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	Attorneys for Defendant East Charleston, Inc. and Defendant Pacific American Management Company		
10	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA		
11			
12	SCHLUMBERGER TECHNOLOGY	Case No. 5:11-cv-2587 LHK	
13	CORPORATION, INC., a Texas corporation		
14	Plaintiff,	STIPULATION TO DISMISS THIRD	
15	VS.	PARTY DEFENDANT FAIRCHILD SEMICONDUCTOR CORPORATION	
16	EAST CHARLESTON, INC., a California corporation; PACIFIC AMERICAN MANAGEMENT COMPANY, a California	AND ADD FAIRCHILD CAMERA AND INSTRUMENT CORPORATION AS A THIRD PARTY DEFENDANT TO	
17	Limited Liability Corporation,	THIRD PARTY COMPLAINT	
18	Defendants.	-{PROPOSED ORDER]	
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21	AND RELATED COUNTER, CROSS AND		
22	THIRD PARTY ACTIONS		
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	STIPULATION TO DISMISS FA		
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1	IT IS HEREBY STIPULATED AND AGREED by and between all parties to the		
2	action through their respective counsel of record as follows:		
3	1. EAST CHARLESTON, INC. ("ECI") and PACIFIC AMERICAN MANAGEMENT		
4	COMPANY ("PAMCO") filed a Third Party Complaint against Third Party Defendant		
5	FAIRCHILD SEMICONDUCTOR CORPORATION ("New Fairchild") on August 23, 2011.		
6	Advalloy, Inc., filed crossclaims against New Fairchild on February 3, 2012.		
7	2. As explained in Schlumberger Technology Corporation's ("Plaintiff") responses to		
8	PAMCO's first set of special interrogatories, "the incorrect Fairchild has been named and served		
9	via ECI's and PAMCO's third-party complaint. Since the New Fairchild did not lease the Site		
10	and was not, in fact, incorporated until 1997, it has extremely limited information about the		
11	matters alleged in the third-party complaint and is not an appropriate defendant in this action."		
12	3. Based upon the new information provided by Plaintiff, the parties stipulate to permit ECI		
13	and PAMCO to amend their complaint to allege claims against the successor to the Fairchild		
14	entity that operated at the property at issue in this litigation - a Delaware corporation known as		
15	National Semiconductor (Maine), Inc as stated in the proposed First Amended Third Party		
16	Complaint attached as Exhibit "A."		
17	4. Accordingly, the parties hereto stipulate as follows:		
18	A. New Fairchild shall be entirely dismissed from this Action without prejudice;		
19	B. Counterclaims filed by New Fairchild in this action shall be dismissed without		
20	prejudice;		
21	C. ECI and PAMCO may file the First Amended Third Party Complaint attached as		
22	Exhibit "A" against National Semiconductor (Maine), Inc., as the successor to Fairchild Camera		
23	and Instrument Corporation and Fairchild Semiconductor Corporation;		
24	D. Following filing of the First Amended Third Party Complaint attached as Exhibit		
25	"A," the new third-party defendant National Semiconductor (Maine), Inc., shall have twenty		
26	(20) days to file an answer and any compulsory counterclaim or crossclaim.		
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28	2		
	STIPULATION TO DISMISS FAIRCHILD SEMICONDUCTOR		

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1	IT IS SO STIPULATED.		
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3	Dated: April 27, 2012	BARG COFFIN LEWIS & TRAPP	
4 5		<u>/s/ Tom Boer</u> J. THOMAS BOER	
6		Attorneys for Plaintiff and Counter-Defendant SCHLUMBERGER TECHNOLOGY	
7		CORPORATION, INC. and Third Party Defendant FAIRCHILD SEMICONDUCTOR CORPORATION	
8			
9	Dated: April 27, 2012	GREBEN & ASSOCIATES	
10			
11		/s/ Jan A. Greben JAN A. GREBEN	
12		JEFF COYNER DANIELLE DE SMETH	
13 14		Attorneys for Defendants and Third Party Plaintiffs East Charleston, Inc. and Pacific American Management Company	
14		Wanagement Company	
16	Dated: April 27, 2012	WOOD, SMITH, HENNING & BERMAN LLP	
17			
18		/s/ David F. Wood	
19		DAVID F. WOOD JON-ERIK W. MAGNUS	
20		Attorneys for Third Party Defendant and Counter-Claimant, ADVALLOY, INC. by and	
21		throughIntervener GREAT AMERICAN INSURANCE COMPANY OF NEW YORK	
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24 25	IT IS SO ORDERED.		
23 26	Dated: May 3, 2012	Jucy H. Koh	
20		HONORGBLE LUCY H. KOH UNITED STATES DISTRICT JUDGE	
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	3 STIPULATION TO DISMISS FAIRCHILD SEMICONDUCTOR		
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