

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

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6 Attorneys for LAIDLAW TRANSIT, INC.
7 and LAIDLAW TRANSIT SERVICES, INC.

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN FRANCISCO

10 ENVIRONMENTAL LAW FOUNDATION,
11 OUR CHILDREN'S EARTH FOUNDATION,
12 and COMMUNITIES FOR A BETTER
13 ENVIRONMENT, On Behalf of the General
14 Public,

15 Plaintiffs,

16 v.

17 LAIDLAW TRANSIT INC. dba LAIDLAW
18 EDUCATION SERVICES; LAIDLAW
19 TRANSIT SERVICES, INC.; and DOES 1
through 100, inclusive,

20 Respondents.

No.: CGC 06-451832

**NOTICE OF ENTRY OF
AMENDMENT NO. 1 TO
STIPULATED JUDGMENT**

Case Filed: May 2, 2006
Judgment Entered: September 22, 2008

Honorable Ernest H. Goldsmith

21 TO ALL PARTIES AND ATTORNEYS OF RECORD IN THIS ACTION:

22 PLEASE TAKE NOTICE THAT on January 29, 2010 the Honorable Ernest H. Goldsmith
23 entered the attached order.

24 Dated: February 1, 2010

REED SMITH LLP

25 By:



26 Rose L. Standifer
27 Attorneys for Defendants
28 First Student, Inc. and
First Transit, Inc.

ENDORSED
FILED
Superior Court of California
County of San Francisco

JAN 29 2010

CORDON PARK LI, Clerk
US
M. TA FONG
Deputy Clerk

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Attorneys for LAIDLAW TRANSIT, INC.
and LAIDLAW TRANSIT SERVICES, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

ENVIRONMENTAL LAW FOUNDATION,
OUR CHILDREN'S EARTH FOUNDATION,
and COMMUNITIES FOR A BETTER
ENVIRONMENT, On Behalf of the General
Public,

Plaintiffs,

v.

LAIDLAW TRANSIT INC. dba LAIDLAW
EDUCATION SERVICES; LAIDLAW
TRANSIT SERVICES, INC.; and DOES 1
through 100, inclusive,

Respondents.

No.: CGC 06-451832

~~PROPOSED~~
AMENDMENT NO. 1 TO
STIPULATED JUDGMENT

Case Filed: May 2, 2006
Judgment Entered: September 22, 2008

Honorable Ernest H. Goldsmith

Signatures by Fax or Email

RECITALS

WHEREAS,

a. Defendants Laidlaw Transit, Inc., doing business as Laidlaw Education Services, and Laidlaw Transit Services, Inc. (collectively, the "Operator") and plaintiffs Environmental Law Foundation, Our Children's Earth, and Communities for a Better Environment (collectively, "the Plaintiffs") (together with the Operator, the "Parties") entered into a Stipulated Judgment on September 11, 2008 (the "Stipulated Judgment");

b. the Court approved the Stipulated Judgment on September 22, 2008;

c. Section 25 of the Stipulated Judgment requires that any change, revision or

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1 modification to the Stipulated Judgment must be by written agreement signed by the Parties and
2 shall not take effect until approved by the Court;

3 d. the Parties wish to amend Schedule 1.0 (Agreed Upon CARB-Verified Pollution
4 Control Devices),

5 THEREFORE, THE PARTIES HEREBY AGREE AND IT IS ADJUDGED AND
6 ORDERED AS FOLLOWS:

7 1. **Amendment to Stipulated Judgment.**

8 (a) All references to Schedule 1.0 in the Stipulated Judgment shall be to the Schedule 1.0
9 attached to this Amendment No. 1 to the Stipulated Judgment. Schedule 1.0 attached to the
10 Stipulated Judgment is superseded by Schedule 1.0 to this Amendment No. 1 to the
11 Stipulated Judgment.

12 (b) Section 25 of the Stipulated Judgment shall be amended to read as follows:

13 **Entire Agreement.** This Stipulated Judgment and Amendment No. 1 to the
14 Stipulated Judgment (together, the "Judgment") constitute the entire
15 agreement and understanding between the Parties. All agreements or
16 representations, expressed or implied, of the parties with regard to this subject
17 matter are contained in this Judgment. The Parties acknowledge that there are
18 no other warranties, promises, assurances or representations of any kind,
19 express or implied, upon which the Parties have relied in entering into this
20 Judgment, unless expressly set forth herein. All prior representations,
21 understandings and agreements between the Parties concerning settlement are
22 superseded by this Judgment. The terms of this Judgment shall not be
23 changed, revised or modified except by written agreement signed by the
24 Parties to this Judgment and shall not take effect until approved by the Court.

25 (c) All other terms and conditions of the Stipulated Judgment remain in full force and
26 effect.

27 2. **Counterparts.** This Amendment No. 1 to the Stipulated Judgment may be executed in
28 counterparts, each of which shall be considered an original.

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1 3. Retention of Jurisdiction. This Court shall retain jurisdiction to enforce the terms of the
2 Stipulated Judgment.

4 APPROVED AS TO SUBSTANCE:

5
6 Dated: 1/22/2017
7 _____
8 First Student, Inc.
9 formerly known as
10 Laidlaw Transit, Inc.

11 Dated: 1/22/2017
12 _____
13 First Transit, Inc.,
14 as successor in interest to
15 Laidlaw Transit Services, Inc.

16 Dated: _____
17 _____
18 Environmental Law Foundation

19 Dated: _____
20 _____
21 Our Children's Earth Foundation

22 Dated: _____
23 _____
24 Communities for a Better Environment

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3. Retention of Jurisdiction. This Court shall retain jurisdiction to enforce the terms of the Stipulated Judgment.

APPROVED AS TO SUBSTANCE:

Dated: _____

First Student, Inc.
formerly known as
Laidlaw Transit, Inc.

Dated: _____

First Transit, Inc.,
as successor in interest to
Laidlaw Transit Services, Inc.

Dated: 4/15/10 _____



Environmental Law Foundation

Dated: _____

Our Children's Earth Foundation

Dated: _____

Communities for a Better Environment

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3. **Retention of Jurisdiction.** This Court shall retain jurisdiction to enforce the terms of the Stipulated Judgment.

APPROVED AS TO SUBSTANCE:

Dated: _____

First Student, Inc.
formerly known as
Laidlaw Transit, Inc.


Dated: _____

First Transit, Inc.,
as successor in interest to
Laidlaw Transit Services, Inc.

Dated: _____

Environmental Law Foundation

Dated: 1/12/10



Our Children's Earth Foundation

Dated: _____

Communities for a Better Environment

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REED SMITH LLP
A PROFESSIONAL CORPORATION, BARBERS COLLEGE, CALIFORNIA

1 3. Retention of Jurisdiction. This Court shall retain jurisdiction to enforce the terms of the
2 Stipulated Judgment.

4 APPROVED AS TO SUBSTANCE:

6 Dated: _____
7 First Student, Inc.
8 formerly known as
9 Laidlaw Transit, Inc.

10 Dated: _____
11 First Transit, Inc.,
12 as successor in interest to
13 Laidlaw Transit Services, Inc.

14 Dated: _____
15 Environmental Law Foundation

16 Dated: _____
17 Our Children's Earth Foundation

18 Dated: 1/15/10 _____
19 Communities for a Better Environment

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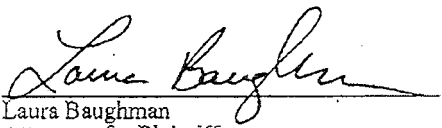
REED SMITH LLP
A limited liability partnership formed in the State of Delaware

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APPROVED AS TO FORM:

Dated: 1/21/2010

LAW OFFICE OF APRIL STRAUSS
LOZEAU | DRURY LLP
ADAMS BROADWELL JOSEPH &
CARDOZO, P.C.
BARON & BUDD, P.C.

By: 
Laura Baughman
Attorneys for Plaintiffs

Dated: _____

REED SMITH LLP

By: _____
Todd O. Maiden
Attorneys for Defendants
First Student, Inc. and
First Transit, Inc.

APPROVED AND ORDERED:

Dated: _____

Hon. Ernest H. Goldsmith
Judge of the Superior Court

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APPROVED AS TO FORM:

Dated: _____

LAW OFFICE OF APRIL STRAUSS
LOZEAU | DRURY LLP
ADAMS BROADWELL JOSEPH &
CARDOZO, P.C.
BARON & BUDD, P.C.

By: _____
Laura Baughman
Attorneys for Plaintiffs

Dated: 21 January 2010

REED SMITH LLP

By: _____
Todd O. Maiden
Attorneys for Defendants
First Student, Inc. and
First Transit, Inc.

APPROVED AND ORDERED:

Dated: _____

Hon. Ernest H. Goldsmith
Judge of the Superior Court

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APPROVED AS TO FORM:

Dated: _____

LAW OFFICE OF APRIL STRAUSS
LOZEAU | DRURY LLP
ADAMS BROADWELL JOSEPH &
CARDOZO, P.C.
BARON & BUDD, P.C.

By: _____
Laura Baughman
Attorneys for Plaintiffs

Dated: _____

REED SMITH LLP

By: _____
Todd O. Maiden
Attorneys for Defendants
First Student, Inc. and
First Transit, Inc.

APPROVED AND ORDERED:

Dated: JAN 27 2010

ERNEST H GOLDSMITH

Hon. Ernest H. Goldsmith
Judge of the Superior Court

Schedule 1.0

Agreed Upon CARB-Verified Pollution Control Devices

Level III Devices for all buses on Exhibit A:

- Donaldson PDM (DPF);
- Johnson Matthey Reformulated CRT (DPF)
- Cleaire Horizon M 2008 Volt System
- ESW Canada "Therma Cat" (DPF)

Level II Devices for Type A Buses (only if the above Level III devices do not work):

- Donaldson (Flow Through Filter)
- Environmental Solutions Worldwide Particulate Reactor (DOC)
- Donaldson LNF 9.5"

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is REED SMITH LLP, 101 Second Street, Suite 1800, San Francisco, CA 94105. On February 1, 2010, I served the following document(s) by the method(s) indicated below:

NOTICE OF ENTRY OF AMENDMENT NO. 1 TO STIPULATED JUDGMENT

by transmitting via email to the parties at the email addresses listed below:

VIA E-MAIL

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awilson@baronbudd.com

VIA E-MAIL

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VIA E-MAIL

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VIA E-MAIL

Counsel for Plaintiffs

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Email: wroy@sheppardmullin.com

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on February 1, 2010, at San Francisco, California.



Mary Meyers

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