

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

DE BRUYN PRODUCE COMPANY, et al.,

Plaintiffs,

IS-PE PRODUCE, INC.,

Intervening Plaintiff,

vs.

ONIONS PLUS DISTRIBUTORS OF FRESH  
FRUITS AND VEGETABLES, INC., et al.,

Defendants.

Case No. 8:11-cv-2533-T-30TGW

**STIPULATED ORDER FOR PARTIAL FINAL JUDGMENT**

THIS MATTER having come before the Court on the parties' Stipulation for Final Judgment in favor of Plaintiffs and Intervening Plaintiff, De Bruyn Group,<sup>1</sup> and against Defendants, Onions Plus Distributors of Fresh Fruits and Vegetables, Inc. ("Onions Plus") and Melanie Grossi ("Grossi"), jointly and severally, and the parties having consented to the form and substance of this Stipulated Final Judgment, and for good cause shown, the Court now enters judgment pursuant to Federal Rule of Civil Procedure 58(a). Accordingly, it is

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<sup>1</sup> "De Bruyn Group" members are De Bruyn Produce Company, Wada Marketing Group, LLC, Gadsden Tomato Company, Inc., Petrocco Farms, Inc., Riverfront Produce Company, LLC, Georgia Berry & Vegetable, LLC, Pacific Shores Produce, LP, San Jose Tropical Fruits, LLC, Western Onion Sales, Inc., Mex Flores Produce Company, Inc., and IS-PE Produce, Inc.

**ORDERED AND ADJUDGED** that Judgment shall be and hereby is entered against Onions Plus and Grossi, jointly and severally, as follows:

1. Judgment in favor of De Bruyn Produce Company, whose address is P.O. Box 325, Weslaco, TX 78599 in the amount of \$107,295.94 (\$87,987.01 in principal and \$19,308.93 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

2. Judgment in favor of Wada Farms Marketing Group, Inc., whose address is 2155 Providence Way, Idaho Falls, ID 83404-7000 for \$24,252.21 (\$19,887.79 in principal and \$4,364.42 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

3. Judgment in favor of Gadsden Tomato Company, whose address is P.O. Box 1018, Quincy, FL 32353-1018 for \$5,620.66 (\$4,609.17 in principal and \$893.30 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

4. Judgment in favor of Petrocco Farms, Inc., whose address is 14110 Brighton Road, Brighton, CO 80601 for \$7,984.08 (\$6,547.27 in principal and \$1,436.81 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

5. Judgment in favor of Riverfront Produce Company, LLC, whose address is 1005 Emison Avenue, Nyssa, OR 97913-3434 for \$20,080.12 (\$16,466.51 in principal and \$3,613.61 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

6. Judgment in favor of Georgia Berry & Vegetable, LLC, whose address is 105 E. Colquitt Street, Sparks, GA 31647 for \$7,765.95 (\$6,774.79 in principal and \$991.16 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

7. Judgment in favor of Pacific Shores Produce, LP, whose address is 6102 Innovation Way, Carlsbad, CA 92009-1728 for \$11,899.35 (\$9,757.95 in principal and \$2,141.40 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

8. Judgment in favor of San Jose Tropical Fruits, LLC, whose address is 501 N. Bridge Street, Suite 902, Hidalgo, TX 78557-2530 for \$80,704.39 (\$66,180.86 in principal and \$14,523.53 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

9. Judgment in favor of Western Onion Sales, Inc., whose address is 295 Willis Avenue, Suite D, Camarillo, CA 93010-8562 for \$4,654.10 (\$4,060.10 in principal

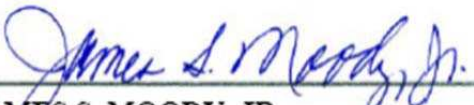
and \$594.00 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

10. Judgment in favor of Mex Flores Produce Company, Inc., whose address is 2216 Silver Street, Houston, TX 77007-2802 for \$15,356.63 (\$13,396.68 in principal and \$1,959.95 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue; and

11. Judgment in favor of IS-PE Produce, Inc., whose address is 2501 W. Military Highway, B-4, McAllen, TX 78503 for \$33,706.53 (\$27,640.72 in principal and \$6,065.81 in prejudgment interest through July 5, 2013), plus post-judgment interest at the rate set forth by 28 U.S.C. §1961, all of which qualifies for protection under PACA, until satisfied, for which let execution issue.

12. This is a final partial judgment because Plaintiff Juniper Tomato has a remaining claim against Defendants.

**DONE AND ORDERED** in Chambers at Tampa, Florida this 30th day of July, 2013.

  
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**JAMES S. MOODY, JR.**  
**UNITED STATES DISTRICT JUDGE**

Copies furnished to:

Counsel/Parties of Record

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