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7	Attorneys for JOHN ROBERTS and TEXAS ENVIRONMENTAL PRODUCTS, INC.	
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10		DISTRICT COURT
11	EASTERN DISTRICT OF CAL	LIFORNIA, FRESNO DIVISION
12		
13	ARIEL ELIA, individually and as Successor Trustee to the Alan Elia Declaration of Trust	Case No. 1:16-CV-00557-AWI-EPG
14	Dated March 18, 2002,	STIPULATION AND ORDER TO STAY ENFORCEMENT AND EXECUTION OF
15	Plaintiff,	JUDGMENT UNTIL RESOLUTION OF POST-TRIAL MOTIONS
16	V.	
17	JOHN ROBERTS, an individual; TEXAS ENVIRONMENTAL PRODUCTS, INC., a	
18	Texas corporation; and TEXAS ENVIRONMENTAL PRODUCTS, a	Trial Date: October 31, 2017
19	partnership, joint venture or other form of business organization unknown, and DOES 1	
20	through 20, inclusive,	
21	Defendant.	
22	This Stipulation is made and entered into h	atween Plaintiff A DIFL FLIA individually and as
22	This Stipulation is made and entered into between Plaintiff ARIEL ELIA, individually and as	
23	Successor Trustee to the Alan Elia Declaration of Trust Dated March 18, 2002 ("Plaintiff") and	
24	Defendants JOHN ROBERTS and TEXAS ENVIRONMENTAL PRODUCTS, INC. ("Defendants"),	
	by and through their respective counsel, with refe	C C
26	<u>RECITALS</u>	
27	WHEREAS , on November 14, 2017, the jury delivered their Verdict following the trial of this	
28 row,	action;	
TOW, E & TREET	STIPULATION AND [PROPOSED] ORDER TO STA	Y ENFORCEMENT AND EXECUTION OF JUDGMENT

MCCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP 7647 NORTH FRESNO STREET FRESNO, CA 93720

μ UNTIL RESOLUTION OF POST-TRIAL MOTIONS

1	WHEREAS, on November 14, 2017, Judgment was entered in the above-entitled action;	
2	WHEREAS, Plaintiff and Defendants agree to stay enforcement of the Judgment until	
3	fourteen (14) days after the Court enters an order ruling on the post-trial motions set for hearing on	
4	January 8, 2018;	
5	WHEREAS, in consideration for Plaintiff's agreement to stay enforcement of the Judgment as	
6	set forth above, Defendants agree not to transfer, encumber, or dispose of any assets of TEXAS	
7	ENVIRONMENTAL PRODUCTS, INC. ("TEP")outside the ordinary course of business and	
8	specifically agree that there will be no distributions or payments to John Roberts from the funds	
9	anticipated to be received on or about December 9, 2017 from the sale of assets to the Ericksons;	
10	provided, however, TEP may pay its attorneys' fees incurred in this action	
11	STIPULATION	
12	IT IS HEREBY STIPULATED, by and between Plaintiff and Defendants, by and through	
13	their respective counsel, that:	
14	1. Plaintiff will stay enforcement of the Judgment until fourteen (14) days after the Court	
15	enters an order ruling on the post-trial motions set for hearing on January 8, 2018; and	
16	2. In consideration of Plaintiff's agreement to stay enforcement of the Judgment as set	
17	forth above, Defendants agree not to transfer, encumber, or dispose of any assets of TEXAS	
18	ENVIRONMENTAL PRODUCTS, INC. outside the ordinary course of business and agree not to	
19	make any distributions to John Roberts from funds anticipated to be received on or about December 9,	
20	2019 from the sale of assets to the Ericksons; provided, however, TEP ;may pay its attorneys' fees	
21	inclurred in this action.	
22	Dated: December 12 2017COSTANZO & ASSOCIATES	
23		
24	By: /s/Neal E. Costanzo Neal E. Costanzo	
25	Attorney for Plaintiff ARIEL ELIA	
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2 STIPULATION AND [PROPOSED] ORDER TO STAY ENFORCEMENT AND EXECUTION OF JUDGMENT UNTIL RESOLUTION OF POST-TRIAL MOTIONS

MCCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP 7647 NORTH FRESNO STREET FRESNO, CA 93720

1	Dated: December 12, 2017 McCORMICK, BARSTOW, SHEPPARD,
2	WAYTE & CARRUTH LLP
3	
4	By: /s/Marshall C. Whitney Marshall C. Whitney
5	Kristi D. Marshall Attorneys for JOHN ROBERTS and TEXAS
6	ENVIRONMENTAL PRODUCTS, INC.
7	
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10	ORDER
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12	IT IS SO ORDERED.
13	Dated: December 15, 2017
14	SENIOR DISTRICT JUDGE
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MCCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP 7647 NORTH FRESNO STREET FRESNO, CA 93720	3 STIPULATION AND [PROPOSED] ORDER TO STAY ENFORCEMENT AND EXECUTION OF JUDGMENT UNTIL RESOLUTION OF POST-TRIAL MOTIONS