

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AMERIPRIDE SERVICES, INC.,
A Delaware corporation,

Plaintiff,

v.

VALLEY INDUSTRIAL SERVICE, INC.,
a former California corporation,
et al.,

Defendants.

NO. CIV. S-00-113 LKK/JFM

O R D E R

AND CONSOLIDATED ACTION AND
CROSS- AND COUNTER-CLAIMS.

On March 5, 2012, the court issued an order instructing the parties to assume several findings of fact in their post trial briefs and, given these assumptions, address the following questions: (1) How, and on what potential bases other than responsibility for pollution, should the court apportion liability as to past costs between the parties?; and (2) How, and on what potential bases other than responsibility for pollution, should the

1 court apportion liability as to future costs between the parties?
2 Order, ECF No. 907.

3 On March 9, 2012, Defendant TEO filed a request for
4 clarification which states:

5 [W]e write to confirm that the questions the Court
6 asked the Parties to address in the March 5, 2012
7 Order are in addition to, not in lieu of, the
8 issues the Court initially permitted the Parties to
9 brief at the conclusion of the trial. Both parties
assume this was the Court's intent, but request
clarification from the Court if this shared
assumption is incorrect.

10 Def's Req., ECF No. 908.

11 The parties are correct in assuming that the questions the
12 court asked the parties to address in the March 5, 2012 order are
13 *in addition to, and not in lieu of*, the issues the court initially
14 permitted the parties to brief at the conclusion of trial.

15 IT IS SO ORDERED.

16 DATED: March 12, 2012.

17

18

19

20

21

22

23

24

25

26


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT