

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SATO & CO., LLC, et al.,)	
)	
Plaintiff,)	CIVIL ACTION
v.)	
)	Case No. 08-CV-7352
S&M PRODUCE, INC., et al.,)	(CONSOLIDATED)
)	
Defendants.)	JUDGE ROBERT M. DOW, JR.
)	
_____)	
PRIDE OF SAN JUAN, INC., et al.,)	
)	
Plaintiffs,)	
v.)	
)	
S&M PRODUCE, INC., et al.,)	
)	
Defendants.)	

**MOTION FOR ENTRY OF JUDGMENT AGAINST DEFENDANT,
S&M PRODUCE, INC. AND FOR DISBURSEMENT OF REGISTRY FUNDS**

Pride of San Juan, Inc., Classic Salads, LLC, Dayoub Marketing, Inc., Ruby Robinson Co., Inc, Natural Forest, Inc., Fru-Veg Marketing, Inc. The Kinoko Company, Lakeside Produce, Inc., The Mandolini Company, Inc., and Seashore West, Inc. (collectively, the “Pride of San Juan Plaintiffs”) hereby move this Honorable Court for entry of an Order approving the revised PACA Trust Chart of all claims and directing the Clerk to Disburse as set forth herein. In support of this Motion, the Pride of San Juan Plaintiffs respectfully state as follows:

1. The Pride of San Juan Plaintiffs filed a motion for disbursement back on June 26, 2009 (D.E. #148).
2. On February 2, 2010, the Court denied the disbursement motion as moot. (D.E. #172)

and directed the parties to work together to disburse the registry funds and conclude a judgment against the corporate defendant, S&M Produce, Inc.

3. The Pride of San Juan Plaintiffs thereafter circulated a revised and updated chart of all claims, attached hereto as Exhibit A, which has now been approved by 75.99% of all PACA claims in this case. Furthermore, Counsel for the Pride of San Juan Plaintiffs has received no objections to the chart attached as Exhibit A from any party despite repeated calls for same.

4. The matter of the liability of the individual defendants, Donald J. Mided and Lance K. Mided, is currently the subject of a referral to the Magistrate Judge but the Court indicated it wanted to enter judgment against the corporate Defendant as soon as all parties could agree on the final figures. With the parties' approval of the chart attached as Exhibit A, that step forward is now possible.

(SEE NEXT PAGE)

WHEREFORE, the Pride of San Juan Plaintiffs respectfully request this Honorable Court to enter a judgment against the corporate defendant in the agreed amounts set forth in the “Undisputed Claim” column of the chart attached hereto as Exhibit A, directing the Clerk to disburse as set forth in the “Undisputed Share” column of the same chart, and for such other and further relief as this Honorable Court deems appropriate upon consideration of the matter.

Respectfully submitted,

PRIDE OF SAN JUAN, INC., CLASSIC SALADS, LLC,
DAYOUB MARKETING, INC., RUBY ROBINSON, CO.,
INC., NATURAL FOREST, INC., FRU-VEG MARKETING,
INC., THE KINOKO COMPANY, LAKESIDE PRODUCE,
INC., THE MANDOLINI COMPANY, INC., and
SEASHORE WEST, INC.

By: /s/ Michael J. Keaton, Esq.
One of Their Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing, together with any and all exhibits referenced therein, if any, was served upon all counsel of record entitled to notice and properly registered with the Court’s ECF system, this day March 22, 2010.

By: /s/ Michael J. Keaton, Esq.
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