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10 Attorneys for Defendant
11 BASF CORPORATION

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

14
15 RIO LINDA ELVERTA COMMUNITY
16 WATER DISTRICT

17 Plaintiff,

18 v.

19 THE UNITED STATES OF AMERICA,
20 ELEMENTIS CHROMIUM
21 INCORPORATED, OCCIDENTAL
22 CHEMICAL CORPORATION,
23 HONEYWELL INCORPORATED, BASF
24 CORPORATION, PPG INCORPORATED,
25 E.I. DU PONT DE NEMOURS AND
COMPANY, UNIVAR INCORPORATED,
LUXFER HOLDINGS PLC, SIGMA-
ALDRICH CORPORATION, and DOW
CHEMICAL COMPANY

26 Defendants.

Case No. 2:17-cv-01349 KJM GGH

**STIPULATION AND ORDER RE
SCHEDULING AND CASE
MANAGEMENT**

1 The parties Rio Linda Elverta Community Water District, Elementis Chromium
2 Incorporated, Occidental Chemical Corporation, Honeywell Incorporated, BASF Corporation,
3 PPG Incorporated, E.I. Du Pont De Nemours and Company, Univar Incorporated, Luxfer
4 Holdings PLC, Sigma-Aldrich Corporation, and The Dow Chemical Company, through their
5 undersigned counsel hereby stipulate and agree to the following:

- 6 • The Defendants named above were served on different dates. As a result, Defendants’
7 responsive pleadings are due on different dates.
- 8 • Honeywell Incorporated was improperly names as a defendant, and thus service was not
9 initially effectuated. By this stipulation, Plaintiff agrees that the current Complaints
10 should be deemed, through interlineation, to substitute Honeywell International Inc. for
11 Honey Incorporated. Plaintiff also will name Honeywell International Inc. (rather than
12 Honeywell Incorporated) in any later amendment to the Complaints. Making no
13 admissions and reserving all appropriate legal and factual defenses, counsel for
14 Honeywell International Inc. agrees to respond to the pending Complaints as if
15 Honeywell International Inc. had been properly served, and it will be bound by the
16 deadlines and provisions set forth in this Stipulation.
- 17 • Univar Inc., erroneously named in the Complaint as Univar Incorporated, filed an
18 Answer to the Complaint on August 17, 2017. By this stipulation, Plaintiff agrees the
19 above-captioned action is hereby dismissed as against Univar Inc. only, without
20 prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Plaintiff
21 shall file a stipulated dismissal pursuant thereto. Plaintiff reserves all of its rights as
22 against all other defendants. The parties further agree that the current Complaints should
23 be deemed, through interlineation, to substitute Univar USA Inc. for Univar Incorporated.
24 Plaintiff also will name Univar USA Inc. (rather than Univar Inc.) in any later
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1 amendment to the Complaints. Making no admissions and reserving all appropriate legal
2 and factual defenses, counsel for Univar USA Inc. agrees to respond to the pending
3 Complaints as if Univar USA Inc. had been properly served, and it will be bound by the
4 deadlines and provisions set forth in this Stipulation.

- 5 • Defendants have agreed to coordinate their responsive pleadings and have met and
6 conferred with Plaintiff and agreed to the following schedule:
 - 7 ○ All Defendants named in this stipulation will file responsive pleadings by
8 September 25, 2017;
 - 9 ○ Plaintiff will respond to any pleading motions by October 25, 2017; and
 - 10 ○ Defendants will file reply briefs by November 8, 2017;
 - 11 ○ The parties propose a hearing date of November 17, 2017, or the soonest the
12 Court can hear the matter following the filing of the reply briefs.
- 13 • The parties request that a Case Management Conference be set 60 days after oral
14 argument on Defendants' pleading motions or entry of a minute order indicating that oral
15 argument will not be necessary.
- 16 • The Defendants listed above have been named in a related action brought by Sacramento
17 Suburban Water District (Case No. 2:17-cv-01353 KJM GGH), which is also pending in
18 this Court. (See Related Case Order.) The parties met and conferred and agreed that
19 these matters should be coordinated for pretrial purposes, with a single case management
20 schedule to be proposed before the first Case Management Conference. The parties also
21 request leave of Court to deem pleadings and discovery filed or served in one case as
22 filed or served in both cases.
- 23 • So stipulated.
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1 Pursuant to Local Rule 131(e), all undersigned counsel have authorized BASF
2 Corporation's counsel, Amber M. Trincado, to sign and submit this Stipulation on their behalf.

3 Dated: September 14, 2017

KING & SPALDING LLP

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6 By: /s/Amber M. Trincado
Amber M. Trincado

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8 Attorneys for Defendant
BASF CORPORATION

9
10 Dated: September 14, 2017

SHER EDLING LLP

11
12 By: /s/Matthew K. Edling
13 As authorized on September 13, 2017
14 Matthew K. Edling

15 Attorneys for Defendant
16 RIO LINDA ELVERTA COMMUNITY
WATER DISTRICT

17 Dated: September 14, 2017

MORGAN, LEWIS & BOCKIUS LLP

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20 By: /s/Greg A. Christianson
21 As authorized on September 14, 2017
22 Greg A. Christianson

23 Attorneys for Defendant
24 ELEMENTIS CHROMIUM INCORPORATED

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Dated: September 14, 2017

BARG COFFIN LEWIS & TRAPP, LLP

By: /s/John F. Barg
As authorized on September 13, 2017
John F. Barg

Attorneys for Defendant
OCCIDENTAL CHEMICAL CORPORATION

Dated: September 14, 2017

ARNOLD & PORTER KAYE SCHOLER LLP

By: /s/Stephanie B. Weirick
As authorized on September 13, 2017
Stephanie B. Weirick

Attorneys for Defendant
HONEYWELL INTERNATIONAL INC.

Dated: September 14, 2017

BEVERIDGE & DIAMOND, P.C.

By: /s/Gary J. Smith
As authorized on September 13, 2017
Gary J. Smith

Attorneys for Defendant
PPG INDUSTRIES, INC.,
sued as PPG INCORPORATED

1 Dated: September 14, 2017

GLYNN & FINLEY, LLP

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4 By: /s/Andrew T. Mortl
As authorized on September 13, 2017
5 Andrew T. Mortl

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Attorneys for Defendant
6 E.I. DU PONT DE NEMOURS AND
7 COMPANY

8 Dated: September 14, 2017

ALEXANDER & ASSOCIATES, PC

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11 By: /s/Alisyn J. Palla
As authorized on September 13, 2017
12 Alisyn J. Palla

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Attorneys for Defendant
13 UNIVAR USA INC. and UNIVAR INC.

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15 Dated: September 14, 2017

ARCHER & GREINER P.C.

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17 By: /s/Carlos M. Bollar
As authorized on September 13, 2017
18 Carlos M. Bollar

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Attorneys for Defendant
19 LUXFER HOLDINGS PLC

20

21 Dated: September 14, 2017

STEPTOE & JOHNSON LLP

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24 By: /s/Jay E. Smith
As authorized on September 13, 2017
25 Jay E. Smith

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Attorneys for Defendant
26 SIGMA-ALDRICH CORPORATION

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Dated: September 14, 2017

MITCHELL CHADWICK LLP

By: /s/Clifton J. McFarland
As authorized on September 13, 2017
Clifton J. McFarland

Attorneys for Defendant
THE DOW CHEMICAL COMPANY

IT IS SO ORDERED.

DATED: September 19, 2017.


UNITED STATES DISTRICT JUDGE