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10 Attorneys for Defendant
11 BASF CORPORATION

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

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15 SACRAMENTO SUBURBAN WATER
DISTRICT

16 Plaintiff,

17 v.

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

25 Defendants.

Case No. 2:17-cv-01353 KJM GGH

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

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1 The parties Sacramento Suburban Water District, Elementis Chromium Incorporated,
2 Occidental Chemical Corporation, Honeywell International Inc., BASF Corporation, PPG
3 Incorporated, E.I. Du Pont De Nemours and Company, Univar Inc., Univar USA Inc., 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.
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- 9 • Honeywell Incorporated was improperly named as a defendant, and thus service was not
10 initially effectuated. By this stipulation, Plaintiff agrees that the current Complaints
11 should be deemed, through interlineation, to substitute Honeywell International Inc. for
12 Honeywell Incorporated. Plaintiff also will name Honeywell International Inc. (rather
13 than Honeywell Incorporated) in any later amendment to the Complaints. Making no
14 admissions and reserving all appropriate legal and factual defenses, counsel for
15 Honeywell International Inc. agrees to respond to the pending Complaints as if
16 Honeywell International Inc. had been properly served, and it will be bound by the
17 deadlines and provisions set forth in this Stipulation.
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- 19 • Univar Inc., erroneously named in the Complaint as Univar Incorporated, filed an
20 Answer to the Complaint on August 17, 2017. By this stipulation, Plaintiff agrees the
21 above-captioned action is hereby dismissed as against Univar Inc. only, without
22 prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Plaintiff
23 shall file a stipulated dismissal pursuant thereto. Plaintiff reserves all of its rights as
24 against all other defendants. The parties further agree that the current Complaints should
25 be deemed, through interlineation, to substitute Univar USA Inc. for Univar Incorporated.
26 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 Rio Linda
17 Elverta Community Water District (Case No. 2:17-cv-01349 KJM GGH), which is also
18 pending in this Court. (See Related Case Order.) The parties met and conferred and
19 agreed that these matters should be coordinated for pretrial purposes, with a single case
20 management schedule to be proposed before the first Case Management Conference. The
21 parties also request leave of Court to deem pleadings and discovery filed or served in one
22 case as filed or served in both cases.

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26 So stipulated.

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 Dated: September 14, 2017

SHER EDLING LLP

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

14 Attorneys for Plaintiff
15 SACRAMENTO SUBURBAN WATER
DISTRICT

16 Dated: September 14, 2017

MORGAN, LEWIS & BOCKIUS LLP

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

21 Attorneys for Defendant
22 ELEMENTIS CHROMIUM INCORPORATED

1 Dated: September 14, 2017

BARG COFFIN LEWIS & TRAPP, LLP

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

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Attorneys for Defendant
OCCIDENTAL CHEMICAL CORPORATION

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8 Dated: September 14, 2017

ARNOLD & PORTER KAYE SCHOLER LLP

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

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Attorneys for Defendant
HONEYWELL INTERNATIONAL INC.

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14 Dated: September 14, 2017

BEVERIDGE & DIAMOND, P.C.

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

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

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21 Dated: September 14, 2017

GLYNN & FINLEY, LLP

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

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

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1 Dated: September 14, 2017

ARCHER & GREINER P.C.

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4 By: /s/Carlos M. Bollar
As authorized on September 13, 2017
5 Carlos M. Bollar

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Attorneys for Defendant
LUXFER HOLDINGS PLC

7

8 Dated: September 14, 2017

ALEXANDER & ASSOCIATES, PC

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

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Attorneys for Defendant
UNIVAR USA INC. and UNIVAR INC.

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14 Dated: September 14, 2017

STEPTOE & JOHNSON LLP

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

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Attorneys for Defendant
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