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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF TEHAMA**

10 GOLDEN STATE FARM CREDIT, ACA, a
11 federal Farm Credit System institution, et al.,

12 Plaintiffs,

13 v.

14 ANDERSEN & SONS SHELLING, INC., et
15 al,

16 Defendants.

Case No. 24-CI-000197

**ORDER APPROVING RECEIVER'S
MOTION FOR ORDER IN AID OF
RECEIVERSHIP (1) APPROVING
SUMMARY CLAIM PROCEDURES AND
NOTICE, (2) SETTING CLAIMS BAR
DATE, (3) APPROVING PROPOSED
CLAIM FORM AND PROCEDURES FOR
SERVICE, AND (4) MANAGING,
BIFURCATING, AND JOINING OF
GROWER CLAIMS IN THE LIEN
PRIORITY DISPUTES**

Date: July 8, 2025

Time: 8:30 am

Judge: Hon. Laura S. Woods

Dept.: 5

Action Filed: August 5, 2024

22 This matter came before the Court at the above-referenced time and place upon
23 consideration of the *Motion For Order In Aid Of Receivership (1) Approving Summary Claim*
24 *Procedures And Notice, (2) Setting Claims Bar Date, (3) Approving Proposed Claim Form And*
25 *Procedures For Service, and (4) Managing, Bifurcating and Joining of Grower Claims In The*
26 *Lien Priority Disputes* (the "Motion"), filed by David Stapleton in his role as Receiver for the
27 Defendants (the "Receivership Entities"), together with the supporting declarations of Linda
28 Belmonte, Matthew Flahive, and Jeffrey P. Nolan filed therewith (collectively, the "Moving

ELECTRONICALLY
FILED
SUPERIOR COURT OF CALIFORNIA
7/10/2025
COUNTY OF TEHAMA
KEVIN HARRIGAN, CLERK OF THE COURT
BY *Trusha Williams* DEPUTY

1 Papers)¹. Appearances were made as reflected in the record. Based on the Court’s review of the
2 Moving Papers, any opposition thereto, and good cause appearing therefor,

3 **IT IS HEREBY ORDERED:**

4 1. The Motion is GRANTED, as modified as set forth below.

5 2. The Court finds that the Claim Procedures described in the Motion are reasonable,
6 necessary and are hereby approved as modified herein.

7 3. The proposed claim form attached as **Exhibit 2** to the Motion (the “Claim Form”),
8 and the Notice Letter attached as **Exhibit 3** to the Motion (the “Notice Letter”) are hereby
9 approved. Service of this Order, the Claim Form, and the Notice Letter (together, the “Claims
10 Packet”) is reasonable and appropriate to effectuate notice under the circumstances.

11 4. No later than [July 22, 2025], the Receiver shall serve the Claims Packet by First
12 Class postage in the United States mail, on all entities or individuals of the Receivership Entities
13 whom, based on a diligent and reasonable search of the books and records of the Receivership
14 Entities, were owed outstanding obligations or monies owed. Further, the Receiver shall serve the
15 Claims Packet, via email, on the list of individuals and entities that have contacted the Receiver
16 since his appointment. The Receiver shall file a certificate of service following the service of the
17 Claims Packet, and upload same on the Claim Procedures web site.

18 5. The Publication Notice attached as **Exhibit 4** to the Motion is approved for use in
19 the claim process as reasonably calculated to afford notice to interested parties under the
20 circumstances. The Receiver shall publish the Publication Notice at least one week day per week
21 for four successive weeks in the newspapers and periodicals identified in **Exhibit 4**. The Receiver
22 shall file a certificate confirming notice by publication and upload same on the Claim Procedures
23 web site.

24 6. No later than July 22, 2025, the Receiver shall notify the California Walnut Board
25 and the Almond Board of California of the Claims Bar Date and broadcast on the website
26 maintained by the Receiver the entry of this Order.

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28 ¹ Capitalized terms used herein but not defined in this Order shall bear the meanings attributed to them in the Moving
Papers.

1 7. September 30, 2025 is the deadline for submitting proofs of claim against the
2 Receivership Entities. All persons or entities, including governmental units, individuals, growers,
3 partnerships, estates, and trusts that have a claim or potential claim against the Receivership
4 Entities that arose prior to August 8, 2024, **MUST SUBMIT A PROOF OF CLAIM** that is
5 actually received by the Receiver on or before September 30, 2025, at 5:00 p.m., prevailing Pacific
6 Standard Time (the “Claims Bar Date”).

7 **ANY PERSON OR ENTITY WHO FAILS TO SUBMIT A PROOF OF CLAIM ON**
8 **OR BEFORE THE CLAIMS BAR DATE SHALL NOT BE TREATED AS A CREDITOR**
9 **WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF PARTICIPATING OR**
10 **RECEIVING ANY DISTRIBUTION FROM THE RECEIVERSHIP ENTITIES.**

11 *Submitting a Proof of Claim.* Each Proof of Claim must be submitted, including
12 reasonable supporting documentation, invoices, contracts, receipts, evidencing the basis for the
13 party's claim and including a short statement of the facts describing the claim and parties to it, by
14 either (1) electronic submission to AndersenClaims@stretto.com, or (2) if submitted through non-
15 electronic means, by U.S. Mail or other hand delivery system, so as to be actually received by the
16 Receiver at *Andersen Receivership Claims Processing, c/o Stretto, 410 Exchange, Suite 100,*
17 *Irvine, CA 92602*, on or before the Claims Bar Date.

18 8. The Receiver shall maintain a website that will display the name and amount of
19 claims submitted to the Receiver at: <https://cases.stretto.com/Andersenreceivership>, which website
20 will be updated within three business days of his receipt of a Claim Form. The Receiver will
21 make the claims register and all received Claims available to parties in interest.

22 9. Consistent with the authority in the Receivership Order and Code of Civil
23 Procedure § 568, good cause exists for the Lien Priority Disputes (and the claimants identified as
24 asserting Lien Priority Claims based on a Producer’s Lien) to be segregated and bifurcated
25 pursuant to Code of Civil Procedure § 598, given the unity of interests as the Court finds it
26 appropriate, necessary, and in the interest of judicial efficiency and economy for the Court to
27 address and resolve Threshold Legal Issues as outlined in the Motion.

1 10. Good cause exists for any agricultural producer asserting a producer’s lien as
2 secured against the remaining assets of the Receivership Entities and who is not a party to an
3 existing lawsuit asserting a producer’s lien pending in the Superior Court, County of Tehama, to
4 join or intervene as a party. The Boutin Jones Lien Claimant actions² are consolidated into the
5 Downey Brand Lien Claimant action³ under Case No. 24CI-000274, with the existing case caption
6 amended to include “And Associated Lien Priority Disputes” below the defendant name in the
7 existing case caption. Any producer with a pending action can amend their complaint, without
8 leave of Court, to include additional defendants, including without limitation Bank of America
9 (“BOA”). Any producer, with or without a pending action, can file and serve a Notice joining one
10 or more causes of action set forth in the Downey Brand Lien Claimant action. Absent intervening
11 or joining this Action **BY NO LATER THAN SEPTEMBER 30, 2025**, such claimant will forfeit
12 any right to assert a secured claim against the Receivership Entities.

13 11. The Court finds good cause exists to temporarily stay all discovery in the grower
14 litigation, in which the Receivership Entities are named parties pending in the Superior Court,
15 County of Tehama, other than for the joinder or intervening of growers asserting producer’s liens
16 as required by paragraph 10, above (“Temporary Limited Stay”). The Temporary Limited Stay
17 expires at the status conference date of November 11, 2025.

18 12. The stay does not apply to discovery propounded by the consolidated Downey
19 Brand Lien Claimants Action to Bank of America.

20 13. The Cross-Complaint For Declaratory Relief filed by Banner Bank against Golden
21 State Farm Credit, PCA and Golden State Farm Credit, FLCA, seeking declaratory relief in one
22 cause of action to resolve a lien priority dispute may move forward as scheduled on August 5,
23 2025. All other actions are subject to the stay.

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26 ² [The Boutin Jones Lien Claimant actions are: \(1\) *Nava Farms, Inc. and Good Earth Partners, LP v. Andersen & Sons Shelling, Inc., et al.*, Tehama County Superior Court Case No. 25CI-000083; \(2\) *Danna Farms Inc. v. Andersen & Sons Shelling, Inc., et al.*, Tehama County Superior Court Case No. 25CI-000058; \(3\) *Putah Creek Farming Co. v. Andersen & Sons Shelling, Inc., et al.*, Tehama County Superior Court Case No. 25CI-000070; and \(4\) *Asellus - Placer LLC, et al. v. Andersen & Sons Shelling, Inc., et al.*, Tehama County Superior Court Case No. 25CI-000076.](#)

28 ³ [The Downey Brand Lien Claimant action is Tehama County Case No. 24CI-000274.](#)

1 14. The motion filed by Banner Bank for an order to sever trial on Banner's First
2 Amended Cross-Complaint for Declaratory Relief, set for August 29, 2025, is hereby stayed.

3 15. No later than October 28, 2025, the Receiver shall file and serve the Receiver's
4 Written Report, which report shall include (a) a summary of all claims, amounts and priority who
5 have filed Claim Forms, (b) identify all parties to the Lien Priority Disputes, (c) join claimants to
6 the Lien Priority Disputes, and (d) identify the threshold legal issues to be submitted to the Court
7 with respect to the Lien Priority Disputes. The parties to the Lien Priority Disputes are instructed
8 to meet and confer, not later than September 30, 2025, to (a) refine the threshold legal issues to be
9 presented to the Court in compliance with subdivision (t) of Section 437c of the Code of Civil
10 Procedure, and (b) to agree on a briefing schedule not to exceed 60 days for the submission of
11 briefs and to provide such information to the Receiver no less than three (3) business days prior to
12 October 28, 2025, so as to be included within the Receiver's Written Report.

13 16. Tolling. As of the date of the filing of the above-captioned motion, and until the
14 Further Status Conference, all claims by and among the Growers, Receiver, and BOA, are hereby
15 tolled, and such time period shall not be included and shall be excluded in the calculation of any
16 applicable statute of limitations period relevant to the claims at issue in this Action, as
17 consolidated.

18 17. All Growers who have hired counsel in these matters retain all rights to seek an
19 appropriate surcharge against any settlement proceeds, or to be reimbursed from any dollars
20 collectible from the Receiver or BOA on account of claims for payment of 2022 or 2023 crop
21 proceeds, for legal fees incurred in prosecuting these actions and the Lien Priority Dispute, by
22 procedure to be set by further court order.

23 18. No later than October 28, 2025, the Receiver shall file and serve the Receiver's
24 Written Report, which report shall include (a) a summary of all claims, amounts and priority who
25 have filed Claim Forms, (b) identify all parties to the Lien Priority Disputes, (c) join claimants to
26 the Lien Priority Disputes identify the threshold legal issues to be submitted to the Court with
27 respect to the Lien Priority Disputes. The current parties to the Lien Priority Disputes are
28 instructed to meet and confer, not later than Friday September 30, 2025, to (a) refine the threshold

1 legal issues to be presented to the Court in compliance with subdivision (t) of Section 437c of the
2 Code of Civil Procedure, and (b) to agree on a briefing schedule not to exceed 60 days for the
3 submission of briefs and to provide such information to the Receiver no less than 3 business days
4 prior to October 28, 2025, so as to be included within the Receiver's Written Report. The
5 Growers and BOA shall file Status Reports (one for the producers and one for BOA) by October 28,
6 2025, i.e., two weeks before the Further Status Conference set for November 11, 2025. The Status
7 Reports shall include all of the following:

- 8 (1) A summary of all agreements regarding how the legal issues will be framed
9 for the Lien Priority Dispute;
- 10 (2) A summary of all agreements regarding briefing schedules;
- 11 (3) A summary of disagreements, if any, regarding the first two items, and
12 proposals for resolving the same;
- 13 (4) The parties' position regarding mediation; and
- 14 (5) The parties' position regarding the possible appointment of a special master
15 or referee.

16 The Parties will request that the Court make final decisions regarding any disagreements at
17 the Further Status Conference Set for November 11, 2025.

18 A Further Status Conference of November 11, 2025, is set in this matter.

19 19. In light of the Further Status Conference and Status Reports as set forth above, the
20 following Case Management Conferences are taken off calendar and the parties are not required to
21 file CMC Statements: (1) *Nava Farms, Inc. et al. v. Andersen & Sons Shelling, Inc., et al.*, Tehama
22 County Superior Court Case No. 25CI-000083 (CMC scheduled for August 25, 2025); (2) *Danna*
23 *Farms Inc. v. Andersen & Sons Shelling, Inc., et al.*, Tehama County Superior Court Case No.
24 25CI-000058 (CMC scheduled for August 4, 2025); (3) *Putah Creek Farming Co. v. Andersen &*
25 *Sons Shelling, Inc., et al.*, Tehama County Superior Court Case No. 25CI-000070 (CMC
26 scheduled for August 11, 2025); (4) *Asellus - Placer LLC et al. v. Andersen & Sons Shelling, Inc.,*
27 *et al.*, Tehama County Superior Court Case No. 25CI-000076 (CMC scheduled for August 18,
28

1 2025); and (5) *Aiden F. Charter Farming, et al. v. Andersen & Sons Shelling, Inc., et al.*, Tehama
2 County Superior Court Case No. 24CI-000274 (CMC scheduled for July 21, 2025).

3 20. Any proceeds realized from the sale of real property and equipment, with respect to
4 Vina HQ, after such sale is approved by the Court, will be separated or segregated from any funds
5 held with respect to the Growers dispute.

6 21. The Motion for Joinder of Bidart Bros. set for August 5, 2025, is stayed as the
7 parties may submit a claim pursuant to the Receiver's claims procedure.

8 22. The Motion to be Relieved as Counsel filed by attorneys for Andersen & Sons
9 Shelling, set for July 29, 2025, will proceed as scheduled and will not be affected by this stay.

10 IT IS SO ORDERED.

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Dated: 7/10/2025



JUDGE OF THE SUPERIOR COURT

CERTIFICATE OF SERVICE
24CI-000197

GOLDEN STATE FARM CREDIT, et al.

vs

ANDERSEN & SONS, et al.

[CCP §1013a(4) & CCP §11010.6(d)]

I hereby certify that I am employed by the Tehama County Superior Court. My business address is 1740 Walnut Street, Red Bluff, CA. 96080. I am over 18 years of age and not a party to this cause.

I further certify that on this date, I placed a true copy of the foregoing document in a sealed envelope with postage thereon fully prepaid, and depositing the sealed envelope with the United States Postal Service in Red Bluff, CA addressed as follows or transmitted electronically to the email address as provided:

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Date: 7/14/2025

Kevin Harrigan, Clerk of the Court



Deputy Clerk