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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

AMERICAN MUSHROOM, INC., dba  
American Produce Distributors

Plaintiff,

v.

Bleu Boheme, Inc., a California  
corporation, Philippe Beltran, an  
individual, and John Does 1 - 10,

Defendants.

Civil Action, No.: 10cv0912JM(NLS)  
ORDER GRANTING TEMPORARY  
RESTRAINING ORDER; SCHEDULING  
ORDER

Upon consideration of Plaintiff's application for a temporary restraining order in this Perishable Agriculture Commodities Act case, 7 U.S.C. §499e(c), the court concludes that Plaintiff establishes the requisite combination of likelihood of success on the merits and irreparable harm under Arcamuzi v. Continental Air Lines, Inc., 819 F.2d 935, 937 (9th Cir. 1987). Consequently, the Court hereby ORDERS:

(1) Defendants, their customers, agents, escrow agents, officers, subsidiaries, assigns, banking institutions and related entities, shall not alienate, dissipate, pay over or assign any assets of Bleu Boheme, Inc., Philippe Beltran, or their subsidiaries or related companies except for payment to Plaintiff until further order of this Court or until Defendants pay Plaintiff the sum of \$ 9,710, which sum represents principle, interest,

1 reasonable attorney fees, bank charges, and costs, by cashier's check or certified check  
2 at which time the Order is dissolved.

3 (2) Bond shall be waived in view of the fact that Defendants now hold the  
4 aggregate amount of about \$ 9,710 of Plaintiff's assets.

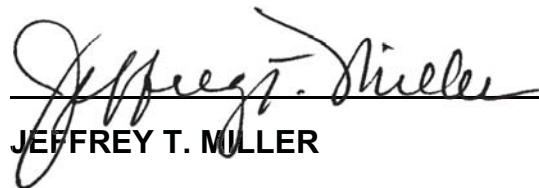
5 (4) This Temporary Restraining Order is entered on May 5, 2010. A hearing  
6 on Plaintiff's Motion for Preliminary Injunction is set for **May 14, 2010 at 1:30 p.m.** in  
7 Courtroom 16 of the Edward J. Schwartz United States District Courthouse, 940 Front  
8 St., San Diego, CA 92101.

9 (5) The Plaintiff shall forthwith serve Defendants and their counsel with a copy  
10 of this Order.

11 (6) Defendants' opposition to Plaintiff's motion for a preliminary injunction, if any,  
12 shall be filed no later than May 11, 2010. Plaintiff's reply, if any, shall be filed no later  
13 than May 12, 2010.

14 **IT IS SO ORDERED.**

15 DATED: May 5, 2010

16   
17 **JEFFREY T. MILLER**

18 United States District Judge

19 cc: All parties  
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