post-judgment interest at the rate set forth by 28 U.S.C. §1961 shall accrue from the date of the entry of this Judgment until paid in full.

DONE and ORDERED, this 18th day of November, 2008 in chambers in San Jose, California.



Jeremy Fogel
United States District Court Judge