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E-Filed 11/3/09

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

BRAGA RANCH, INC., a corporation;

CASE NO. C-09-04207-JF

Plaintiff,

vs.

**[PROPOSED] ORDER GRANTING
HIGASHI FARMS, INC., ET AL.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES ARE
RELATED**

SALYER AMERICAN FRESH FOODS, a
California corporation; SCOTT SALYER, an
individual; ERIC SCHWARTZ, an
individual; JOHN BRYCE, an individual;
ALLAN SABATIER, an individual; MARK
MCCORMICK, an individual; STEVE
FRANSON, as receiver appointed in the case
of Bank of the West v. Salyer American Fresh
Foods, Salyer American Cooling, Monterey
County Superior Court Case Number
GNM98573,

[N.D. Cal. Civ. L.R. 3-12, 7-11]

Defendants.

HIGASHI FARMS, INC., a corporation;
K&S FARMS, LLC, a limited liability
company; M. NISHIMORI FARMS, INC., a
corporation; MANN PACKING CO., INC., a
corporation; MARTIN JEFFERSON &
SONS, a partnership; MERRILL FARMS,
LLC, a limited liability company; NEW
STAR FRESH FOODS, LLC, a limited
liability company; TAYLOR FARMS

CASE NO. C-09-04983-JW

1 CALIFORNIA, INC., a corporation;

2 Plaintiffs,

3 vs.

4 BANK OF THE WEST, a California banking
5 corporation, As Administrative Agent for
6 itself, AGSTAR FINANCIAL SERVICES,
7 PCA/FLCA, and FCS FINANCIAL, PCA;
8 STEVE FRANSON, as Receiver for
9 SALYER AMERICAN FRESH FOODS, a
10 California Corporation,

11 Defendants.

12 This matter comes before the Court on Higashi Farms, Inc., *et al.*'s Administrative
13 Motion to Consider Whether Case Should be Related, filed on October 28, 2009, pursuant to
14 Civil Local Rule 3-12. The Court, having fully considered the papers and pleadings on file and
15 submitted in support of the Motion, and good cause appearing,

16 IT IS ORDERED THAT Higashi Farms, Inc., *et al.*'s Administrative Motion to Consider
17 Whether Case Should be Related is granted, and

18 IT IS FURTHER ORDERED that the following cases are related within the meaning of
19 Local Rule 3-12:

20 *Braga Ranch,, Inc. v. Salyer American Fresh Foods, et al.* No. 5:09-cv-04207-JF

21 *Higashi Farms, Inc. v. Bank of West, et al.* No. C-09-04983-HRL

22 DATED: 11/3/2009

23 
24 THE HONORABLE JEREMY FOGEL
25 UNITED STATES DISTRICT COURT