

ENDORSED

2004 NOV -2 AM 9:56

KIM BOWEN, CEO
SUPERIOR COURT OF CA.
CO. OF S. CLARA
BY: _____ DEPUTY
CLERK
CRABTREE

1 DAVID J. COOK, ESQ. (State Bar # 060859)
ROBERT J. PERKISS, ESQ (State Bar # 62386)
2 DEBRA D. LEW, ESQ. (State Bar # 114537)
COOK, PERKISS & LEW
3 A PROFESSIONAL LAW CORPORATION
333 Pine Street, Suite 300
4 San Francisco, CA 94104-3381
Mailing Address: P.O. Box 270
5 San Francisco, CA 94104-0270
Tel: (415) 989-4730 Fax: (415) 989-0491
6 File No. 48,624

7 Attorneys for Plaintiffs
YVONNE ENRILE AND GIL ENRILE,
8 individually and as Successors-in-Interest for
MICHELLE ENRILE, Decedent, SARAH ENRILE,
9 and STEPHANIE ENRILE

10 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
11 COUNTY OF SANTA CLARA
12 UNLIMITED CIVIL JURISDICTION

13 YVONNE ENRILE AND GIL ENRILE,)
14 individually and as Successors-in-Interest)
for MICHELLE ENRILE, Decedent,)
15 SARAH ENRILE, and STEPHANIE)
ENRILE,)
16 Plaintiffs,)
17 vs.)
18 SHENG HSIANG JEN FOODS)
19 COMPANY, LTD., a Taiwanese)
company; NEW CHOICE FOOD, INC., a)
20 California corporation; DOES ONE)
21 through FIFTY, inclusive, and each of)
them.)
22 Defendants.)

CASE NO. 1-99-CV 784959

ORDER GRANTING MOTION FOR
ASSIGNMENT OF RIGHTS, RESTRAINING
ORDER AND TURNOVER ORDER

23
24 Said notice of motion and motion for assignment of rights having come on regularly for
25 hearing this 2nd day of November, 2004 at 9:00 a.m. in Department 16 before the Honorable Kevin
26 E. McKenney, Judge of the Superior Court, and Plaintiffs YVONNE ENRILE AND GIL ENRILE,
27 individually and as Successors-in-Interest for MICHELLE ENRILE, Decedent, SARAH ENRILE,
28

1 and STEPHANIE ENRILE ("PLAINTIFFS"), having submitted the matter based upon the
2 tentative ruling, and no opposition nor appearance filed by the Defendant SHENG HSIANG JEN
3 FOODS COMPANY, LTD., a Taiwanese company, and Third Party TRIKO FOODS, LTD., and
4 no claim of exemption having been filed therein, and for good cause appearing, therefore,

5 IT IS HEREBY ORDERED that all accounts, accounts receivable, rights to payment of
6 money, contract rights, rights to payment of money from third parties, contingent rights, deposits
7 and deposit accounts, claims against third parties, monies due from third parties, due and in favor
8 of and for the benefit of Defendant SHENG HSIANG JEN FOODS COMPANY, LTD., a
9 Taiwanese company, or any of Defendant's family members, business associates, partners,
10 assignees, and other persons acting on his behalf, and TRIKO FOODS, LTD, be and the same are
11 hereby assigned to PLAINTIFFS, care of its attorney, David J. Cook, Cook, Perkiss & Lew,
12 P.L.C., 333 Pine Street, Third Floor, San Francisco, CA 94104 for purposes of payment of the
13 Judgment in the amount of \$8,925,088.12, plus interest and costs as may be allowed.

14 IT IS FURTHER ORDERED that Defendant SHENG HSIANG JEN FOODS
15 COMPANY, LTD., a Taiwanese company,, and Third Party TRIKO FOODS, LTD., be and the
16 same is hereby stayed, prohibited and enjoined, from cashing, negotiating, advancing, collecting,
17 any and all accounts, accounts receivable, rights to payment of money, claims for payment of
18 money due from third parties, or other rights subject to the assignment herein.

19 IT IS FURTHER ORDERED that Defendant SHENG HSIANG JEN FOODS
20 COMPANY, LTD., a Taiwanese company, and Third Party TRIKO FOODS, LTD., be and the
21 same is hereby prohibited, stayed and enjoined, from the assignment, mortgage, lien, or sale of any
22 of the accounts, accounts receivable, rights to payment of money, and claims for payment of money
23 due from third parties, the subject matter of the assignment hereunder.

24 IT IS FURTHER ORDERED that Defendant SHENG HSIANG JEN FOODS
25 COMPANY, LTD., a Taiwanese company, and Third Party TRIKO FOODS, LTD. shall deliver all
26 checks, cash, notes, instruments, deposits, deposit accounts, checks, drafts or warrants, to the Los
27 Angeles County Sheriff, whose address is 111 North Hill Street, Suite 525, Los Angeles, CA
28

1 90012.

2

3 DATED: NOV 02 2004

KEVIN E. MCKENNEY

4

KEVIN E. MCKENNEY
JUDGE OF THE SUPERIOR COURT

5

NOTICE TO JUDGMENT DEBTORS

6

7 PLEASE TAKE NOTICE THAT THE COURT HAS ENTERED AN ORDER
8 ASSIGNING CERTAIN RIGHTS AND PROVIDING FOR A RESTRAINING ORDER, AND
9 OTHER RELIEF. FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN
10 CONTEMPT IN WHICH YOU MAY BE INCARCERATED IN THE COUNTY JAIL OF NOT
11 MORE THAN 5 DAYS AND PAYMENT OF NOT MORE THE SUM OF \$1,000 PURSUANT
12 TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1209.

12

13

14

15

F:\DJCSHENG.ord\amend

16

17

18

19

20

21

22

23

24

25

26

27

28