

FILED

APR 29 2009

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

1 Kerry P. Zeiler (SBN 233944)
2 KO & ZEILER
3 1855 W. Katella Ave., Ste. 365
4 Orange, CA 92867
5 (714) 633-4350
6 (714) 459-8250 - Fax

7
8
9
10 Attorney for Plaintiff
11 California Pipe Recycling, Inc.

12
13 UNITED STATES DISTRICT COURT
14 IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

15 CALIFORNIA PIPE RECYCLING, INC.,) Case No.: 08-cv-236
16 Plaintiff,)
17 vs.) *Assigned for All Purposes*
18 S.W. PIPE HOLDINGS, INC., a) *Hon. Lawrence J. O'Neill*
19 Corporation; SOUTHWEST PIPE)
20 SERVICES, INC., a Corporation; JOSEPH)
21 BRIERS, an individual; BRIERS PIPE)
22 SERVICES CORP., a Corporation;)
23 ROBERT T. INGRAM, an individual; et al)
24 ROBBYE R. WALDRON, Chapter 7)
25 Trustee, and DOES 1-10, inclusive,)
26 Defendants.)
27
28

29 TO ALL PARTIES AND/OR THEIR ATTORNEYS OF RECORD:

30 It is hereby stipulated and agreed between the parties to this action, as indicated by
31 their signatures hereto, and further ORDERED by the court:

32 //
33 //
34 //
35 //
36 //
37 //
38

Doc. 104

ORDERS

As to BIFURCATED CLAIM FOR INTERPLEADER:

This Claim for Relief is STAYED for a period of ninety days from the date of this Order and TRANSFERRED to the United States District Court, Southern District of Texas (Houston).

The Clerk of the Court is ORDERED, within thirty (30) days of receipt of written notice of the United States District Court, Southern District of Texas (Houston) case number, to TRANSFER and remit to the coffers of the Clerk of said District Court the entire sum being held by the Clerk in this case: \$104,680.00.

As to PLAINTIFF'S CLAIM FOR DECLARATORY RELIEF:

All proceedings regarding this claim are STAYED until further order of this court.

As to DEFENDANTS JOSEPH BRIERS, S.W. PIPE HOLDINGS, INC.; SOUTHWEST PIPE SERVICES, INC.'S CROSS-COMPLAINT FOR BREACH OF CONTRACT

For good cause shown, this claim is REMANDED and TRANSFERRED to
Brazoria County Texas Judicial District 412 case number 41741, styled *Cambio v. Briers*.

11

11

11

11

11

11

11

11

11

11

1

1 FOR:
2 Plaintiff,
3 California Pipe Recycling, Inc.

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

/s/ Kerry Zeiler
Kerry Zeiler
KO & ZEILER

Defendants,
Joseph Briers; S.W. Pipe Holdings, Inc.;
Southwest Pipe Services, Inc.

/s/ Jason Powers
Jason Powers
POWERS & SLAY

Robbye R. Waldron, Chapter 7 Trustee

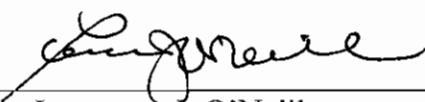
/s/ David Jones
David Jones
PORTER & HEDGES, LLP

Robert Ingram

/s/ Nicholas Reisch
Nicholas Reisch
on behalf of Leonard J. Meyer
ZIMMERMAN, AXELRAD,
MEYER, STERN & WISE, P.C.

IT IS SO ORDERED:

Dated: April 22, 2009



Hon. Lawrence J. O'Neill
Judge of the United States District Court