



1 is the company whose load Plaintiff was unloading when he was injured. It will be alleged that  
2 they negligently loaded the truck, making unloading unsafe to Plaintiff and others.

3 3. WHEREAS accordingly, in order to bring all parties necessary for a full  
4 adjudication, it is necessary for PAPÉ to formally assert its Third-Party Complaint for indemnity  
5 and contribution against NEW LIFE for those damages alleged by Plaintiff, ROGER DRIVER.

6 4. WHEREAS as mentioned, NEW LIFE loaded the trailer that caused injury to  
7 Plaintiff.

8 5. WHEREAS PAPÉ has denied liability to the Plaintiff, but asserts that if held  
9 liable to Plaintiff, PAPÉ is entitled to indemnification and/or contribution for NEW LIFE'S  
10 negligence contributing to the loss alleged in the original Complaint.

11 6. WHEREAS Third-Party Plaintiff is entitled to indemnity and/or contribution  
12 from Third-Party Defendants for Third-Party Defendants' acts including:

13 As to NEW LIFE :

- 14 a. negligence in training its employees in the proper and safe loading of a  
15 trailer;  
16 b. negligent supervision and oversight of its employees when loading a  
17 trailer; and  
18 c. negligent loading of the subject trailer.

19 WHEREFORE, Defendant and Plaintiff request the Court enter an ORDER allowing  
20 PAPÉ to Add Third-Party Defendant and permit the filing of the Third-Party Complaint as  
21 attached as Exhibit B.

22 **IT IS SO STIPULATED:**

23 DATED: June 5, 2019

ERICKSEN ARBUTHNOT

*/s/ Rebecca L. Menendez*

By

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26 CHARLES S. PAINTER  
REBECCA L. MENENDEZ  
Attorneys for Defendant,  
27 PAPÉ TRUCKS, INC.  
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DATED: June 4, 2019

CUTTER LAW P.C.

*/s/ Celine E. Cutter*

By

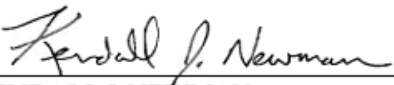
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C. BROOKS CUTTER  
CELINE E. CUTTER  
Attorneys for Plaintiff, ROGER DRIVER.

**ORDER**

Based on the stipulation of the parties, and on good cause appearing, the Court enters the foregoing ORDER permitting PAPÉ to Add Third-Party Defendant and permit the filing of the Third-Party Complaint.

**IT IS SO ORDERED.**

Dated: June 11, 2019

  
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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE