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6 Attorneys for Third-Party Defendant City of Los Angeles
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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 CALIFORNIA DEPARTMENT OF
TOXIC SUBSTANCES CONTROL and
12 the TOXIC SUBSTANCES CONTROL
13 ACCOUNT,

14 Plaintiffs,

15 v.

16 NL INDUSTRIES, INC., a New Jersey
17 corporation; et al.,

18 Defendants.
19

20 NL INDUSTRIES, INC.,

21 Counterclaimant,
22

23 v.

24 CALIFORNIA DEPARTMENT OF
TOXIC SUBSTANCES CONTROL and
25 the TOXIC SUBSTANCES CONTROL
26 ACCOUNT,
27

28 Counterdefendants.

Case No.: 2:20-cv-11293-SVW-JPR

Hon. Stephen V. Wilson
Hon. Jean P. Rosenbluth

Stipulation Requesting the City of Los Angeles' Time to Respond to the Third Party Complaint filed by NL Industries, Inc. be Extended 28 days

3rd Party Complaint Served: 8/31/21
Response Deadline: 9/21/21
Proposed New Deadline: 10/19/21

Action Filed: December 14, 2020

1 NL INDUSTRIES, INC.,

2 Third-Party Plaintiff,

3
4 v.

5 EXXON MOBIL CORPORATION, a
6 New Jersey corporation; et al.,

7 Third-Party Defendants.
8

9 Third Party Defendant City of Los Angeles (“City”) and Defendant, Counter
10 Claimant, and Third Party Plaintiff NL Industries, Inc. (“NL”), by and through their
11 attorneys, stipulate as follows:

12 1. On August 31, 2021, NL Industries served the City with a summons and
13 third-party complaint in the above-captioned matter. The City’s responsive pleading to the
14 third-party complaint is currently due on September 21, 2021.

15 2. Based on the court docket associated with this matter, the case involves
16 multiple parties, claims, and counterclaims, with complex legal and factual issues arising
17 from alleged environmental contamination and cost recovery claims under the
18 Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”).
19 The original complaint alleges five claims for relief against ten defendants, and contains
20 179 paragraphs of supporting allegations. The recently served third-party complaint
21 asserts four claims for relief against more than 30 third party defendants, and contains 248
22 paragraphs of supporting allegations.

23 3. Considering the complex factual and legal issues in this matter, the City will
24 need additional time to adequately assess the claims for relief and supporting allegations,
25 and to properly respond to the third-party complaint.

26
27 NOW, THEREFORE, IT IS STIPULATED AND AGREED, by and between the
28 parties hereto, through their respective undersigned attorneys of record, that the time for

1 the City of Los Angeles to answer or otherwise respond to NL Industries, Inc.’s third-
2 party complaint in the instant action is extended by 28 days, from September 21, 2021, to
3 October 19, 2021.

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DATED: September 13, 2021 Michael N. Feuer, City Attorney
Timothy McWilliams, Asst. City Attorney
Robert M. Mahlowitz, Deputy City Attorney

By: /s/ Robert M. Mahlowitz
Robert M. Mahlowitz
Attorneys for Third-Party Defendant,
CITY OF LOS ANGELES

DATED: September 13, 2021 LAW OFFICES OF JOEL L. HERZ

By: /s/ Joel L. Herz
Joel L. Herz
Attorney for Defendant, Counterclaimant &
Third Party Plaintiff NL INDUSTRIES,
INC.

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, Robert Mahlowitz, attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing’s content and have authorized the filing.

Dated: September 13, 2021 /s/ Robert M. Mahlowitz
Robert M. Mahlowitz