

FILED

FEB 11 2014

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERK

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RECLAMATION, A CALIFORNIA JOINT VENTURE dba
12 PLANT RECLAMATION; ANTHONY GILLISPIE; and
RODOLFO LOPEZ
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14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 TIMEC COMPANY, INC. dba TRANSFIELD SERVICES;
PETROCHEM INSULATION, INC.; SSP INDUSTRIAL
17 RECLAMATION, A CALIFORNIA JOINT VENTURE, dba
PLANT RECLAMATION; ANTHONY GILLISPIE; and
18 RODOLFO LOPEZ

Plaintiffs,

19 v.

20 EDMUND G. BROWN, IN HIS OFFICIAL CAPACITY AS
GOVERNOR OF THE STATE OF CALIFORNIA; KAMALA
21 HARRIS, IN HER OFFICIAL CAPACITY AS ATTORNEY
GENERAL FOR THE STATE OF CALIFORNIA; CHRISTINE
22 BAKER, IN HER OFFICIAL CAPACITY AS DIRECTOR OF
THE CALIFORNIA DEPARTMENT OF INDUSTRIAL
23 RELATIONS; DIANE RAVNIK, IN HER OFFICIAL CAPACITY
AS THE CHIEF OF THE CALIFORNIA DIVISION OF
24 APPRENTICESHIP STANDARDS; MATT RODRIGUEZ, IN HIS
OFFICIAL CAPACITY AS CALIFORNIA SECRETARY FOR
25 ENVIRONMENTAL PROTECTION; CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY.
26 AGENCY, and DOES 1-50, INCLUSIVE

Defendants.

Case No. 2:13-CV-02521-
JAM-DAD

**STIPULATION AND
~~PROPOSED~~ ORDER
DISMISSING
DEFENDANTS
EDMUND G. BROWN
AND CALIFORNIA
ENVIRONMENTAL
PROTECTION AGENCY
WITHOUT PREJUDICE**

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Pursuant to F.R.C.P. Rule 41(a)(1)(a)(ii), all Plaintiffs and all Defendants hereby stipulate that:

1. Defendant Edmund G. Brown acting in his official capacity as the Governor of the State of California is dismissed from this action, without prejudice.

2. Defendant Kamala Harris, acting in her official capacity as the Attorney General for the State of California, will remain as a Defendant for the purpose of defending the constitutionality of California Health and Safety Code section 25536.7.

3. Defendants Baker, Ravnik, and Rodriquez, acting in their official capacities, will remain as Defendants, but without prejudice to their rights to argue subsequently that they are not proper parties.

4. Defendant California Environmental Protection Agency (“CalEPA”) is dismissed from this action, without prejudice; and

5. If any party intervenes or is added as a party and successfully argues that Defendants Brown or CalEPA are necessary or indispensable parties, the remaining Defendants will not oppose a motion to re-join Brown or CalEPA as Defendants in this action.

IT IS SO STIPULATED.

Dated: February 10, 2014

LITTLER MENDELSON, P.C.

/s/
RICHARD N. HILL
Attorneys for Plaintiffs

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Dated: February 7, 2014

CALIFORNIA DEPARTMENT OF JUSTICE

/s/ John W. Killeen (as authorized on 2/7/14)
JOHN W. KILLEEN
Attorney for State Defendants

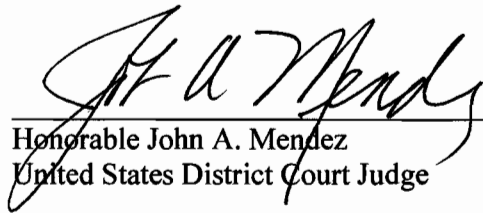
Dated: February __, 2014

STRUMWASSER & WOOCHEER LLP

/s/
Fredric D. Woocher
Attorneys for Intervenors

IT IS SO ORDERED

DATED: *2-10-14*



Honorable John A. Mendez
United States District Court Judge

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