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5 Attorneys for People

FILED

2005 OCT -4 PM 4:42

COURT OF STANISLAUS

BY _____
DEPUTY

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF STANISLAUS

9 THE PEOPLE OF THE STATE OF
CALIFORNIA

10 Plaintiff,

11 vs.

12 7-ELEVEN, INC. (dba)7-ELEVEN #15883,

13 Defendant.

CASE NO. 875111

STIPULATED JUDGMENT FOR
INJUNCTION, CIVIL PENALTIES,
AND OTHER RELIEF

15 Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA, having filed their
16 complaint herein, CAROL SHIPLEY, Assistant District Attorney of Stanislaus County, by
17 and through GLORIA M. MAS, Deputy District Attorney of Stanislaus County, and
18 defendant 7-ELEVEN, INC. (dba) 7-ELEVEN #15883 hereby stipulate and consent to the
19 entry of the Final Judgment Pursuant to Stipulation. This stipulation is entered into based
20 in part on representations made and reaffirmed by these named defendants herein, that
21 certain penalty payments will be made according to the terms of the Stipulated Final
22 Judgment. This stipulated judgment is not intended to be used and shall not be used as an
23 admission of liability in private party lawsuits, but is neutral as to prosecutions by a public
24 agency.

25 Upon the consent of the parties hereto, and it appearing to the court that there is
26 good cause for the entry of this Stipulated Final Judgment,

27 IT IS ORDERED, ADJUDGED AND DECREED as follows:

28 STIPULATED JUDGMENT FOR
INJUNCTION, CIVIL PENALTIES, AND
OTHER RELIEF

1 1. This court has jurisdiction of the subject matter of this action and each of the parties
2 hereto.

3
4 2. Defendant shall pay the sum of TWO THOUSAND FIVE HUNDRED DOLLARS
5 (\$2,500.00) to a Supplemental Environmental Program, and/or Recovery Costs, as follows:

6
7 a) Defendant shall pay the sum of ONE THOUSAND DOLLARS (\$1,000.00),
8 payable to the Secretary of the California Environmental Protection Agency. This money
9 shall be deposited into the Environmental Enforcement and Training Account under the
10 authority of Penal Code § 14301.

11
12 b) Defendant shall pay the sum of ONE THOUSAND DOLLARS (\$1,000.00),
13 payable to the Stanislaus County Department of Environmental Resources. Such money is
14 to be used for environmental offenses to conduct investigation, prosecution and
15 remediation.

16
17 c) Defendant shall pay the sum of FIVE HUNDRED DOLLARS (\$500.00) payable
18 to the California State Water Resources Control Board State Water and Pollution Cleanup
19 and Abatement Account.

20
21 3. Defendant shall pay the sum of FIVE HUNDRED EIGHTY DOLLARS AND
22 THIRTY CENTS (\$580.30) payable to the Stanislaus County Superior Court for filing fees.

23
24 4. Upon and in consideration of this agreement, the PEOPLE agree to take no further
25 civil or criminal action with regard to any alleged violations of the Health and Safety Code or
26 Business and Professions Code relating to the underground storage tank closure that is the
27 subject of this action.
28

STIPULATED JUDGMENT FOR
INJUNCTION, CIVIL PENALTIES, AND
OTHER RELIEF

1
2 5. All checks shall be sent to the Stanislaus County District Attorney's Office,
3 attention: Donna Robinson, Stanislaus County Courthouse, P.O. Box 442, Modesto, CA 95353.
4 All amounts, except the filing fee, are due within sixty (60) of the filing of this Final Judgment.
5 **The filing fee is due with the signed Stipulated Judgment.**
6

7
8 6. This Judgment shall go into effect immediately upon entry hereof. Entry is
9 authorized immediately upon filing.

10 Dated: 9/12/2005

11 By: [Signature]
12 On Behalf of 7-ELEVEN #15883

13
14 Dated: 9/13/05

15 By: [Signature]
16 KATHRYN DOI
17 ATTORNEY FOR DEFENDANT

18 CAROL SHIPLEY
19 Stanislaus County Asst. Dist. Atty

20 Dated: 9-29-05

21 By: [Signature]
22 GLORIA M. MAS DOY J. LUBERT
23 DEPUTY DISTRICT ATTORNEY

24 IT IS ORDERED, ADJUDGED AND DECREED.

25 SEP 30 2005

26 Dated: _____

27 ROGER BEAUCHESNE

28 JUDGE OF THE SUPERIOR COURT

STIPULATED JUDGMENT FOR
INJUNCTION, CIVIL PENALTIES, AND
OTHER RELIEF