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and Jane W. Lewis (Deceased)

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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

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CHARLES H. LEWIS and  
JANE W. LEWIS,

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Plaintiffs,

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v.

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ROBERT D. RUSSELL; et al.,

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Defendants.

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17

AND RELATED COUNTER, CROSS AND  
THIRD PARTY CLAIMS.

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) Case No. **CIV. S-03-2646 WBS CKD**

) **ORDER APPROVING SETTLEMENT,**  
) **GRANTING APPLICATION FOR**  
) **DETERMINATION OF GOOD FAITH**  
) **SETTLEMENT, DISMISSING SAFETY-**  
) **KLEEN SYSTEMS, INC., AND BARRING**  
) **INDEMNITY AND CONTRIBUTION**  
) **CLAIMS**

The Court, having received and considered the application and supporting materials of plaintiff Charles H. Lewis, for himself and for plaintiff Jane W. Lewis, Deceased (“Lewis”), and defendant Safety-Kleen Systems, Inc., erroneously sued as Safety-Kleen Corporation (“Safety-Kleen”), for an order (1) approving the settlement between Lewis and Safety-Kleen (the “Lewis / Safety-Kleen Settlement”), (2) determining that the Lewis / Safety-Kleen Settlement is made in good faith, (3) dismissing all claims asserted against Safety-Kleen in the above-entitled action, with prejudice (including, but not limited to, the claims asserted by Lewis against Safety-Kleen in the Second Amended Complaint), and (4) barring all claims relating to the facts of this action, including, but not limited to, contribution and indemnity claims that have been or that could have been asserted by any person or entity, in this action

1 or otherwise, against Safety-Kleen with regard matters asserted in this action and with regard  
2 to the dry cleaner site located at 670 "G" Street, Davis, CA (the "Site"), whether such claims  
3 are or could be brought pursuant to federal or state law, having received no opposition to the  
4 application, no motion having been made contesting the application, and good cause  
5 appearing therefor, the Court finds that the Lewis / Safety-Kleen settlement is made in good  
6 faith, pursuant to California Code of Civil Procedure section 877.6.

7 Therefore, good cause appearing:

8 **IT IS HEREBY ORDERED**, as follows:

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10 1. That the application of plaintiff Charles H. Lewis, for himself and for Jane W.  
11 Lewis, Deceased ("Lewis"), and of defendant Safety-Kleen Systems, Inc., sued herein as  
12 Safety-Kleen Corporation ("Safety-Kleen") for approval of their settlement be, and hereby is,  
13 **GRANTED**.

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15 2. That the settlement between Lewis and Safety-Kleen (the "Lewis / Safety-  
16 Kleen Settlement") be, and hereby is, confirmed and approved and determined to have been  
17 made in good faith.

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19 3. That all claims asserted in the above-entitled action against Safety-Kleen,  
20 including, but not limited to, the claims asserted by Lewis against Safety-Kleen in the Second  
21 Amended Complaint, be, and hereby are, dismissed, with prejudice.

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23 4. That all claims relating to the facts of this action, including, but not limited to,  
24 claims for contribution and indemnity that have been or that could have been asserted against  
25 Safety-Kleen by any person or entity, whether in this action or otherwise, with regard to  
26 matters asserted in the above-entitled action and/or with regard to the dry cleaner site located  
27 at 670 "G" Street, Davis, CA (the "Site"), whether such claims are, or could be, brought  
28 pursuant to federal and/or state law, be, and hereby are, forever barred.

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5. That the Uniform Comparative Fault Act (“UCFA”) be applied to the Lewis / Safety-Kleen Settlement.

Dated: May 9, 2013



WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE