

1 RICHARD J. DENATALE (SBN 121416)  
 Email: *rdenatale@orrick.com*  
 2 STEPHEN M. KNASTER (SBN 146236)  
 Email: *sknaster@orrick.com*  
 3 ORRICK, HERRINGTON & SUTCLIFFE LLP  
 The Orrick Building  
 4 405 Howard Street  
 San Francisco, CA 94105-2669  
 5 Telephone: (415) 773-5700  
 Facsimile: (415) 773-5759

6 STACY E. DON (SBN 226737)  
 Email: *sdon@orrick.com*  
 7 ORRICK, HERRINGTON & SUTCLIFFE LLP  
 400 Capitol Mall, Suite 3000  
 8 Sacramento, CA 95814-4497  
 9 Telephone: (916) 447-9200  
 Facsimile: (916) 329-4900

10 MARK H. PENSKAR (SBN 77725)  
 Email: *mhp5@pge.com*  
 11 PACIFIC GAS AND ELECTRIC COMPANY  
 12 P.O. Box 7442  
 San Francisco, CA 94120  
 13 Telephone: (415) 972-5672  
 Facsimile: (415) 973-5520

14 Attorneys for Defendant  
 15 PACIFIC GAS AND ELECTRIC COMPANY

16 UNITED STATES DISTRICT COURT  
 17 EASTERN DISTRICT OF CALIFORNIA

18 AMERICAN CASUALTY COMPANY OF  
 19 READING, PENNSYLVANIA, and  
 NATIONAL FIRE INSURANCE  
 20 COMPANY OF HARTFORD, successor by  
 merger to TRANSCONTINENTAL  
 21 INSURANCE COMPANY,

22 Plaintiffs,

23 v.

24 WESTERN ENVIRONMENTAL  
 CONSULTANTS, INC., a California  
 25 corporation; and PACIFIC GAS &  
 ELECTRIC COMPANY, a California  
 26 corporation; LEXINGTON INSURANCE  
 COMPANY; UNDERWRITERS AT  
 27 LLOYD'S LONDON,

28 Defendants.

**CASE NO. 2:10-CV-02806-LKK-GGH**

**JOINT STIPULATION AND ORDER  
 REGARDING PLAINTIFFS' FILING  
 OF A FIRST AMENDED COMPLAINT  
 AND RESPONSES THERETO**

**Judge: Honorable Lawrence K. Karlton**

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2           **WHEREAS**, on February 28, 2011, plaintiffs filed a motion for leave to file a First  
3 Amended Complaint ("FAC") (Docket No. 50) due to new facts arising subsequent to the filing of  
4 the original complaint;

5           **WHEREAS**, plaintiffs' motion for leave to amend is currently set for hearing in this Court  
6 on April 25, 2011;

7           **WHEREAS**, because the parties have agreed to stipulate to the filing of the FAC,  
8 plaintiffs have agreed to withdraw their motion for leave to amend the original complaint and to  
9 vacate the hearing date on said motion, and have also agreed to set a date for defendants'  
10 responses to the FAC;

11           **WHEREAS**, plaintiffs have agreed to file the FAC on or before March 11, 2011, or as  
12 soon as practicable after the Court rules on this stipulation and proposed order;

13           **WHEREAS**, certain of the defendants expect to file motion(s) to stay this action and  
14 anticipate calendaring a hearing on said motions for April 25, 2011;

15           **WHEREAS**, the parties agree that defendants may respond to the FAC on or before  
16 May 6, 2011.

17           **IT IS HEREBY STIPULATED THAT:**

18           1.       Plaintiffs shall file their FAC on or before March 11, 2011, or as soon as  
19 practicable after the Court rules on this stipulation and proposed order;

20           2.       Plaintiffs hereby withdraw their motion for leave to file the FAC, and vacate the  
21 hearing date, upon the Court's granting of this stipulation and proposed order;

22           3.       Defendants shall file responsive pleadings to the FAC on or before Friday, May 6,  
23 2011.

24           DATED: March 10, 2011

**ORRICK HERRINGTON & SUTCLIFFE LLP**

25  
26           By:                                 /s/ Richard J. DeNatale                                  
  Richard J. DeNatale  
  Attorneys for Defendant  
27    PACIFIC GAS AND ELECTRIC COMPANY  
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DATED: March 10, 2011

**WOOLS & PEER**

By:                   /s/ Jeffrey A. Dollinger                    
(as authorized on 3/8/2011)  
Jeffrey A. Dollinger  
John E. Peer  
Attorneys for Plaintiffs  
AMERICAN CASUALTY COMPANY  
OF READING, PENNSYLVANIA, and NATIONAL  
FIRE INSURANCE COMPANY OF HARTFORD,  
successor by merger to TRANSCONTINENTAL  
INSURANCE COMPANY

DATED: March 10, 2011

**COVINGTON & BURLING LLP**

By:                   /s/ Esta L. Brand                    
(as authorized on 3/8/2011)  
Esta L. Brand  
Attorneys for Defendant  
WESTERN ENVIRONMENTAL CONSULTANTS

DATED: March 10, 2011

**JAMPOL ZIMET LLP**

By:                   /s/ Marcus Dong                    
(as authorized on 3/8/2011)  
Alan R. Jampol  
Marcus Dong  
Attorneys for Defendant  
UNDERWRITERS AT LLOYD’S LONDON


DATED: March 10, 2011

**MCCORMICK BARSTOW LLP**

By:                   /s/ Michael Schmidt                    
(as authorized on 3/10/2011)  
James P. Wagoner  
Michael Schmidt  
Attorneys for Defendant  
LEXINGTON INSURANCE COMPANY

**IT IS SO ORDERED.**

Dated: March 11, 2011

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT