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8 Attorneys for Defendant Team Enterprises, Inc., and Third Party Plaintiff Team Enterprises, LLC  
(as successor in interest to Defendant Team Enterprises, Inc)

9 UNITED STATES DISTRICT COURT FOR THE  
10 EASTERN DISTRICT OF CALIFORNIA  
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12 HINDS INVESTMENTS, L.P. and  
13 PATRICIA MACLAUGHLIN as TRUSTEE  
of the THOMAS F. HINDS AND MARY  
14 JANE HINDS LIVING TRUST, as  
successor-in-interest to THOMAS F. HINDS,  
15 Plaintiffs,

16 vs.

17 TEAM ENTERPRISES, INC.;  
18 MULTIMATIC CORPORATION;  
MULTIMATIC DRY CLEANING  
19 MACHINE CORPORATION;  
MULTIMATIC LLC; KIRRBURG  
20 CORPORATION; HOYT CORPORATION;  
R.R. STREET & CO. INC.,  
21 Defendants.

22 TEAM ENTERPRISES, LLC,  
23 Third Party Plaintiff,  
24

25 v.

26 CSK AUTO, INC. dba KRAGEN AUTO  
PARTS; COOPER INDUSTRIES LTD;  
27 Third Party Defendants.

CASE NO. 1:07-CV-00703-LJO-GSA

STIPULATION TO DISMISS FEDERAL  
CLAIMS AND REMAND CASE TO STATE  
COURT; ORDER

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1 The parties to this action, plaintiffs Hinds Investments, L.P. and Patricia MacLaughlin as  
2 Trustee for the Thomas F. Hinds and Mary Jane Hinds Living Trust, successor-in-interest to  
3 Thomas F. Hinds (collectively “Hinds”), and defendant Team Enterprises, LLC, as successor in  
4 interest to Team Enterprises, Inc. (“Team”), by and through their attorneys of record, stipulate to  
5 the following:

6 Hinds and Team stipulate to the dismissal of their respective federal claims, without  
7 prejudice, arising under the Comprehensive Environmental Response, Compensation and  
8 Liability Act, 42 U.S.C. § 9601, et seq., and the Resources Conservation and Recovery Act, 42  
9 U.S.C. §6901, et seq., as to both the Shaw Avenue and the North First Street properties, which  
10 are the subject matter of this action. In light of the Ninth Circuit decisions affirming this Court’s  
11 dismissals of other parties to this action, the parties wish to proceed on state causes of action  
12 only.

13 Accordingly, the parties stipulate that all federal claims are dismissed without prejudice.  
14 Each party will bear its own attorneys’ fees and costs relating to all dismissed federal claims.  
15 Further, the parties respectfully request the Court remand the instant action to state court.

16 SO STIPULATED:

17 Date: November 22, 2011

ST ANZLER LAW GROUP LLC

18  
19 /s/ Jordan Stanzler

Jordan Stanzler

Attorneys for Plaintiffs Hinds Investments, L.P. and  
20 Patricia MacLaughlin as Trustee for the Thomas F.  
21 Hinds and Mary Jane Hinds Living Trust,  
22 successor-in-interest to Thomas F. Hinds

23 Date: November 22, 2011

GREBEN & ASSOCIATES

24 /s/ Jan Greben

Jan Greben

Jeff Coyner

Danielle De Smeth

Attorneys for Defendant Team Enterprises, Inc., and  
25 Third Party Plaintiff Team Enterprises, LLC  
26 (as successor in interest to Defendant Team  
27 Enterprises, Inc.)  
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1 **IT IS SO ORDERED:**

2           Based upon the Stipulation of the parties, federal claims arising under the Comprehensive  
3 Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, et seq., and the  
4 Resources Conservation and Recovery Act, 42 U.S.C. §6901, et seq., as to both the Shaw Avenue  
5 and the North First Street properties, which are the subject matter of this action, are dismissed  
6 without prejudice and the case is remanded to Fresno County Superior Court due to lack of  
7 subject matter jurisdiction. This Court vacates all pending dates and matters, including the July  
8 31, 2012 pretrial conference and the September 11, 2012 trial. The clerk is directed to take  
9 necessary steps to remand this action to the Fresno County Superior Court and to close this action.

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12 IT IS SO ORDERED.

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15 Dated: November 22, 2011

/s/ Lawrence J. O'Neill

16 UNITED STATES DISTRICT JUDGE  
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