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4 BARON & BUDD
3102 Oak Lawn Avenue, Suite 1100
5 Dallas, TX 75219
Phone: (214) 521-3605 / FAX: (214) 520-1181
6

7 [Additional Counsel Listed on Next Page]

8 Attorneys for Plaintiffs ENVIRONMENTAL LAW FOUNDATION,
OUR CHILDREN'S EARTH FOUNDATION, and
9 COMMUNITIES FOR A BETTER ENVIRONMENT

10 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **IN AND FOR THE COUNTY OF LOS ANGELES**

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

15 Plaintiffs,

16 v.

17 ATLANTIC EXPRESS OF L.A., INC.; ATLANTIC
EXPRESS OF CALIFORNIA, INC.; EMBREE
18 BUSES, INC.; STUDENT TRANSPORTATION OF
AMERICA, INC.; SANTA BARBARA
19 TRANSPORTATION CORPORATION; STORER
TRANSPORTATION SCHOOL AND CONTRACT
20 SERVICE; STORER TRANSPORTATION
SERVICE; MERCED TRANSPORTATION
21 COMPANY; MICHAEL'S TRANSPORTATION
SERVICE, INC.; and DOES 1 through 100,
22 inclusive,
23

24 Defendants.

CASE NO.: BC401484

**NOTICE OF ENTRY OF MINUTE ORDER
RE: MOTION FOR COURT APPROVAL
OF STIPULATED JUDGMENTS,
ATTORNEYS' FEES AND COSTS**

Court: Central Civil West Complex
Dept.: 311
Judge: Hon. Carl J. West

Complaint Filed: November 7, 2008
Trial Date: Not set

1 RICHARD T. DRURY (State Bar No. 163559)
SUMA PEESAPATI (State Bar No. 203701)
2 LOZEAU | DRURY LLP
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3 Alameda, CA 94501
4 Telephone: 510-749-9102
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6 LAW OFFICE OF APRIL STRAUSS
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7 Mountain View, CA 94040
8 Telephone: 650-281-7081
Fax: 408-774-1906

9 JAMES WHEATON (State Bar No. 115230)
10 LYNNE SAXTON (State Bar No. 226210)
ENVIRONMENTAL LAW FOUNDATION
11 1736 Franklin, 9th floor
12 Oakland, CA 94612
Telephone: 510-208-4555
13 Fax: 510-208-4562

14 MICHAEL COSTA (State Bar No. 219416)
15 OUR CHILDREN'S EARTH FOUNDATION
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16 San Francisco, CA 94118
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17 Fax: 815-642-9181

18 ADRIENNE L. BLOCH (State Bar No. 215471)
19 SHANA LAZEROW (State Bar No. 195491)
COMMUNITIES FOR A BETTER ENVIRONMENT
20 1440 Broadway, Suite 701
Oakland, CA 94612
21 Telephone: 510-302-0430
22 Fax: 510-302-0438

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

2 PLEASE TAKE NOTICE THAT on May 7, 2009 the Court entered the attached minute order.

3 Dated: May 29, 2009

4 BARON & BUDD, P.C.
5 CELESTE A. EVANGELISTI
6 LAURA J. BAUGHMAN
7 THOMAS M. SIMS

8 LOZEAU | DRURY LLP
9 RICHARD T. DRURY

10 ENVIRONMENTAL LAW FOUNDATION
11 JAMES R. WHEATON
12 LYNNE R. SAXTON

13 OUR CHILDREN'S EARTH FOUNDATION
14 MICHAEL COSTA

15 COMMUNITIES FOR A BETTER ENVIRONMENT
16 SHANA LAZEROW
17 ADRIENNE BLOCH

18 

19 CELESTE A. EVANGELISTI (SBN 225232)

20 Attorneys for Plaintiffs
21 Environmental Law Foundation
22 Our Children's Earth Foundation
23 Communities for a Better Environment
24
25
26
27
28

1 **Proof of Service**

2 I am employed in the County of Dallas, Texas. I am over the age of 18 and not a party to this
3 action. My business address is 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219.

4 On May 29, 2009 I served the foregoing document described as:

5 **NOTICE OF ENTRY OF MINUTE ORDER RE: MOTION FOR COURT APPROVAL OF
6 STIPULATED JUDGMENTS, ATTORNEYS' FEES AND COSTS**

7 on the parties listed below by **First Class US Mail** or other method as noted:

8 Patricia Guerrero
9 Latham & Watkins
10 600 W. Broadway, #1800
San Diego, CA 92101-3375
Counsel for Atlantic Express of LA, Inc. and
Atlantic Express of California

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2500 Hospital Drive., Suite 3B
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11 Arthur Godwin
12 Mason Robbins Ganss
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14 P.O. Box 2067
15 Merced, CA 95344-0067
16 Counsel for Storer Transportation School and
17 Contract Service; Storer Transportation Service;
18 and Merced Transportation Company

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FAX: 510-208-4562

15 Jeffrey Parker
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18 Los Angeles, CA 90071
19 Counsel for Student Transportation of America,
20 Inc. and Santa Barbara Transpotaación Corp.

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20 Morozumi & Simmons, LLP
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22 San Francisco, CA 94102
23 Counsel for Michael's Transportation
24 Service, Inc.

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22 Richard T. Drury (richard@lozeaudrury.com)
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24 Lozeau Drury LLP
25 1516 Oak Street, Suite 216
Alameda, CA 94501
FAX: (510) 749-9103

Office of Attorney General
(by **Federal Express – 2nd Day Service**)
Proposition 65 Enforcement Reporting
1515 Clay Street, Suite 2000
Post Office Box 70550
Oakland, California 94612-0550

26 I declare under penalty of perjury of the laws of the Texas that the foregoing is true and correct and that
27 this was executed on May 29, 2009 in Dallas, Texas.

28 
Amelia B. Wilson

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/07/09

DEPT. 311

HONORABLE Carl J. West

JUDGE

R. Rully

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

S. Zuckerman, C.A.

Deputy Sheriff

W. Gray, C.S.R. 7576

Reporter

9:00 am

BC401484

Plaintiff James R. Wheaton (x)

Counsel

ENVIRONMENTAL LAW FOUNDATION,

Rebecca Baldwin (x)*

ET AL

Defendant Andrew Bluth (x)*

VS

Counsel Julia Je (x)*

ATLANTIC EXPRESS OF LA, INC.,

Barry McCarthy (x)*

ET AL

(*indicates telephonic

DEEMED COMPLEX: 12/15/08

appearance)

NATURE OF PROCEEDINGS:

MOTION FOR COURT APPROVAL OF STIPULATED JUDGEMENTS,
ATTORNEYS' FEES AND COSTS:

The above-captioned motion comes on for hearing in open Court and on the record with counsel appearing as indicated.

After conferring with counsel, as fully reflected in the notes of the official Court Reporter, the Court makes Orders as follows:

1. Stipulated Judgments:

a. The Court finds that the warning provided by the stipulated judgments satisfies the requirements of Proposition 65.

b. The Court finds that the entry of the stipulated judgments will serve the public interest.

c. All judgments provide that the Court shall retain jurisdiction for enforcement and the Court expressly retains jurisdiction for the purpose of enforcing the judgments. Any application for modification due to the application of force majeure clauses in the judgments or for any other reason, shall be subject to approval by the Court, upon application and good cause shown.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/07/09

DEPT. 311

HONORABLE Carl J. West

JUDGE

R. Rully

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

S. Zuckerman, C.A.

Deputy Sheriff

W. Gray, C.S.R. 7576

Reporter

9:00 am

BC401484

Plaintiff

James R. Wheaton (x)

Counsel

ENVIRONMENTAL LAW FOUNDATION,

Rebecca Baldwin (x)*

ET AL

Defendant

Andrew Bluth (x)*

VS

Counsel

Julia Je (x)*

ATLANTIC EXPRESS OF LA, INC.,

Barry McCarthy (x)*

ET AL

(*indicates telephonic

DEEMED COMPLEX: 12/15/08

appearance)

NATURE OF PROCEEDINGS:

d. The proposed Order Granting Motion for Court Approval of Stipulated Judgments signed and filed along with the separate proposed Stipulated Judgments as between all Plaintiffs and 1) Student Transportation of America, Inc.; 2) Atlantic Express; 3) Merced Transportation Company; 4) Michaels Transportation Services; and 5) Storer Transportation School and Contract Service.

Attorneys' Fees Application:

The Court accepts Plaintiffs loadstar of three hundred thirty-six thousand, six hundred forty-one dollars, and fifty cents (\$336,641.50). The Court has considered the prevailing rates charged by attorneys with comparable experience in matters of this nature in determining that the loadstar amount is reasonable and appropriate and awards fees and costs, as requested, in the amount of two hundred forty-two thousand, five hundred dollars (\$242,500.00) inclusive of costs in the amount of three thousand, fifty (\$3,050.00).

4/30/10 Non-Appearance Case Review:

The Court sets a Non-Appearance Case Review for April 30, 2010, on or before which date the

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/07/09

DEPT. 311

HONORABLE Carl J. West

JUDGE

R. Rully

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

S. Zuckerman, C.A.

Deputy Sheriff

W. Gray, C.S.R. 7576

Reporter

9:00 am

BC401484

ENVIRONMENTAL LAW FOUNDATION,
ET AL
VS
ATLANTIC EXPRESS OF LA, INC.,
ET AL
DEEMED COMPLEX: 12/15/08

Plaintiff James R. Wheaton (x)
Counsel
Rebecca Baldwin (x)*
Defendant Andrew Bluth (x)*
Counsel Julia Je (x)*
Barry McCarthy (x)*
(*indicates telephonic
appearance)

NATURE OF PROCEEDINGS:

parties shall serve and file declarations confirming compliance with the terms of the judgments entered this date and detailing compliance generally, and by each Defendant.

Counsel for Plaintiffs shall give notice and serve conformed copies of the Order Granting the Motion and the signed judgments on all parties.

***ADDITIONAL TELEPHONIC APPEARANCES:**

Myung Park (x)*
Harvey L. Reiter (x)*
Peter Scanlon (x)*
Steven G. Schrey (x)*

**CLERK'S CERTIFICATE OF MAILING/
NOTICE OF ENTRY OF ORDER**

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that this date I served the above minute order of May 7, 2009 upon Plaintiffs' counsel named below by deposing in the United States mail at the courthouse in Los Angeles, California, one copy of the original entered in a separate sealed envelope for each, addressed as shown below with the postage thereon fully prepaid.

<p align="center">MINUTES ENTERED 05/07/09 COUNTY CLERK</p>

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/07/09

DEPT. 311

HONORABLE Carl J. West

JUDGE

R. Rully

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

S. Zuckerman, C.A.

Deputy Sheriff

W. Gray, C.S.R. 7576

Reporter

9:00 am BC401484

ENVIRONMENTAL LAW FOUNDATION,
ET AL
VS
ATLANTIC EXPRESS OF LA, INC.,
ET AL
DEEMED COMPLEX: 12/15/08

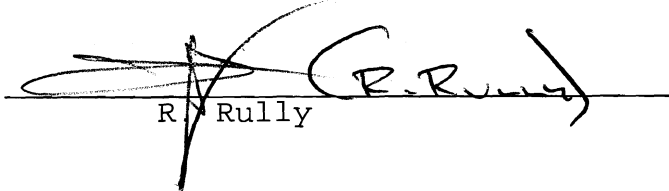
Plaintiff James R. Wheaton (x)
Counsel
Defendant Rebecca Baldwin (x)*
Counsel Andrew Bluth (x)*
Julia Je (x)*
Barry McCarthy (x)*
(*indicates telephonic
appearance)

NATURE OF PROCEEDINGS:

Date: 5/7/09

John A. Clarke, Executive Officer/Clerk

By:



R. Rully

James R. Wheaton, Esq.,
Lynne R. Saxton, Esq.,
ENVIRONMENTAL LAW FOUNDATION
1736 Franklin, 9th Floor,
Oakland, CA
94612

lsaxton@envirolaw.com
wheaton@envirolaw.com

MINUTES ENTERED
05/07/09
COUNTY CLERK