

1 GENE TANAKA, Bar No. 101423
gene.tanaka@bbklaw.com
2 JOHN H. HOLLOWAY, Bar No. 181190
john.holloway@bbklaw.com
3 WENDY Y. WANG, Bar No. 228923
wendy.wang@bbklaw.com
4 BEST BEST & KRIEGER LLP
2001 N. Main Street
5 Suite 390
Walnut Creek, California 94596
6 Telephone: (925) 977-3300
Facsimile: (925) 977-1870
7

8 Attorneys for Third-Party Defendants
9 COUNTY OF LOS ANGELES and LOS
ANGELES COUNTY DEVELOPMENT
10 AUTHORITY, erroneously named as Housing
Authority of the County of Los Angeles

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA

13
14 CALIFORNIA DEPARTMENT OF
TOXIC SUBSTANCES CONTROL and
15 the TOXIC SUBSTANCES CONTROL
ACCOUNT,

16 Plaintiffs,

17 v.

18 NL INDUSTRIES, INC. a New Jersey
19 corporation; et al.,

20 Defendant.

21 NL INDUSTRIES, INC.,

22 Third-Party Plaintiff,

23 v.

24 EXXON MOBIL CORPORATION, a
25 New Jersey corporation; et al.,

26 Third-Party Defendants.
27
28

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

Honorable Stephen V. Wilson
Courtroom 10A

**DECLARATION OF WENDY Y.
WANG IN SUPPORT OF
STIPULATION EXTENDING
THE TIME OF COUNTY OF LOS
ANGELES AND LOS ANGELES
COUNTY DEVELOPMENT
AUTHORITY TO RESPOND TO
THE THIRD-PARTY
COMPLAINT FILED BY NL
INDUSTRIES, INC. BY 28 DAYS**

3RD Party Complaint Served: 08/31/21
Response Deadline: 09/21/21
Proposed New Deadline: 10/19/21

Action Filed: December 14, 2020

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW
2001 N. MAIN STREET, SUITE 390
WALNUT CREEK, CALIFORNIA 94596

DECLARATION OF WENDY Y. WANG

I, Wendy Y. Wang, declare as follows:

1. I am an attorney admitted to practice before this Court, and am currently a counsel of record in this matter for Third-Party Defendants County of Los Angeles (“County”) and Los Angeles County Development Authority (“LACDA”), erroneously named as Housing Authority of the County of Los Angeles. I have personal knowledge of the facts set forth in this declaration, and if called to testify, could and would competently testify thereto.

2. I have been informed and on that basis believe Defendant and Third-Party Plaintiff NL Industries, Inc. (“NL Industries”) served the County and LACDA with a Summons and Third-Party Complaint on August 31, 2021.

3. The County’s and LACDA’s responsive pleading to the Third-Party Complaint is currently due on September 21, 2021.

4. My law firm was recently retained by the County and LACDA to represent them in this matter, and has only recently received a copy of the Third-Party Complaint. My colleagues and I have been diligently attempting to review the docket of this action, which currently consists of 134 separate entries.

5. Based on an initial review of the court docket associated with this matter, the case involves multiple parties, claims, and counterclaims, with complex legal and factual issues arising from alleged environmental contamination and cost recovery claims under the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”). The original Complaint alleges five claims for relief against ten defendants, and contains 179 paragraphs of allegations. The recently served Third-Party Complaint asserts four claims for relief against more than 30 third-party defendants, and contains 248 paragraphs of allegations.

6. Considering the complex factual and legal issues in this matter, my office, on behalf of the County and LACDA, will need additional time to

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW
2001 N. MAIN STREET, SUITE 300
WALNUT CREEK, CALIFORNIA 94596

1 adequately assess the claims for relief and supporting allegations, and to properly
2 respond to the Third-Party Complaint.

3 7. The County and LACDA have not previously sought an extension of
4 their time to respond to the Third-Party Complaint or any other matter in this
5 action. An extension of time for the County and LACDA to respond to the Third-
6 Party Complaint will not significantly delay the progress of this case or prejudice
7 any party because the scheduling conference and trial have not been set.

8 I declare under penalty of perjury under the laws of the State of California
9 that the foregoing is true and correct. Executed on September 15, 2021 in Los
10 Angeles, California.

11
12 Dated: September 15, 2021

/s/ Wendy Y. Wang

13 _____
14 Wendy Y. Wang

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW
2001 N. MAIN STREET, SUITE 300
WALNUT CREEK, CALIFORNIA 94596