

1 PHILIP C. HUNSUCKER (SBN 135860)  
 2 BRIAN L. ZAGON (SBN 142403)  
 3 MARC SHAPP (SBN 266805)  
 4 HUNSUCKER GOODSTEIN PC  
 3717 Mt. Diablo Blvd., Suite 200  
 Lafayette, CA 94549  
 Telephone: (925) 284-0840  
 Facsimile: (925) 284-0870

5 LEE N. SMITH (SBN 138071)  
 6 PERKINS, MANN & EVERETT, APC  
 7 7815 N. Palm Ave, Suite 200  
 Fresno, CA 93711  
 Telephone: (559) 447-5700  
 Facsimile: (559) 447-5600

8 Attorneys for Plaintiff  
 9 AMERIPRIDE SERVICES INC.

10 FRED M. BLUM (SBN 101586)  
 11 ERIN K. POPPLER (SBN 267724)  
 12 VIVY D. DANG (SBN 297714)  
 13 BASSI, EDLIN, HUIE & BLUM LLP  
 500 Washington Street, Suite 700  
 San Francisco, CA 94111  
 Telephone: (415) 397-9006  
 Facsimile: (415) 397-1339

14 Attorneys for Defendant  
 15 TEXAS EASTERN OVERSEAS, INC.

16  
 17 **UNITED STATES DISTRICT COURT**  
 18 **EASTERN DISTRICT OF CALIFORNIA**

19 AMERIPRIDE SERVICES INC., a  
 20 Delaware corporation,

21 Plaintiff,

22 vs.

23 VALLEY INDUSTRIAL SERVICES, INC.,  
 24 a former California Corporation, et al.

25 Defendants.

Case No. 2:00-cv-00113-MCE-DB

**STIPULATION AND ORDER RE  
 RECEIVING ADDITIOINAL TEO TRIAL  
 EXHIBITS INTO EVIDENCE**

Trial Date: October 17-19, 2016  
 Time: 9:00 a.m.  
 Courtroom: 7  
 Judge: Hon. Morrison C. England, Jr.

Complaint Filed: January 20, 2000

26 AND CONSOLIDATED ACTION AND  
 27 CROSS AND COUNTER-CLAIMS.

1 Plaintiff AMERIPRIDE SERVICES INC. ("AmeriPride") and Defendant TEXAS  
2 EASTERN OVERSEAS, INC. ("TEO"), by and through their respective counsel, stipulate  
3 as follows with respect to the admission of demonstrative exhibits:

#### 4 RECITALS

5 1. On October 3, 2016, AmeriPride and TEO exchanged copies of their  
6 respective trial exhibits, see ECF No. 1063-1 at 5-28 and 29-108;

7 2. On October 11, 2016, AmeriPride and TEO each filed and served objections  
8 to some but not all of the other party's trial exhibits, see ECF Nos. 1087 and 1089;

9 3. On October 17 through October 19, 2016, the Court held a bench trial in this  
10 matter (the "Trial");

11 4. On October 19, 2016, the Court ordered that all of the exhibits to which  
12 objections were not raised would be received into evidence, ECF No. 1110;

13 5. On October 19, 2016, TEO stated at the Trial that it intended to move  
14 additional exhibits into evidence to which AmeriPride raised objections;

15 6. The Court has ordered AmeriPride and TEO to file with the Court a list of  
16 additional exhibits TEO intends to move into evidence;

#### 17 STIPULATION

18 Based on the foregoing, AmeriPride and TEO, through their respective counsel of  
19 record, stipulate as follows:

20 1. All of the documents or records TEO intends to move into evidence subject  
21 to this Stipulation are included in the attached **Exhibit A**;

22 2. AmeriPride timely objected to each of the exhibits identified in **Exhibit A** on  
23 the grounds stated in its objections to TEO's trial exhibits (ECF No. 1089);

24 3. The Court has overruled AmeriPride's objections to the exhibits identified on  
25 **Exhibit A** and the exhibits listed in **Exhibit A** are to be received into evidence.

1 Date: November 3, 2016

BASSI, EDLIN, HUIE & BLUM LLP

2 By: /s/ Fred M. Blum  
3 FRED M. BLUM  
4 ERIN K. POPPLER  
5 Attorneys for Defendant  
6 TEXAS EASTERN OVERSEAS, INC.

7 Date: November 3, 2016

HUNSUCKER GOODSTEIN PC

8 By: /s/ Brian L. Zagon  
9 PHILIP C. HUNSUCKER  
10 BRIAN L. ZAGON  
11 MARC A. SHAPP  
12 Attorneys for Plaintiffs  
13 AMERIPRIDE SERVICES INC.

14 Date: November 3, 2016

PERKINS MANN & EVERETT, APC

15 By: /s/ Lee N. Smith  
16 LEE N. SMITH  
17 Attorneys for Plaintiffs  
18 AMERIPRIDE SERVICES INC.

19 **ORDER**

20 Based on the parties' stipulation, the Court hereby receives into evidence TEO's  
21 additional trial exhibits, included in Exhibit A attached to the above stipulation, filed with  
22 the Court at ECF No. 1123. The Court adopts this Exhibit A, in conjunction with Exhibits A  
23 and B attached to the parties' Joint Filing of Trial Exhibits Admitted Into Evidence By  
24 Stipulation (ECF No. 1116) as the final list of admitted trial exhibits.

25 IT IS SO ORDERED.

26 Dated: November 10, 2016

27   
28 MORRISON C. ENGLAND, JR.  
29 UNITED STATES DISTRICT JUDGE