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12 TEXAS EASTERN OVERSEAS, INC.

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17 Attorneys for Plaintiff

18 AMERIPRIDE SERVICES INC.

[Additional Attorneys Listed on Signature Page]

20 **UNITED STATES DISTRICT COURT**  
21 **EASTERN DISTRICT OF CALIFORNIA**

22 AMERIPRIDE SERVICES, INC.,

23 Plaintiff,

24 v.

25 VALLEY INDUSTRIAL SERVICES, INC., a  
former California corporation, et al.,

26 Defendants.

27 AND ALL RELATED CROSS-ACTIONS.

Case No. 2:00-CV-00113-LKK JFM  
(Consolidated)

**STIPULATION AND ORDER  
CONCERNING COSTS INCURRED BY  
AMERIPRIDE SERVICES, INC.**

28 **STIPULATION AND [PROPOSED] ORDER  
CONCERNING COSTS INCURRED BY AMERIPRIDE SERVICES, INC.**

1 Defendant TEXAS EASTERN OVERSEAS, INC., (“TEO”) and Plaintiff AMERIPRIDE  
2 SERVICES INC., (“AmeriPride”), by and through their respective counsel, stipulate as follows:

3 **RECITALS**

4 In order to avoid the unnecessary introduction of voluminous documents and to streamline the  
5 trial process, the Parties stipulate to the following facts for the purposes of this trial only. The  
6 stipulation is being entered in to in light of pre-trial rulings by the Court on insurance off-sets and for  
7 the convenience of the Parties. TEO by entering into the stipulation has not waived any rights relating  
8 to any pre-trial ruling or to raise the issue of AmeriPride’s insurance set offs at any retrial or as to  
9 future costs.

10 **STIPULATION**

11 1. AmeriPride has directly incurred \$7,570,921 in investigation and remediation costs  
12 through August 2010.

13 2. AmeriPride has directly incurred \$474,730 in regulatory oversight costs through  
14 September 2010.


15 3. AmeriPride paid \$8,250,000 to Huhtamaki to settle all claims Huhtamaki had against  
16 AmeriPride.

17 4. AmeriPride paid \$2,000,000 to Cal-Am Water Co. to settle all claims Cal-Am Water  
18 Co. had against AmeriPride.

19 Dated: January 4, 2012

**HUNSUCKER GOODSTEIN & NELSON PC**

20  
21 By: \_\_\_\_\_

  
Philip C. Hunsucker  
Brian L. Zagon  
Maureen B. Hodson  
Marc A. Shapp  
Attorneys for  
AMERIPRIDE SERVICES INC.  
STOEL RIVES LLP

22  
23  
24  
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26 Lee N. Smith  
Attorneys for  
27 AMERIPRIDE SERVICES INC.  
28

1 Dated: January 4, 2012

**WILSON, ELSER, MOSKOWITZ, ELDELMEN &  
DICKER LLP**

2  
3 By /s/Emily Weissenberger

4 Ronald Bushner

5 Bernard Gehlhar

6 Emily Weissenberger

7 Attorneys for

8 TEXAS EASTERN OVERSEAS, INC.

9 BASSI, EDLIN, HUIE & BLUM LLP


10 Fred M. Blum

11 Erin Poppler

12 Attorneys for TEXAS EASTERN OVERSEAS, INC.

13 IT IS SO ORDERED.

14 Dated: JANUARY 9, 2012.

15   
16 LAWRENCE K. KARLTON  
17 SENIOR JUDGE  
18 UNITED STATES DISTRICT COURT

19  
20  
21  
22  
23  
24  
25  
26 **PROOF OF SERVICE**

27 I am a citizen of the United States. My business address is 3717 Mt. Diablo Blvd., Suite 200,  
28 Lafayette, California 94549. I am employed in the county of Contra Costa where this service  
occurred. I am over the age of 18 years, and not a party to this action. I am readily familiar with this,

**STIPULATION AND [PROPOSED] ORDER  
CONCERNING COSTS INCURRED BY AMERIPRIDE SERVICES, INC.**

1 firm's practice for collection and processing correspondence for mailing, facsimile, overnight  
2 delivery and personal delivery.

3 On January 9, 2012, following ordinary business practice, I served the foregoing documents  
4 described as:

5 **STIPULATION AND [PROPOSED] ORDER CONCERNING COSTS INCURRED BY  
6 AMERIPRIDE SERVICES, INC.**

7  X  (BY ELECTRONIC FILING) I caused the above document to be served by ECF to the  
8 following names on the service list provided by ECF; and

9  X  (BY EMAIL) by transmitting via email the document listed above to the email address(es) set  
10 forth above, or as stated on the attached service list, on this date.

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21 I declare under penalty of perjury under the laws of the State of California that the foregoing  
22 is true and correct.

23 Executed on January 9, 2012 at Lafayette, California.

24 /s/ Michelle Bryant  
25 Michelle Bryant