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15 Attorneys for Third-Party Defendant, Counter-Claimant and Cross-Defendant
 16 ENVIRONMENTAL RESOLUTIONS, INC.

Gordon & Rees LLP
 655 University Avenue, Suite 200
 Sacramento, California 95825

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

14 KFD ENTERPRISES, INC., a California
 15 Corporation dba Norman's Dry Cleaner,
 16
 17 Plaintiff,

18 vs.

19 CITY OF EUREKA,
 20
 21 Defendant.

) CASE NO. 3:08-CV-04571-MMC
)
) **STIPULATION RELATING TO**
) **THE ERI/CARDNO USA, INC.**
) **ACQUISITION AND ORDER**
) **THEREON**

) Courtroom: 7 (19th Floor)
) Judge: Hon. Maxine M. Chesney

22 CITY OF EUREKA,
 23
 24 Counter-Claimant and Third
 25 Party Plaintiff,

26 vs.

27 KFD ENTERPRISES, INC., a California
 28 Corporation dba Norman's Dry Cleaner, UNOCAL
 CORPORATION,
 Cross-Defendant and Third
 Party Defendant.

UNOCAL CORPORATION,

1 Third Party Defendant and)
2 Third Party Plaintiff,)
3 vs.)
4 ENVIRONMENTAL RESOLUTIONS, INC.)
5 Third Party Defendant.)

6 On or around June 10, 2010, the Delaware corporation, Cardno USA Inc., acquired
7 Defendant Environmental Resolutions Inc. (“ERI”). The City of Eureka and KFD wish to add
8 Cardno USA Inc. to this case as a successor in interest to ERI. Recently, the City of Eureka has
9 served written discovery on ERI relating to the acquisition and seeks to take a second Rule
10 30(b)(6) deposition of ERI to address this matter. After meeting and conferring on the issues
11 raised above, the parties stipulate as follows:

- 12 1. Cardno USA Inc. agrees to be added as a party to this lawsuit;
- 13 2. Cardno USA Inc. stipulates that it is the successor in interest of ERI for purposes
14 of this lawsuit and will be liable for any judgment against ERI in this lawsuit;
- 15 3. William Roberts, Director for Legal & Risk Management for Cardno USA Inc.
16 will sign a declaration acknowledging that Cardno USA Inc. is the successor in interest of ERI
17 for purposes of this lawsuit (Attached as Exhibit A);
- 18 3. The City of Eureka will withdraw any discovery it has served on ERI relating to
19 the ERI/Cardno USA Inc. acquisition, including withdrawing, in their entirety, its second and
20 third sets of document requests served on ERI;
- 21 4 The parties agree that they will not serve discovery on ERI or Cardno USA Inc.
22 regarding the ERI/Cardno USA Inc. acquisition unless they: (a) obtain a stipulation from ERI or
23 Cardno USA Inc. (whichever party the discovery is directed) allowing for this discovery; or (b)
24 they first file a motion with the Court seeking such discovery and the Court finds there is good
25 cause for the discovery notwithstanding this stipulation;
- 26 5. Because Cardno USA Inc. had no involvement in the events relevant to this
27 lawsuit, is voluntarily agreeing to join the lawsuit, and is stipulating to being the successor in
28 interest of ERI for purposes of the lawsuit, the parties agree that ERI and Cardno USA Inc. shall

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1 be treated as one party for purposes of any limitations on discovery. Cardno in turn, agrees that
2 it will be bound by ERI's discovery responses for purposes of this lawsuit.

3 DATED: January 17, 2012

GREBEN & ASSOCIATES

4
5 By: /s/ Jan A. Greben
6 JAN A. GREBEN
7 Attorneys for Plaintiff, Cross Defendant,
8 Third Party Defendant, Counter Defendant
9 and Counter Claimant KFD
10 ENTERPRISES, INC., a California
11 corporation dba Norman's Dry Cleaner and
12 Third Party Defendant Kenneth Daer

13 DATED: January 17, 2012

DAVIDOVITZ & BENNETT LLP

14 By: /s/ Charles Bolcom
15 CHARLES BOLCOM
16 Attorneys for Defendant/Counter-
17 Claimant/Third Party Plaintiff CITY OF
18 EUREKA

19 DATED: January 17, 2012

GLYNN & FINLEY, LLP

20 By: /s/ Andrew T. Mortl
21 ANDREW T. MORTL
22 Defendants, Cross Defendants, Cross-
23 Claimants UNOCAL CORPORATION and
24 UNION OIL COMPANY OF
25 CALIFORNIA and Defenddnat and Cross-
26 Defendant CHEVRON CORPORATION

27 DATED: January 17, 2012

GORDON & REES LLP

28 By: /s/ George A. Acero
GEORGE A. ACERO
KRISTIN N. REYNA
Attorneys for Third Party Defendant
ENVIRONMENTAL RESOLUTIONS,
INC.

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DATED: January 17, 2012

DONGELL LAWRENCE FINNEY LLP

By: /s/ Thomas F. Vandenberg
THOMAS F. VANDENBERG
Defendant and Cross-Defendant
MULTIMATIC LLC, THE KIRRBURG
CORPORATION and MULTIMATIC DRY
CLEANING MACHINE CORPORATION

DATED: January 17, 2012

SEVERSON & WERSON

By: /s/ Peter C. Lyon
PETER C. LYON
Cross Defendant, Third Party Defendant,
Counter Claimant and Counter Defendant
WINZLER & KELLY

DATED: January 17, 2012

CARDNO USA

By: /s/ William J. Roberts
Director, Commercial/Legal-Risk
Management

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 18, 2012


Honorable MAXINE M. CHESNEY
United States District Judge

EXHIBIT A

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10 ENVIRONMENTAL RESOLUTIONS, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 KFD ENTERPRISES, INC., a California
14 Corporation dba Norman's Dry Cleaner.

15 Plaintiff,

16 vs.

17 CITY OF EUREKA,

18 Defendant.

19 _____
20 CITY OF EUREKA,

21 Counter-Claimant and Third
Party Plaintiff,

22 vs.

23 KFD ENTERPRISES, INC., a California
24 Corporation dba Norman's Dry Cleaner. UNOCAL
CORPORATION,

25 Cross-Defendant and Third
Party Defendant.

26 _____
27 UNOCAL CORPORATION,

28 Third Party Defendant and

) CASE NO. CV-08-4571MMC

)
) **DECLARATION OF WILLIAM J.**
) **ROBERTS REGARDING MEET**
) **AND CONFER ON CARDNO USA,**
) **INC.**

1 Third Party Plaintiff.)
2 vs.)
3 ENVIRONMENTAL RESOLUTIONS, INC.,)
4 Third Party Defendant.)

5 I, William J. Roberts, declare:

6 1. I am the Director for Legal & Risk Management for Cardno USA Inc. including
7 all of its operating affiliates within the Americas. As Director for Legal & Risk Management,
8 my responsibilities include the provision of commercially focused legal and risk management
9 advice and services to the internal clients of the Americas and Software regions and their
10 operating divisions and business units. These responsibilities include providing legal and
11 commercial counsel regarding corporate structures, registrations and business transactions,
12 mergers and acquisitions and intellectual property protection strategies, assisting in the
13 management of the corporate insurance program, overseeing the company's claims and
14 providing risk management oversight, education and training. As counsel to Cardno USA Inc.,
15 through my position as Director for Legal & Risk Management, I am authorized to make and
16 execute this Declaration.

17 2. On or around June 10, 2010, Cardno USA Inc. (a Delaware corporation)
18 ("Cardno") acquired Environmental Resolutions Inc. (a California corporation)("ERI") through a
19 share purchase agreement. Cardno stipulates, for purposes of this lawsuit, to be the successor in
20 interest of ERI and assume any and all obligations and rights of ERI relating to any claims
21 asserted in this lawsuit.

22 3. Cardno is a wholly owned subsidiary of Cardno Limited (a corporation of
23 Australia). Cardno Limited is a publically held corporation and is traded on the Australian Stock
24 Exchange (ASX). Detailed financial and annual reports can be found on the Cardno global
25 website.

26 4. For the fiscal year, ending in June 2011, Cardno Limited had total gross revenues
27 of approximately \$828,759,000. Cardno had gross revenues of approximately \$480,874,000 for
28 this same fiscal year.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and within my personal knowledge and if called to testify could do so competently.

Executed the 6th day of December, 2011, in Lake Forest, California.


WILLIAM J. ROBERTS

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