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1 Paul Caleo, State Bar No. 153925
2 Aimee Hamoy-Perera, State Bar No. 221228
3 BURNHAM BROWN
4 A Professional Law Corporation
5 P.O. Box 119
6 Oakland, California 94604
7
8 1901 Harrison Street, 14th Floor
9 Oakland, California 94612
10 Telephone: (510) 444-6800
11 Facsimile: (510) 835-6666
12 Email: pcaleo@burnhambrown.com
13 ahamoy-perera@burnhambrown.com

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN
OCT 12 2016
TEREY McNEALBY CLERK
BY [Signature] DEPUTY

8 Attorneys for Defendants
9 HOME DEPOT U.S.A., INC. (Erroneously sued herein as
10 THE HOME DEPOT, INC., a Foreign Corporation doing
11 business in California) RYAN DICKSON; UBALDO
12 DURAN AND MATTHEW HILLMAN

12 SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN
13 UNLIMITED JURISDICTION

14 JAIME BELTRAN,
15 Plaintiff,
16 v.
17 THE HOME DEPOT, INC. a Foreign
18 Corporation doing business in California, and
19 DOES 1 to 40, inclusive,
20 Defendants.

No. S-1500-CV-283696-LHB
STIPULATION OF PARTIES RE
LIABILITY;
[PROPOSED] ORDER
Complaint Filed: April 7, 2014
Trial Date: November 7, 2016

21 It is hereby stipulated and agreed among the parties Plaintiff JAIME BELTRAN
22 ("Plaintiff") and Defendant HOME DEPOT U.S.A., INC. ("Defendant"), through their counsel
23 of record, for which HOME DEPOT U.S.A., INC. is willing to stipulate to in exchange for a
24 dismissal of all individual employee defendants and the claim for punitive damages, as follows:

- 25 1. Plaintiff Jaime Beltran was shopping in the tool aisle at the Home Depot store
26 located on Rosedale Highway in Bakersfield on June 9, 2013.

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- 1 2. Store Associate Matthew Hillman, in his capacity as a Home Depot employee, was
2 retrieving a box from a shelf above Jaime Beltran.
3 3. As Matthew Hillman removed a box from the shelf, two metal re-keying kits also
4 fell from the shelf and struck Jaime Beltran.
5 4. Defendant Home Depot admits that it is fully responsible for its employee's
6 negligence and that Mr. Hillman was 100% at fault for the incident.
7 5. Defendant Home Depot disputes the nature and extent of Jaime Beltran's injuries.

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IT IS SO STIPULATED.


DATED: October 5, 2016

BURNHAM BROWN

By 
AIMEE HAMOY-PERERA
Attorneys for Defendant
HOME DEPOT U.S.A., INC.

DATED: October 6, 2016

CARPENTER, ZUCKERMAN & ROWLEY, LLP

By 
NICHOLAS ROWLEY
Attorneys for Plaintiff
JAIME BELTRAN

IT IS SO ORDERED.

Dated: 10/12/14


JUDGE OF THE SUPERIOR COURT

4817-0810-3482, v. 1

Re: Jaime Beltran v. The Home Depot, Inc., et al.
Court: Kern County Superior Court
Action No: S-1500-CV-283696-LHB

PROOF OF SERVICE

I declare that I am over the age of 18, not a party to the above-entitled action, and am an employee of Burnham Brown whose business address is 1901 Harrison Street, 14th Floor, Oakland, Alameda County, California 94612 (mailing address: Post Office Box 119, Oakland, California 94604).

On October 11, 2016, I served the following document(s) in the following manner(s):

STIPULATION OF PARTIES RE LIABILITY; [PROPOSED] ORDER

- MAIL:** By placing the document(s) listed above in a sealed envelope with postage thereon on the date and place shown below following ordinary business practice. I am familiar with this business' practice for collecting and processing documents for mailing. On the same day that documents are placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
- FACSIMILE:** By transmitting a true copy, via facsimile electronic equipment transmission (fax) to the office(s) of the addressee(s) at the fax number(s) below.
- EMAIL:** By transmitting a true copy, via email electronic equipment transmission to the office(s) of the addressee(s) at the following email address below:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE: October 11, 2016



CAROLYN ROMANOLO

Re: Jaime Beltran v. The Home Depot, Inc., et al.
Court: Kern County Superior Court
Action No: S-1500-CV-283696-LHB

SERVICE LIST

<p>Steve W. Nichols, Esq. LAW OFFICES OF YOUNG & NICHOLS 1901 Truxtun Avenue Bakersfield, CA 93301 Telephone: (661) 861-7911 Facsimile: (661) 861-7932 Email: snichols@youngnichols.com sveela@youngnichols.com djarrett@youngnichols.com</p>	<p>Co-Counsel for Plaintiff JAIME BELTRAN</p>
<p>Nicholas C. Rowley, Esq. CARPENTER, ZUCKERMAN & ROWLEY LLP 407 Bryant Circle, Suite F Ojai, CA 93023 Telephone: (805) 272-4001 Facsimile: (805) 719-6858 Email: ncr@czrlaw.com team3@czrlaw.com</p>	<p>Counsel for Plaintiff JAIME BELTRAN</p>