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 MAJOR FARMS, INC.
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8 **IN THE UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

10 BRAGA RANCH, INC., a Corporation;)
)
 11 Plaintiff,)
)
 12 vs.)
)
 13 SALYER AMERICAN FRESH FOODS, a)
 California Corporation; SCOTT SALYER, an)
 14 individual; ERIC SCHWARTZ, an individual,)
 an individual; JOHN BRYCE, an individual;)
 15 ALLAN SABATIER, an individual; STEVE)
 FRANSON, as receiver appointed in the case)
 16 of Bank of the West v. Salyer American Fresh)
 Foods, Salyer American Cooling, Monterey)
 17 County Superior Court Case Number)
 GNM98573,)
 18 Defendants.)

CASE NO. C09-04207-JF
ORDER VACATING CASE MANAGEMENT
CONFERENCE AND ALL RELATED
DEADLINES

[N.D. Cal. Civ. L.R. 6-2, 7-12].

19 _____)
 20 MAJOR FARMS, INC., a California)
 corporation;)
 21 Plaintiff,)
 22 v.)
 23 SALYER AMERICAN FRESH FOODS, a)
 24 California Corporation; SCOTT SALYER, an)
 Individual; STEVE FRANSON, as Receiver)
 25 appointed in the case of *Bank of the West v.*)
Salyer American Fresh Foods, Salyer)
 26 *American Cooling*, Monterey County Superior)
 Court Case Number GNM98573; and BANK)
 27 OF THE WEST, a California Banking)
 Corporation;)
 28 Defendants.)

CASE NO. C09-04985-JF

1 HIGASHI FARMS, INC., a corporation;)
2 K&S FARMS, LLC, a limited liability)
3 company; M. NISHIMORI FARMS, INC., a)
4 corporation; MANN PACING CO., INC., a)
5 corporation; MARTIN JEFFERSON &)
6 SONS, a partnership; MERRILL FARMS,)
7 LLC, a limited liability company; NEW)
8 STAR FRESH FOODS, LLC, a limited)
9 liability company; TAYLOR FARMS)
10 CALIFORNIA, INC., a corporation)

CASE NO. C09-04983-JF

Plaintiff,

vs.

9 BANK OF THE WEST, a California banking)
10 corporation, As Administrative Agent for)
11 itself, AGSTAR FINANCIAL SERVICES,)
12 PCA/FLCA, and FCS FINANCIAL, PCA;)
13 STEVE FRANSON, as Receiver for)
14 SALYER AMERICAN FRESH FOODS, a)
15 California Corporation,)

Defendants.

14 G&H FARMS, LLC, a California limited)
15 liability company; JOHN S. TAMAGNI &)
16 SONS, INC., a California corporation;)
17 PEDRAZZI FARMS, INC., a California)
18 corporation; ED MEHL, an individual; and)
19 C&G FARMS, a California corporation)

Intervening Plaintiffs.

19 PURSUANT TO STIPULATION of the attorneys that represent the plaintiffs or the defendants
20 that have been served in the related actions of Braga Ranch, Inc. v. Salyer American Fresh Foods, et al.,
21 Case No. 09-04207JF (“Braga Action”); Major Farms, Inc. v. Salyer American Fresh Foods, et al., Case
22 No. 09-04985JF (“Major Action”); and Higashi Farms, Inc., et al., v. Bank of the West, et al., Case No.
23 09-04983 (“Higashi Action”) IT IS SO ORDERED, that:

24 i) The Case Management Conference, currently scheduled to be heard by the Honorable
25 Jeremy Fogel on February 12, 2010 at 10:30 A.M., be vacated pending the ruling on the Joint Motion for
26 Establishment of Segregated PACA Account and PACA Trust Claims Procedure for Determination and
27 Payment of Valid PACA Claim (“Joint PACA Motion”), which is presently calendared to be heard by
28 the Honorable Jeremy Fogel on March 5, 2010 at 9:00 A.M;


ii) All deadlines directly affected by the Case Management Conference be vacated pending

1 the ruling on the Joint PACA Motion; and

2 iii) The Case Management Conference and all deadlines directly affected by the Case
3 Management Conference be reset by the Court after the Honorable Jeremy Fogel has ruled on the Joint
4 PACA Motion.

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6 DATED: 1/22/2010 _____



HONORABLE JEREMY FOGEL
JUDGE OF THE U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 F:\MAJ\Salyer American Fresh Foods, Inc\Pleadings\Prop Order to Vacate CMC.wpd

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