

1 PHILIP C. HUNSUCKER (SBN: 135860)  
 BRIAN L. ZAGON (SBN: 142403)  
 2 MAUREEN B. HODSON (SBN: 251990)  
 MARC A. SHAPP (SBN: 266805)  
 3 HUNSUCKER GOODSTEIN & NELSON PC  
 3717 Mt. Diablo Blvd., Suite 200  
 4 Lafayette, CA 94549  
 Telephone: (925) 284-0840  
 5 Facsimile: (925) 284-0870  
 Email: [phunsucker@hgnlaw.com](mailto:phunsucker@hgnlaw.com)  
 6 [bzagon@hgnlaw.com](mailto:bzagon@hgnlaw.com)  
[mhodson@hgnlaw.com](mailto:mhodson@hgnlaw.com)  
 7 [mshapp@hgnlaw.com](mailto:mshapp@hgnlaw.com)

8 LEE N. SMITH (SBN: 138071)  
 STOEL RIVES LLP  
 500 Capitol Mall, Suite 1600  
 9 Sacramento, CA 95814  
 Telephone: (916) 447-0700  
 10 Facsimile: (916) 447-4781  
 Email: [lsmith@stoel.com](mailto:lsmith@stoel.com)

11 Attorneys for Plaintiff  
 12 AMERIPRIDE SERVICES INC.

13 **UNITED STATES DISTRICT COURT**  
 14 **EASTERN DISTRICT OF CALIFORNIA**  
 15

16 AMERIPRIDE SERVICES INC., a Delaware  
 17 corporation,

18 Plaintiff,

19 vs.

20 VALLEY INDUSTRIAL SERVICES, INC., a  
 21 former California corporation and TEXAS  
 22 EASTERN OVERSEAS, INC., a former  
 Delaware Corporation,

23 Defendants.

Case No. CIV. S-00-113 LKK/JFM

**JOINT STIPULATION AND ORDER  
 CONTINUING THE HEARINGS ON  
 DEFENDANT TEXAS EASTERN  
 OVERSEAS, INC.'S RENEWED  
 MOTION FOR JUDGMENT AS A  
 MATTER OF LAW AND MOTION TO  
 AMEND OR ALTER THE JUDGMENT**

Date: July 23, 2012  
 Time: 10:00 a.m.  
 Dept.: 4

Hon. Lawrence K. Karlton

24  
 25 AND CONSOLIDATED ACTION AND  
 26 CROSS AND COUNTER-CLAIMS.  
 27  
 28

1 The parties to the above-entitled action, by and through their respective counsel, hereby  
2 stipulate and request the Court to continue the hearings on Defendant Texas Eastern Overseas,  
3 Inc.'s ("TEO") Renewed Federal Rules of Civil Procedure Rule 50(b) Motion for Judgment as a  
4 Matter of Law and Motion to Amend or Alter the Judgment Pursuant to Federal Rules of Civil  
5 Procedure Rule 59(e), and the associated briefing schedule.

6 On May 18, 2012 TEO filed its Renewed Federal Rules of Civil Procedure Rule 50(b) Motion  
7 for Judgment as a Matter of Law (Dkt. 923) and its Motion to Amend or Alter the Judgment Pursuant  
8 to Federal Rules of Civil Procedure Rule 59(e) (Dkt. 924). The hearings on these motions are  
9 currently set for July 23, 2012. Counsel for AmeriPride Services Inc. ("AmeriPride") are unavailable  
10 on July 23 due to pre-existing commitments: Mr. Hunsucker will be out of the country, and Mr.  
11 Zagon will be outside of the Continental United States.

12 Counsel for TEO has agreed to move the hearing date and the parties have agreed on a  
13 briefing schedule, subject to the Court's approval.

14 Based on the foregoing, IT IS HEREBY STIPULATED by and between the parties as  
15 follows:

16 The hearings on Defendant TEO's Renewed Federal Rules of Civil Procedure Rule 50(b)  
17 Motion for Judgment as a Matter of Law; and Motion to Amend or Alter the Judgment Pursuant to  
18 Federal Rules of Civil Procedure Rule 59(e) will be continued to September 4, 2012.

19 AmeriPride's oppositions to each of the motions shall be due on or before August 17, 2012.

20 TEO's reply briefs in support of each of the motions shall be due on or before August 27,  
21 2012.

22  
23 Dated: June 11, 2012

**HUNSUCKER GOODSTEIN & NELSON PC**

24  
25 By: /s/ Philip C. Hunsucker

Philip C. Hunsucker

Brian L. Zagon

Maureen B. Hodson

Attorneys for

AMERIPRIDE SERVICES INC.

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  
27  
28

STOEL RIVES LLP  
Lee N. Smith  
Attorneys for  
AMERIPRIDE SERVICES INC.

Dated: June \_\_\_\_, 2012


**BASSI, EDLIN, HUIE & BLUM LLP**

By: /s/  
Fred M. Blum  
Erin Poppler  
Attorneys for  
TEXAS EASTERN OVERSEAS, INC.

WILSON ELSER MOSKOWITZ, EDELMAN &  
DICKER LLP  
Ronald S. Bushner  
Bernard Gehlhar  
Attorneys for  
TEXAS EASTERN OVERSEAS, INC.

IT IS SO ORDERED.

Dated: June 12, 2012

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT