

United States District Court  
For the Northern District of California

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E-FILED on 8/25/10

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ANDREW SMITH COMPANY, a general  
partnership,  
  
Plaintiff,  
  
v.  
  
PAUL'S PAK, INC.; PREMIUM FRESH  
FARMS, LLC; PDP & ASSOCIATES, LLC;  
AG HARVESTING & TECHNOLOGIES,  
LLC; ESV INVESTMENTS, LLC;  
SALVADOR PAUL TARANTINO; PAUL S.  
TARANTINO; JOHN L. SIMMONS; EMMIT  
L. PFOST; JACK PARSON; STEVEN A.  
CINELLI; JOHN D. TAMAGNI; ROBERT  
ELLIOTT; JAMES S. TAMAGNI; RICHARD  
TAMAGNI; STEVE CHURCH; THOMAS  
CHURCH; DAVID GILL; CHURCH  
BROTHERS, LLC; and TRUE LEAF FARMS,  
LLC,  
  
Defendants.

No. C-08-04802 RMW

ORDER REGARDING STIPULATION AND  
PROPOSED ORDER FOR ENTRY OF  
PARTIAL JUDGMENT


[Re Docket No. 237]

The court has received the stipulation by Andrew Smith Company ("Andrew Smith"), Paul's Pak, Inc. ("Paul's Pak"), and Salvador Tarantino filed as Docket. No. 237. The court is comfortable with and willing to approve this stipulation. However, it does not appear that entry of partial judgment at this time is appropriate given that there remain outstanding issues between these parties. It seems that the appropriate way to proceed would be to enter the stipulation as part of the judgment

1 that is ultimately entered into at the end of this case. If there is some reason that partial judgment  
2 needs to be entered at this time, the parties may advise the court, and the court will reconsider.

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DATED: 8/25/10

  
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RONALD M. WHYTE  
United States District Judge