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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION
9

10 VIOLA COPPOLA, GARY COPPOLA, and
THE TRUST OF ANTHONY M. COPPOLA,

11 Plaintiffs,

12 v.

13 GREGORY SMITH, an individual,
14 RICHARD LASTER, an individual, THE
JANE HIGGINS NASH TRUST; JANE
15 NASH AS EXECUTOR OF THE ESTATE
OF DECATUR HIGGINS A/K/A THE
ESTATE OF MABEL ELAINE HIGGINS;
16 HARLEY MILLER, an individual; CHERYL
MILLER, an individual; MARTIN AND
17 MARTIN PROPERTIES; CALIFORNIA
WATER SERVICE COMPANY; the CITY
18 OF VISALIA, and DOES 1-20, inclusive,

19 Defendants.

20 RICHARD LASTER, individually, and
formerly doing business as PARAGON
21 CLEANERS,

22 Counter-Complainant
and Cross-Complainant,

23 v.

24 VIOLA COPPOLA, GARY COPPOLA, THE
TRUST OF ANTHONY M. COPPOLA, THE
25 ESTATE OF JANE HIGGINS NASH AS
FORMER EXECUTRIX UNDER THE WILL
26 OF MABEL ELAINE HIGGINS, Deceased;
DAVID H. NASH, SUCCESSOR CO-
27 TRUSTEE OF THE WILLIAM P. NASH JR.
AND JANE H. NASH REVOCABLE TRUST;
28 RICHARD P. NASH AS SUCCESSOR CO-

Case No. 1:11-cv-01257-AWI-BAM

**STIPULATION FOR FILING OF
DEFENDANT GREGORY SMITH'S
AMENDED (1) ANSWER TO FOURTH
AMENDED COMPLAINT; (2)
COUNTERCLAIMS AGAINST
PLAINTIFFS; (3) CROSS-CLAIMS
AGAINST OTHER DEFENDANTS;
AND (4) DEMAND FOR JURY TRIAL,
TO CORRECT TYPOGRAPHICAL
ERRORS; AND ORDER THEREON**

1 TRUSTEE OF THE WILLIAM P. NASH JR.
2 AND JANE H. NASH REVOCABLE TRUST;
3 NASH PROPERTIES, LLC., a California
4 Limited Liability Company,

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6 Counter-Defendants and
7 Cross-Defendants.

8
9 AND RELATED CROSS-CLAIMS
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11 Defendant Gregory Smith (“Smith”), by and through his attorney of record, Gualco Law
12 and Lori J. Gualco, Plaintiffs Viola Coppola, Gary Coppola and the Trust of Anthony M.
13 Coppola (collectively “Coppola”) by and through their attorneys of record, Greben & Associates
14 and Jan A. Greben, and Defendants The Estate of Jane Higgins Nash as Former Executrix Under
15 the Will of Mabel Elaine Higgins, Deceased, David H. Nash, Successor Co-Trustee of the
16 William P. Nash Jr. and Jane H. Nash Revocable Trust, Richard P. Nash as Successor Co-
17 Trustee of the William P. Nash Jr. and Jane H. Nash Revocable Trust and Nash Properties, LLC.,
18 a California Limited Liability Company (collectively “Nash”), by and through their attorneys of
19 record, Williams, Brodersen & Pritchett LLP and Steven R. Williams, hereby stipulate and agree
20 as follows:

21 Smith may file an Amended (1) Answer to Fourth Amended Complaint; (2)
22 Counterclaims Against Plaintiffs; (3) Cross-Claims Against Other Defendants; and (4) Demand
23 for Jury Trial, attached hereto as Exhibit A, in order to correct the following typographical errors:

- 24 1. The last paragraph of the Counterclaims, numbered Paragraph “42” on Page 23,
25 which paragraph should be renumbered Paragraph “48”.
- 26 2. Renumbering the paragraphs in the Cross-Claims beginning on Page 23, under
27 Common Allegations, Paragraph “48” should be renumbered Paragraph “49” and
28 continuing through the Cross-Claims and ending with Paragraph “96” on Page 32.
3. The title of the “Fourth” Counterclaim on Page 17 be corrected to read the “Third”
Counterclaim (Contribution under CERCLA § 113(f)).
4. The title of the “Fourth” Cross-Claim on Page 26 be corrected to read the “Third”
Cross-Claim (Contribution under CERCLA § 113(f)).

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5. In the Prayer, the heading reading “First, Second, Fourth and Fourth Counterclaims”
on Page 32, be corrected to read “First, Second, Third and Fourth Counterclaims”.

6. In the Prayer, the heading reading “First, Second, Fourth and Fourth Cross-Claims”
on page 33, be corrected to read “First, Second, Third and Fourth Cross-Claims”.

IT IS SO AGREED AND STIPULATED.

Dated: June 17, 2013

GUALCO LAW

By: /s/ Lori J. Gualco
LORI J. GUALCO
Attorney for Defendant, Cross-Complainant and
Cross-Defendant Gregory Smith

Dated: June 17, 2013

GREBEN & ASSOCIATES

By: /s/ Jan A. Greben (as authorized on 6/17/13)
JAN A. GREBEN
Attorneys for Plaintiffs and Counter-Defendants
Viola Coppola, Gary Coppola and the Trust of
Anthony M. Coppola

Dated: June 11, 2013

WILLIAMS, BRODERSEN & PRITCHETT LLP

By: /s/ Steven R. Williams (as auth. on 6/11/13)
STEVEN R. WILLIAMS
Attorneys for Nash Defendants

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ORDER

Based on the above stipulation, and good cause shown, the Court orders that Defendant Gregory Smith be allowed to file the Amended (1) Answer to Fourth Amended Complaint; (2) Counterclaims Against Plaintiffs; (3) Cross-Claims Against Other Defendants; and (4) Demand for Jury Trial. Smith shall file any amended pleading as a separate document(s) in the Court's file.

IT IS SO ORDERED.

Dated: June 27, 2013

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE