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Attorneys for Defendants
 GBF HOLDINGS LLC,
 TRC COMPANIES, INC., the PREWETTS, and
 THE GENERATOR DEFENDANTS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

WEST COAST HOME BUILDERS, INC.,

Plaintiff,

v.

AVENTIS CROPSOURCE USA INC., et
 al.,

Defendants.

Case No. C 04-02225-SI

(Related to Case No. C 04-02648-SI)

**STIPULATION REGARDING DEEMED
 ANSWERS TO PLAINTIFF'S THIRD
 AMENDED COMPLAINT; ORDER**

Pursuant to Local Rule 7-12, Plaintiff West Coast Home Builders, Inc. ("Plaintiff" or "West Coast"); Defendants GBF HOLDINGS, LLC and TRC COMPANIES, INC. (collectively, the "TRC Parties"); Defendants HAROLD WILLIAM PREWETT and MARY GRACE PREWETT BERTSCH (collectively, the "Prewetts"); Defendants LOCKHEED MARTIN CORPORATION, SHELL OIL COMPANY, BEAZER EAST, INC., USX CORPORATION, UNION PACIFIC RAILROAD COMPANY, EXXON MOBIL CORPORATION, CATERPILLAR INC., AVENTIS CROPSOURCE USA INC., BOEING SATELLITE SYSTEMS, INC., CHEMICAL & PIGMENT CO., COLGATE-PALMOLIVE COMPANY, COOPER INDUSTRIES, INC., CROMPTON CORPORATION, GAYLORD CONTAINER CORPORATION, GREAT WESTERN CHEMICAL COMPANY, HEWLETT PACKARD COMPANY, NESTLE USA, INC., OCCIDENTAL CHEMICAL CORPORATION, OCEAN

VIEW CAPITAL, INC., PACCAR INC., PRO TEC CHEMICAL CO., INC., QUEBECOR PRINTING SAN JOSE, INC., SHULLER INTERNATIONAL, INC., HENRY SIMONSEN, UNION OIL COMPANY OF CALIFORNIA, WITCO CORPORATION, ASHLAND, INC., CROWN BEVERAGE PACKAGING, INC., DOW CHEMICAL COMPANY, E.I. DUPONT DE NEMOURS AND COMPANY, FAIRCHILD SEMICONDUCTOR CORPORATION, FAIRCHILD SEMICONDUCTOR CORPORATION OF CALIFORNIA, RAYCHEM CORPORATION (collectively, the "Generator Defendants"); and Defendants UNITED STATES DEPARTMENT OF THE ARMY, UNITED STATES DEPARTMENT OF DEFENSE, and UNITED STATES DEPARTMENT OF THE NAVY (collectively, the "Federal Defendants"), by and through their respective undersigned counsel, hereby stipulate and agree as follows:

RECITALS

1. On March 7, 2008, Plaintiff filed its Second Amended Complaint in this action.
2. On May 2, 2008, the TRC Parties filed their Answer to Plaintiff's Second Amended Complaint.
2. On May 2, 2008, the Generator Defendants (including the Prewetts) filed their Answer to Plaintiff's Second Amended Complaint.
3. On April 13, 2008, the Federal Defendants filed the United States' Answer to Plaintiff's Second Amended Complaint and Counterclaim (D.I. 111).
3. On January 16, 2009, Plaintiff filed its Third Amended Complaint that removed its previously pled Seventh to Tenth Causes of Action.

STIPULATION

The Parties hereby agree that the answers filed by the TRC Parties, the Generator Defendants (including the Prewetts), and the Federal Defendants to Plaintiff's Second Amended Complaint will serve as their answers to Plaintiff's Third Amended Complaint.

IT IS SO STIPULATED.

DOWNEY BRAND LLP
/s/ Janlynn R. Fleener
 JANLYNN R. FLEENER
 Counsel for Defendants TRC Companies,
 Inc., et al.

FARELLA, BRAUN & MARTEL LLP
/s/ Paul P. Spaulding III
 PAUL P. SPAULDING III
 Counsel for Plaintiffs SPPI-Somersville,
 Inc., et al.


1 U.S. Department of Justice
2 Environment and Natural Resources Division
3 /s/ Leslie M. Hill
4 Leslie M. Hill
5 Attorney for the Federal Defendants

ORDER APPROVING STIPULATION

6 The Court, having reviewed the foregoing Stipulation between the Parties, and good cause
7 appearing, therefore, HEREBY ORDERS that the Stipulation shall be, and hereby is, an Order of
8 this Court.

9 **IT IS SO ORDERED.**

10 DATED: _____

11 By: 
12 THE HONORABLE SUSAN ILLSTON
13 UNITED STATES DISTRICT JUDGE
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