EDMUND G. BROWN JR., State Bar No. 37100 Altorrey General of California MARGARTA PADILLA, State Bar No. 138632 Deput Attorney General JASDRA GOLDBERG, State Bar No. 138632 Deput Attorney General JASDRA GOLDBERG, State Bar No. 138632 Deput Attorney General JASDRA GOLDBERG, State Bar No. 138632 Deput Attorney General JASDRA GOLDBERG, State Bar No. 138632 Deput Attorney General JASDRA GOLDBERG, State Bar No. 138632 Deput Attorney General JASDRA GOLDBERG, State Bar No. 138632 Deput Attorney General JASDRA Street. 20th Floor P.O. Box 70550 O&kland, CA 94612-0550 O&kland, CA 94612-0550 Telephone: (510) 622-2145 Defendants of Toxics Substance Control  8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 12 CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, 14 Plaintiff, 15 v. CHÁRLES V. KESTER, ET AL., 17 Defendants, 18 Judge: The Honorable Garland E. Burrell, Jr. Trial Date: None Action Filed: January 4, 2002  23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") heads y stipulate and agree as follows: 28  1  Stipation and [Proposed] Order Regarding Answers to Fourth Amended Complaint (CIV-S-02-0018 GEB-GHH)				
Supervising Deputy Attorney General SANDR AGOLDBERG, State Bar No. 138632 Deputy Attorney General 13t3 Clay Street, 20th Floor P.O. Box 70550 Oakland, CA 94612-0550 Telephone: (510) 622-2145 E-faqil: Sandra-Goldberg@doj.ca.gov Attorneys for Plaintiff California Department of Toxics Substance Control  8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 12  CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, 14 Plaintiff, 15 v. CHARLES V. KESTER, ET AL., 17 Defendants, 18 19 A19 A19 A10 RELATED CROSS-CLAIMS, COUNTERCLAIMS AND/OR THIRD- PARTY ACTIONS. 21 22 23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kinsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kinsore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") heasts y stipulate and agree as follows: 28	Attorn	ey General of California		
SAÑADE A GOLDBERG, State Bar No. 138632 Deputy Attorney General 1545 Clay Street, 20th Floor P.O. Box 70550 Oskland, CA 94612-0550 Telephone: (510) 622-2145 E-faqil: Sandra-Goldberg@doj.ca.gov Attorneys for Plaintiff California Department of Taxics Substance Control  8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 12 CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, 14 Plaintiff, 15 v. CHARLES V. KESTER, ET AL., 17 Defendants, 18 19 Judge: The Honorable Garland E. Burrell, Jr. Trial Date: None AND RELATED CROSS-CLAIMS, COUNTERCLAIMS AND/OR THIRD- PARTY ACTIONS. 21 22 23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kitgore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kitgore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") headsy stipulate and agree as follows: 28				
1545 Clay Street, 20th Floor P.O. Box 70550 Oskland, CA 94612-0550 Telephone: (510) 622-2145 E-fanal: Sandra-Goldberg@doj.ca.gov Attorneys for Plaintiff California Department of Toxics Substance Control  8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 12  CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, 14 Plaintiff, 15 v. CHARLES V. KESTER, ET AL., 17 Defendants, 18 19 AND RELATED CROSS-CLAIMS, CONNTERCLAIMS AND/OR THIRD- PARTY ACTIONS. 21 22 23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kibsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kibsore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") heasby stipulate and agree as follows: 28	SANDI	A GOLDBERG, State Bar No. 138632		
P.O. Box 70550 O&kland, CA 94612-0550 Telephone: (510) 622-2145 E-fail: Sandra, Goldberg@doj.ca.gov Attorneys for Plaintiff California Department of Toxics Substance Control  8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 12  CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, 14 Plaintiff, 15 v. CHÁRLES V. KESTER, ET AL., 17 Defendants, 18 19 AND RELATED CROSS-CLAIMS, CQUINTERCLAIMS AND/OR THIRD- PART Y ACTIONS. 21 22 23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingone, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") heßby stipulate and agree as follows: 28				
Telephone: (510) 622-2145 E-finail: Sandra.Goldberg@doj.ca.gov Attorreys for Plaintiff California Department of Toxics Substance Control  8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 12  CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, 14 Plaintiff, 15 v. CHÉRLES V. KESTER, ET AL., 17 Defendants, 18 19 AND RELATED CROSS-CLAIMS, COMPTTERCLAIMS AND/OR THIRD- PARTY ACTIONS. 21 22 23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") headsy stipulate and agree as follows: 28	P.O.	Box 70550		
E-farili: Sandra,Goldberg@doj.ca.gov Attorneys for Plaintiff California Department of Toxics Substance Control  8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 12  CABLFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, 14 Plaintiff, 15 v. CHARLES V. KESTER, ET AL., 17 Defendants, 18 19 AND RELATED CROSS-CLAIMS, COUNTERCLAIMS AND/OR THIRD- PARTY ACTIONS. 21 22  23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") heashy stipulate and agree as follows: 28				
IN THE UNITED STATES DISTRICT COURT  10 FOR THE EASTERN DISTRICT OF CALIFORNIA  11  12  CAELFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL,  14 Plaintiff, 15 v.  CHÁRLES V. KESTER, ET AL.,  17 Defendants,  18  AND RELATED CROSS-CLAIMS, CONTERCLAIMS AND/OR THIRD- PARTY A CTIONS.  21  22  23  24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kinsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"),  Kinsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"),  Kinsore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley")  heasos stipulate and agree as follows:  28	E-66na	il: Sandra.Goldberg@doj.ca.gov		
IN THE UNITED STATES DISTRICT COURT  FOR THE EASTERN DISTRICT OF CALIFORNIA  CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, Plaintiff, V. CHÁRLES V. KESTER, ET AL.,  Defendants, B  AND RELATED CROSS-CLAIMS, COUNTERCLAIMS AND/OR THIRD- PARTY A CTIONS.  Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kinsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kinsore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley")  heads of stipulate and agree as follows:  28				
IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA  CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL, Plaintiff, STIPULATION AND [PROPOSED] ORDER REGARDING ANSWERS TO FOURTH AMENDED COMPLAINT  The Defendants, Burrell, Jr.  Trial Date: None Action Filed: January 4, 2002  Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") heads y stipulate and agree as follows:  28	v	es substance Control		
IN THE UNITED STATES DISTRICT COURT  FOR THE EASTERN DISTRICT OF CALIFORNIA  CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL,  Plaintiff,  Plaintiff,  Plaintiff,  CHÁRLES V. KESTER, ET AL.,  Poefendants,  Burrell, Jr.  Trial Date: None Action Filed: January 4, 2002  Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"),  Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley")  hersov stipulate and agree as follows:	8			
The Honorable Garland E.  The Honorable Garland E.  Trial Date: None Action Filed: January 4, 2002  Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hereby stipulate and agree as follows:  28  CALIFORNIA DEPARTMENT OF TOXIC SUPPLIES (CIV-S-02-0018 GEB-GHH STIPULATION AND [PROPOSED] ORDER REGARDING ANSWERS TO FOURTH AMENDED COMPLAINT  CIV-S-02-0018 GEB-GHH STIPULATION AND [PROPOSED] ORDER REGARDING ANSWERS TO FOURTH AMENDED COMPLAINT  The Honorable Garland E.  Trial Date: None Action Filed: January 4, 2002	9			
CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL,  14	10	IN THE UNITED STATES DISTRICT COURT		
CIV-S-02-0018 GEB-GHH  CIV-S-02-0018 GEB-GHH  STIPULATION AND [PROPOSED] ORDER REGARDING ANSWERS TO FOURTH AMENDED COMPLAINT  CHARLES V. KESTER, ET AL.,  17 Defendants, 18  19 AND RELATED CROSS-CLAIMS, CONTERCLAIMS AND/OR THIRD-PARTY ACTIONS. 21 22 23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kitzore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kitzgore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hetzer by stipulate and agree as follows: 28		FOR THE EASTERN DISTRICT OF CALIFORNIA		
CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL,  14  15  v.  CHARLES V. KESTER, ET AL.,  17  Defendants,  18  19  AND RELATED CROSS-CLAIMS, CONTERCLAIMS AND/OR THIRD-PARTY ACTIONS.  21  22  23  24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"),  Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley")  hereby stipulate and agree as follows:  28	11			
SUBSTANCES CONTROL,  14  15  v.  CHÁRLES V. KESTER, ET AL.,  17  Defendants,  18  Judge: The Honorable Garland E. Burrell, Jr.  Trial Date: None Action Filed: January 4, 2002  Trial Date: None Action Filed: January 4, 2002  Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kitzore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"),  Kitzore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley")  heasy stipulate and agree as follows:  28	12		1	
ORDER REGARDING ANSWERS TO FOURTH AMENDED COMPLAINT  CHARLES V. KESTER, ET AL.,  17 Defendants, 18 Judge: The Honorable Garland E. Burrell, Jr.  Trial Date: None Action Filed: January 4, 2002  PARTY ACTIONS. 21 22 23  24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hereby stipulate and agree as follows:  28			CIV-S-02-0018 GEB-GHH	
Trial Date: None Action Filed: January 4, 2002  Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kitsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kitsore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hereby stipulate and agree as follows:		, and the second		
Defendants,  18  19  AND RELATED CROSS-CLAIMS, COUNTERCLAIMS AND/OR THIRD- PARTY ACTIONS. 21  22  23  24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kitsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kitsore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hereby stipulate and agree as follows: 28	15	v.		
Burrell, Jr.  Trial Date: None Action Filed: January 4, 2002  Trial Date: None Action Filed: January 4, 2002  Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kitsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kitsogere & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") heasiby stipulate and agree as follows:  28	CHAI	RLES V. KESTER, ET AL.,		
Trial Date: None Action Filed: January 4, 2002  23  24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hereby stipulate and agree as follows:  28	17	Defendants,		
Trial Date: None Action Filed: January 4, 2002	18		Burrell, Jr.	
Action Filed: January 4, 2002			m: 15	
PARTY ACTIONS.  21  22  23  24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hereby stipulate and agree as follows:  28	<b>AND</b> 1	RELATED CROSS-CLAIMS,		
21 22 23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kitsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kitsogere & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") heasy stipulate and agree as follows:  28 1			, , , , , , , , , , , , , , , , , , ,	
22 23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kitgore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kittogere & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hersby stipulate and agree as follows:  28		Y ACTIONS.		
23 24 Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kilgore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kilgore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hereby stipulate and agree as follows:  28 1				
Plaintiff, California Department of Toxic Substances Control and defendants White Rock & Kingore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Kingore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hereby stipulate and agree as follows:  28  1	-			
Killsore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"), Killsore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") hereby stipulate and agree as follows:  28	23			
Killogore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley") held by stipulate and agree as follows:  28	24 ]	Plaintiff, California Department of Toxic S	Substances Control and defendants White Rock &	
heæby stipulate and agree as follows:  28	Ki <b>½</b> 501	ore, LLC ("White Rock"), Ravind Shankar ("Shankar"), Charles V. Kester ("Kester"),		
28	Ki <b>26</b> g0	gore & White Rock, LLC ("Kilgore") and Mid Valley Development, Inc. ("Mid Valley")		
1	he <b>ß</b>	stipulate and agree as follows:		
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Stip ation and [Proposed] Order Regarding Answers to Fourth Amended Complaint (CIV-S-02-0018 GEB-GHH)			1	
	Stipl	ation and [Proposed] Order Regarding Answers to	Fourth Amended Complaint (CIV-S-02-0018 GEB-GHH)	

- 1. The claims against White Rock, Shankar and Mid Valley in this action were settled by the Consent Decree approved on April 28, 2010 (Document 1120). Accordingly, White Rock, Shankar and Mid Valley are not required to file an Answer to the Fourth Amended Complaint filed on July 22, 2010 (Document 1145). White Rock, Shankar and Mid Valley are named as defendants in the Fouth Amended Complaint only because they have continuing obligations under the Consent Decree and the Court has jurisdiction to enforce the Consent Decree. In light of the Consent Decree, White Rock, Shankar and Mid Valley are not required to participate in states conferences or other future proceedings that are based on the Fourth Amended Complaint.
- **2.** Kester shall file its response to the Fourth Amended Complaint by September 24, 2010. IT **IS** SO STIPULATED.

	August 20, 2010	CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL:
12		//0 1 0 11
13		/s/ Sandra Goldberg, Esq. SANDRA GOLDBERG
14		Deputy Attorney General Attorneys for CaliforniaDepartment of Toxics Substance Control
15		
Dalted:	August 20, 2010	WHITE ROCK & KILGORE, LLC:
17		/s/ Robert Craig Iseley, Esq. ROBERT CRAIG ISELEY
18		ROBERT CRAIG ISELEY Attorney for White Rock & Kilgore, LLC
19		
Dated: 20	August 20, 2010	KILGORE & WHITE ROCK, LLC:
21		/s/ Robert Craig Iseley, Esq. ROBERT CRAIG ISELEY
22		Attorney for Kilgore & White Rock, LLC
23		
Dated: 24	August 20, 2010	RAVIND SHANKAR
25		/s/ Ravind Shankar
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27		
28		
	2	

1		
Dated:	August 20, 2010	CHARLES V. KESTER
2		/s/ Charles V. Kester
3		
4 Dated: 5	August 20, 2010	MID VALLEY DEVELOPMENT, INC.
6		/s/ Jeffory J. Scharff, Esq
7		JEFFORY J. SCHARFF SCHARFF, BRADY & VINDING
8		Attorneys for Mid Valley Development, Inc.
9		
10	O ORDERED.	
Dated:	8/20/10	1052011
12		GABLAND E. BURRELL, JR.
13		United States District Judge
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