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7 Attorney for Defendant  
8 GREGORY SMITH

9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

11 VIOLA M. COPPOLA IRREVOCABLE  
12 TRUST, GARY COPPOLA, and THE TRUST  
13 OF ANTHONY M. COPPOLA;

14 Plaintiffs,

15 v.

16 GREGORY SMITH, an individual; RICHARD  
17 LASTER, an individual; and THE JANE  
18 HIGGINS NASH TRUST; JANE NASH AS  
19 EXECUTOR OF THE ESTATE OF DECATUR  
20 HIGGINS, HARLEY MILLER, an individual;  
21 CHERYL MILLER, an individual; MARTIN  
22 AND MARTIN PROPERTIES, BENART  
23 MAIN STREET PROPERTIES, CAL WATER  
24 SERVICE COMPANY, the CITY OF VISALIA  
25 and DOES 1-20, inclusive;

26 Defendants.

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

**REVISED STIPULATION FOR  
AMENDMENT TO (1) PLAINTIFFS'  
FIFTH AMENDED COMPLAINT;  
(2) PREVIOUSLY FILED ANSWERS,  
COUNTER-CLAIMS AND CROSS-  
CLAIMS OF GREGORY SMITH; and,  
(3) PREVIOUSLY FILED ANSWERS,  
COUNTER-CLAIMS AND CROSS-  
CLAIMS OF "THE JANE NASH TRUST";  
ORDER THEREON**

27 RELATED CROSS AND COUNTER-CLAIMS

28 Pursuant to Federal Rule of Civil Procedure 15(c) and the Court's Minute Orders dated  
29 July 1, 2014, document 227, and August 4, 2014, document 240, Plaintiffs Viola Coppola  
30 Irrevocable Trust, Gary Coppola, and the Trust of Anthony M. Coppola (collectively  
31 "Plaintiffs"), Defendant Gregory Smith, and Defendants Jane Higgins Nash, as Executrix of the  
32 Estate of Mabel Elaine Higgins, deceased and Trustee of the Trust created by the Estate of  
33 Mabel Elaine Higgins, deceased, commonly known as the Jane Higgins Nash Trust ("JHN  
34 Trust"), Estate of Decatur Higgins, deceased ("DH Estate") and Cross-Defendants David H.

1 Nash and Richard P. Nash, as the successor co-trustees of the William P. Nash and Jane H.  
2 Nash Revocable Trust (“Nash”) (all JHN Trust, DH Estate and Nash Defendants and Cross-  
3 Defendant collectively referred to herein as “The Jane Nash Trust”) hereby revise the previous  
4 stipulation to delete the reference to a proposed sixth amended complaint and stipulate and  
5 request that the Court enter an order granting the following amendments:

- 6 1. All references and allegations in the Fifth Amended Complaint as to Defendant  
7 Gregory Smith shall be replaced with Paragon Cleaners, Inc., a California  
8 corporation that, since February 1998, and at all times herein relevant, was and  
9 is doing business in California.
- 10 2. All references in the Answers filed by Gregory Smith, as well as Gregory  
11 Smith’s Counter and Cross-Claims against and as they relate to Plaintiffs and  
12 The Jane Nash Trust Defendants and Cross-Defendants, are hereby amended to  
13 replace Gregory Smith with Paragon Cleaners, Inc., a California corporation  
14 that, since February 1998, and at all times herein relevant, was and is doing  
15 business in California.
- 16 3. All references in the Cross-Claims filed by The Jane Nash Trust Defendants and  
17 Cross-Defendants as they relate to Gregory Smith, are hereby amended to  
18 replace Gregory Smith with Paragon Cleaners, Inc., a California corporation  
19 that, since February 1998, and at all times herein relevant, was and is doing  
20 business in California.

21 Date: August 7, 2014

GREBEN & ASSOCIATES

22  
23 By: /s/ Jan A. Greben (as authorized on 8/7/14)

Jan A. Greben

Brett A. Boon

Attorneys for Plaintiffs and Cross-Defendants  
Viola Coppola Irrevocable Trust, Gary Coppola  
and the Trust of Anthony M. Coppola

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28 Date: August 7, 2014

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

Date: August 7, 2014

WILLIAMS, BRODERSEN & PRITCHETT

By: /s/ Steven R. Williams (as authorized on 8/7/14)  
Steven R. Williams  
Attorneys for Defendants, Cross- Defendants,  
Counter and Cross- Complainants Jane Higgins  
Nash, as Executrix of the Estate of Mabel Elaine  
Higgins, deceased and Trustee of the Trust created  
by the Estate of Mabel Elaine Higgins, deceased,  
commonly known as the Jane Higgins Nash Trust,  
Estate of Decatur Higgins, deceased, and David H.  
Nash and Richard P. Nash, as the successor co-  
trustees of the William P. Nash and Jane H. Nash  
Revocable Trust

**ORDER**

Based on the above Stipulation, **IT IS SO ORDERED.** This Order does not amend any other  
portion of the referenced pleadings. This order does not alter or change the pleadings for purposes  
of the pending motion for summary judgment. (Doc. 200.)

IT IS SO ORDERED.

Dated: August 26, 2014

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE