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Attorneys for Plaintiffs THE VIOLA M. COPPOLA IRREVOCABLE TRUST, GARY COPPOLA, and THE TRUST OF ANTHONY M. COPPOLA

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

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

Plaintiffs,

v.

PARAGON CLEANERS, INC. (formerly sued as GREGORY SMITH, an individual); RICHARD LASTER, an individual; THE JANE HIGGINS NASH TRUST; JANE NASH AS EXECUTOR OF THE ESTATE OF DECATUR HIGGINS, A/K/A THE ESTATE OF MABEL ELAINE HIGGINS; HARLEY MILLER, an individual; CHERYL MILLER, an individual; MARTIN AND MARTIN PROPERTIES LLC; CALIFORNIA WATER SERVICE COMPANY; the CITY OF VISALIA; NASH PROPERTIES LLC [DOE#1], DAVID H. NASH, as successor co-trustee of the WILLIAM P. NASH and JANE H. NASH REVOCABLE TRUST [DOE #2], RICHARD P. NASH, as successor and co-trustee of the WILLIAM P. NASH and JANE H. NASH REVOCABLE TRUST [DOE #3], VISALIA UNIFIED SCHOOL DISTRICT; and DOES 4-20, inclusive.

Defendants.

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

STIPULATION AND ORDER REGARDING DEFENDANTS' RESPONSES TO PLAINTIFFS' SIXTH AMENDED COMPLAINT

RELATED CROSS AND COUNTER-CLAIMS

Pursuant to Federal Rules of Civil Procedure, Rule 15, and the Court's Minute Order dated February 11, 2015, Plaintiffs the Irrevocable Trust of Viola M. Coppola, the Trust of Anthony

1 Coppola, and Gary Coppola (collectively as “Coppola”) together with Defendants, Cross-Claimants,
2 and/or Counter-Claimants the City of Visalia (the “City”), Martin and Martin Properties, LLC
3 (“Martin”), and Jane Nash as Trustee for the Jane Higgins Nash Trust (the “Nash Trust”) as well as
4 executor of the Estate of Decatur Higgins a/k/a the Estate of Mabel Elaine Higgins (the “Estate of
5 Higgins”) (collectively the “Parties”) hereby stipulate to the following:

- 6 1. Coppola’s Sixth Amended Complaint, filed February 13, 2015 as Document Number 262
7 (“6AC”), does not vary substantively from Coppola’s Fifth Amended Complaint, filed
8 December 3, 2013 as Document Number 157 (“5AC”), with respect to the City. The City’s
9 Answer to Coppola’s 5AC and Counterclaim (Dkt. No. 173) shall, therefore, be deemed
10 responsive to Coppola’s 6AC;
- 11 2. Coppola’s 6AC does not vary substantively from Coppola’s 5AC with respect to Martin.
12 Martin’s Answer to Coppola’s 5AC (Dkt. No. 167) shall, therefore, be deemed responsive to
13 Coppola’s 6AC;
- 14 3. Coppola’s 6AC does not vary substantively from Coppola’s 5AC with respect to the Nash
15 Trust. The Nash Trust’s Answer to Coppola’s 5AC (Dkt. No. 177) shall, therefore, be
16 deemed responsive to Coppola’s 6AC, and;

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1 4. Coppola's 6AC does not vary substantively from Coppola's 5AC with respect to the Estate
2 of Higgins. The Estate of Higgins' Answer to Coppola's 5AC (Dkt. No. 178) shall, therefore,
3 be deemed responsive to Coppola's 6AC.
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5 **IT IS SO STIPULATED.**

6 Date: March 5, 2015 GREBEN & ASSOCIATES

7 /s/ Jan A. Greben
8 Jan A. Greben
9 Brett A. Boon
10 Attorneys for the Viola M. Coppola Irrevocable Trust,
Gary Coppola and the Trust of Anthony M. Coppola

11 Date: March 5, 2015 ALLEN MATKINS LECK GAMBLE MALLORY &
12 NATSIS LLP

13 /s/ Emily L. Murray
14 Emily L. Murray
15 Tim C. Hsu
Attorneys for Martin and Martin Properties, LLC

16 Date: March 5, 2015 WILLIAMS, JORDAN & BRODERSON LLP

17 /s/ Steven R. Williams
18 Steven R. Williams
19 Attorneys for the Jane H. Nash Revocable Trust and the
20 Estate of Decatur Higgins

21 Date: March 5, 2015 HERR PEDERSEN & BERGLUND LLP

22 /s/ Leonard C. Herr
23 Leonard C. Herr
24 Attorneys for the City of Visalia

25 **IT IS SO ORDERED.**

26 Date: 3/9/2015 /s/ Barbara A. McAuliffe
27 UNITED STATES MAGISTRATE JUDGE
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