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**PRESS RELEASE**

**For Immediate Release**

Date: December 18, 2008  
Re: People v. Seneca Foods, LLC

**For More Information Contact:**

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that the Consumer Fraud Unit of her office reached a negotiated civil settlement with Seneca Foods, LLC. On January 5, 2007, at the Seneca plant located at 2801 Finch Road, Modesto, Seneca employee Paul Seay was killed while working in a Seneca warehouse when a stack of pallets containing cardboard fell on him. Cal-OSHA conducted an investigation, ultimately concluding that Seneca had violated two California Labor Code sections. Cal-OSHA initiated an administrative action against Seneca which is still pending and also referred the case to the District Attorney's Office in January, 2008.

The "Stipulated Final Judgment and Permanent Injunction," signed by the Honorable Donald E. Shaver, includes a permanent injunction designed to improve the safe handling of stacked materials at Seneca and better protect their forklift drivers. Seneca agreed to pay a \$100,000.00 penalty to the District Attorney's Office pursuant to Business and Professions Code Section 17206. Seneca also agreed to pay \$150,000.00 in restitution to Sharon Seay, the widow of Seneca employee Paul Seay. Seneca was represented by Ralph S. Curtis and Jakrun S. Sodhi of Curtis & Arata. Deputy District Attorney John Goulart represented the People.

Without admitting fault, Seneca entered into the civil judgment today following extended negotiations between its attorneys and the District Attorney's Office. Resolution was reached without a trial as Seneca Foods, on its own initiative, took proactive steps to prevent a reoccurrence of the incident which led to Mr. Seay's death. Also, Seneca's agreement to pay substantial restitution to Mr. Seay's widow, despite the fact that they had previously paid a worker's compensation settlement to her, was key to achieving settlement.

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