

1 ROGERS JOSEPH O'DONNELL
 Merri A. Baldwin (State Bar No. 141957)
 2 mbaldwin@rjo.com
 Aaron M. Scolari (State Bar No. 237397)
 3 ascolari@rjo.com
 311 California Street
 4 San Francisco, California 94104
 Telephone: 415.956.2828
 5 Facsimile: 415.956.6457

6 Attorneys for Plaintiff
 PIC GROUP INC.
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9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA

11 PIC GROUP INC., a Georgia corporation,
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 Plaintiff,
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14 vs.

15 BUENA VISTA BIOMASS POWER, LLC,
 a California limited liability company,
 16
 Defendant.
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Case No. 2:16-cv-02547-MCE-GGH

**JOINT STIPULATION FOR
 JUDGMENT AND ORDER**

18 It is hereby STIPULATED BY AND BETWEEN Plaintiff PIC Group (“PIC”) and Defendant Buena Vista Biomass Power, LLC (“BVBP”), by and through their respective attorneys of records, that:

21 1. On October 26, 2016, PIC filed its Complaint against BVBP asserting
 22 claims for (1) breach of written agreements; (2) breach of the covenant of good faith and fair
 23 dealing; (3) open book account; (4) common count: account stated; (5) express contractual
 24 indemnity; and (6) equitable indemnity, arising out of services PIC provided to BVBP in
 25 connection with a power plant owned and operated by BVBP at 4655 Coal Mine Road, Ione,
 26 California 95640 (the “Action”). On January 6, 2017, BVBP answered PIC’s Complaint,
 27 denying PIC’s claims and requests for relief.

28 2. After engaging in settlement discussions, PIC and BVBP have agreed to

1 settle this Action, pursuant to the following terms of this Joint Stipulation for Judgment and
2 Order:

3 a. Judgment shall be entered for PIC in the amount of \$368,459.47
4 (“Judgment Amount”).

5 b. Upon entry of judgment pursuant to this Joint Stipulation for Judgment
6 and Order, PIC may record a judgment lien in Amador County on the power plant owned and
7 operated by BVBP located at 4655 Coal Mine Road, Ione, California 95640. Except for
8 recording the judgment lien, PIC agrees to refrain from any further collection efforts on the
9 judgment pursuant to this Joint Stipulation for Judgment and Order until December 31, 2017.

10 3. In the event that BVBP fails to pay the full Judgment Amount on or
11 before December 31, 2017, PIC may commence any actions necessary to collect the
12 Judgment Amount. PIC shall be entitled to an award of the attorney’s fees incurred in its
13 collections efforts, plus post-judgment interest from the date of entry of this Judgment and
14 Order.

15 SO STIPULATED.

16 Dated: May ____, 2017

ROGERS JOSEPH O’DONNELL

17 By: _____

18 MERRI A. BALDWIN
19 AARON M. SCOLARI

20 Attorneys for Plaintiff
21 PIC GROUP INC.

22 Dated: May ____, 2017

STOEL RIVES LLP

23 By: _____

24 SETH D. HILTON
25 BRYAN L. HAWKINS

26 Attorneys for Defendant
27 BUENA VISTA BIOMASS POWER, LLC
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1 **JUDGMENT AND ORDER**

2 Pursuant to the Parties Joint Stipulation for Judgment and Order IT IS SO ORDERED
3 AND ADJUDGED, and judgment pursuant to the terms of the Joint Stipulation is hereby
4 entered as follows:


5 1. Judgment is granted in favor of PIC in the amount of \$368,459.47 (“Judgment
6 Amount”).

7 2. Upon entry of judgment pursuant to this Joint Stipulation for Judgment and
8 Order, PIC may record a judgment lien in Amador County on the power plant owned and
9 operated by BVBP located at 4655 Coal Mine Road, Ione, California 95640. Except for
10 recording the judgment lien, PIC agrees to refrain from any further collection efforts on the
11 judgment pursuant to this Joint Stipulation for Judgment and Order until December 31, 2017.

12 3. In the event that BVBP fails to pay the full Judgment Amount on or before
13 December 31, 2017, PIC may commence any actions necessary to collect the Judgment
14 Amount. PIC shall be entitled to an award of the attorney’s fees incurred in its collections
15 efforts, plus post-judgment interest from the date of entry of this Judgment and Order.

16 IT IS SO ORDERED.

17 Dated: June 22, 2017

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19 MORRISON C. ENGLAND, JR.
20 UNITED STATES DISTRICT JUDGE
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