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E-FILED - 3/22/11

5 Attorneys for Defendants
 6 Paul's Pak, Inc., Salvador Paul Tarantino;
 Paul S. Tarantino, and John L. Simmons, Only,
 7 and for Counterclaimant Paul's Pak, Inc.

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

10	ANDREW SMITH COMPANY, a general)	CASE NO. C-08-04802-RMW
11	partnership,)	
12	Plaintiff,)	STIPULATION TO CONTINUE STATUS
13	v.)	CONFERENCE AND ORDER
14	PAUL'S PAK, INC.; PREMIUM FRESH FARMS,)	THEREON
15	LLC; PDP & ASSOCIATES, LLC; AG)	
16	HARVESTING & TECHNOLOGIES, LLC; CV)	
17	INVESTMENTS, LLC; ESV INVESTMENTS,)	
18	LLC; SALVADOR PAUL TARANTINO; PAUL S.)	
19	TARANTINO; JOHN L. SIMMONS; EMMITT L.)	
20	PFOST; JACK PARSON; STEVEN A. CINELLI;)	
21	JOHN D. TAMAGNI; RICHARD TAMAGNI;)	
22	STEVE CHURCH; THOMAS CHURCH; DAVID)	
23	GILL; CHURCH BROTHERS, LLC; and TRUE)	
24	LEAF FARMS, LLC,)	
25	Defendants.)	
26	AND RELATED MATTERS)	

27 TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

28 IT IS HEREBY STIPULATED by and between Plaintiff, ANDREW SMITH COMPANY ("Plaintiff" or "Andrew Smith") and Defendants, PAUL'S PAK, INC. ("Paul's Pak"), SALVADOR PAUL TARANTINO ("Sal Tarantino"), PREMIUM FRESH FARMS, LLC ("Premium Fresh"); AG HARVESTING & TECHNOLOGIES, LLC ("Ag Harvesting"); ESV INVESTMENTS, LLC ("ESV"); EMMITT L. PFOST ("Ppost"); JOHN D. TAMAGNI ("Tamagni"); ROBERT ELLIOTT ("Elliott"); JAMES S. TAMAGNI; RICHARD TAMAGNI; STEVE CHURCH; THOMAS CHURCH; DAVID GILL;

1 CHURCH BROTHERS, LLC ("Church Brothers"); and TRUE LEAF FARMS, LLC ("True Leaf")
2 (collectively "Defendants"), and their counsel of record that the status conference in the above captioned
3 action be continued and in support thereof state as follows:

4 WHEREAS, a Status Conference is currently ordered to take place on March 25, 2011 at 10:30 a.m.
5 in order to advise the Court of the status of the below described matters;

6 WHEREAS, bankruptcy counsel for Salvador Paul Tarantino ("Sal Tarantino") filed a Motion for
7 Abandonment of Sal Tarantino's shares in Paul's Pak, Inc., which motion was granted on February 7, 2011,
8 in the case of In Re Salvador P. Tarantino in the United States Bankruptcy Court, Northern District of
9 California, Case No. 10-14430 (the "Sal Bankruptcy"), and in accordance therewith, Paul's Pak is ready
10 to proceed with the instant litigation;

11 WHEREAS, counsel for Church Brothers has filed a Motion for Relief from Stay in the Sal
12 Bankruptcy, which motion is scheduled to be heard on March 24, 2011;

13 WHEREAS, Paul's Pak, Inc. has filed a Motion for Relief from Stay (the "Motion for Relief") in
14 the case of In Re Premium Fresh Farms, LLC, which motion is pending in the United States Bankruptcy
15 Court, Northern District of California, Case No. 10-62036, and which motion was recently rescheduled to
16 be heard on March 28, 2011, at 2:00 p.m., which is after the currently scheduled Pretrial Status Conference;

17 WHEREAS, the parties have met and conferred and agree that resolution of the Motion for Relief
18 from Stay must occur in order to move forward with that litigation against Premium Fresh and ensure
19 compliance with the automatic stay provisions of 11 U.S.C. §362(a);

20 THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through their respective
21 attorneys of record, that the Pretrial Status Conference currently scheduled to be held on March 25, 2011
22 at 10:30 a.m. be continued to **April 1, 2011 at 10:30.**

23 **IT IS SO STIPULATED.**

24 DATED: March 14, 2011

ANASTASSIOU & ASSOCIATES

25 By: /s/ Effie F. Anastassiou
26 Effie F. Anastassiou, Esq.,
27 Attorneys for Defendants PAUL'S PAK, INC.,
28 and SALVADOR PAUL TARANTINO; only, for
Counterclaimant PAUL'S PAK, INC.; and
Counterdefendants PAUL'S PAK, INC., and
SALVADOR PAUL TARANTINO

1 DATED: March 14, 2011

KAHN, SOARES & CONWAY, LLP

2 By: /s/ Ann Grottveit
Jan Kahn, Esq.
3 Ann M. Grottveit, Esq.,
Attorneys for Plaintiff Andrew Smith Company

4
5 DATED: March 14, 2011

SMITHERS LAW FIRM

6 By: /s/ Mary Ann O'Hara
Ned Smithers, Esq.
7 Mary Ann O'Hara

8 and

9 Stephen P. McCarron, Esq.
MCCARRON & DIESS
4900 Massachusetts Avenue, NW
10 Washington, DC 20016

11 Attorneys for Defendants,
12 CHURCH BROTHERS, LLC; TRUE LEAF
FARMS, LLC; THOMAS CHURCH; STEVE
13 CHURCH and DAVID GILL; and
Counterdefendants CHURCH BROTHERS, LLC and
14 TRUE LEAF FARMS, LLC

15
16 Dated: March 14, 2011

CLYDE PEARCE LAW


17 By: /s/ Clyde C. Pearce
Clyde C. Pearce,
18 Attorneys for Defendants Ag Harvesting &
Technologies, LLC, John D. Tamagni, Robert Elliott,
19 James Tamagni, Richard Tamagni, Premium Fresh
Farms, LLC, and ESV Investments

20
21 **ORDER**

22 Pursuant to Stipulation between the parties, and good cause appearing therefore,

23 **IT IS HEREBY ORDERED**, that the Pretrial Status Conference currently scheduled to be held
24 on March 25, 2011 at 10:30 a.m. be continued to **April 1, 2011 at 10:30.**

25
26 Dated: 3/22/11


27 HONORABLE RONALD M. WHITE
JUDGE OF THE UNITED STATES DISTRICT COURT,
28 NORTHERN DISTRICT OF CALIFORNIA