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2005 APR 18 PM 1:26

CLERK OF SUPERIOR COURT  
COUNTY OF STANISLAUS

BY \_\_\_\_\_  
DEPUTY

1 JAMES C BRAZELTON  
2 STANISLAUS COUNTY DISTRICT ATTORNEY  
3 Gloria M. Mas (SBN 132429)  
4 Deputy District Attorney  
5 11<sup>th</sup> and I Streets, Rom 200 2<sup>nd</sup> Floor  
6 Modesto, California 95353  
7 (209) 525-5550

8 Attorneys for the People

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 FOR THE COUNTY OF STANISLAUS

11 THE PEOPLE OF THE STATE OF CALIFORNIA, )

12 Plaintiff, )

13 vs. )

14 DALIP MANN *dba* )

15 TURLOCK BARREL INN (DBA), )

16 Defendants. )  
17 \_\_\_\_\_ )

CASE NO. 370713

STIPULATED JUDGMENT  
FOR INJUNCTION, CIVIL  
PENALTIES, AND  
OTHER RELIEF

18  
19 Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA, having filed their complaint  
20 herein, JAMES C. BRAZELTON, District Attorney of Stanislaus County, by and through GLORIA M.  
21 MAS, Deputy District Attorney of Stanislaus County, and defendant DALIP MANN individually and  
22 TURLOCK BARREL INN (DBA), hereby stipulate and consent to the entry of the Permanent  
23 Injunction and Final Judgment Pursuant to Stipulation. By signing this stipulation, these named  
24 defendants hereby admit the allegations of the complaint. This stipulation is entered into based in part  
25 on representations made and reaffirmed by these named defendants herein, that certain penalty  
26 payments will be made according to the terms of the Stipulated Final Judgment. This Stipulated Final  
27 Judgment shall constitute evidence of admission or concession by these named defendants regarding  
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1 all allegations of law and fact alleged in the complaint on file herein.

2 Upon the consent of the parties hereto, and it appearing to the court that there is good cause for  
3 the entry of this Stipulated Final Judgment,

4 IT IS ORDERED, ADJUDGED AND DECREED as follows:

5 1. This court has jurisdiction of the subject matter of this action and each of the parties  
6 hereto.

7 2. The injunctive provisions of this Final Judgment are applicable to defendants, its  
8 subsidiaries and divisions, and any agent, employee, representative and all persons, partners,  
9 corporations, or other entities acting by, through, under, or on behalf of defendants and all persons in  
10 concert with or participating with said defendants with actual or constructive knowledge of this  
11 injunction, only insofar as they are doing business in the State of California and confined to defendants'  
12 dairy operations in the County of STANISLAUS and throughout the state of California.

13 3. Pursuant to Business and Practice Code §17203, Defendants are hereby permanently  
14 enjoined from:

15 a) Violating any environmental offenses, including but not limited to §25299 of the Health  
16 and Safety Code.

17 4. Defendants shall pay the sum of TWO THOUSAND FIVE HUNDRED DOLLARS  
18 (\$2,500.00) in civil penalties to be paid as follows:

19 a) Defendants shall pay TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00),  
20 as civil penalties, including partial cost recovery, pursuant to Health and Safety Code § 25299.

21 This civil penalty amount shall be made payable to the Stanislaus County Treasurer  
22 Department of Environmental Resources.

23 These penalties shall be **STAYED** for a period of three (3) years, beginning the filing of this  
24 Stipulated Judgment, on the condition that no further violations occur pursuant to this  
25 agreement. It is understood that this stayed \$2,500.00 portion of the civil penalty shall  
26 immediately be due and owed on this case if any future violations occur as described in section  
27 3a. If no violations occur during the three-year period, the stay will become permanent.

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5. In addition, defendants shall pay the sum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) to a Supplemental Environmental Program, and/or Recovery Costs, as follows:

- a) Defendant shall pay the sum of TWO THOUSAND DOLLARS (\$2,000.00), payable to the Secretary of the California Environmental Protection Agency. This money shall be deposited into the Environmental Enforcement and Training Account established by Assembly Bill 2486 (2002, Keeley) under the authority of Penal Code § 14301.
- b) Defendant shall pay the sum of TWO THOUSAND DOLLARS (\$2,000.00), payable to the Stanislaus County Department of Environmental Resources. Such money is to be used for environmental offenses to conduct investigation, prosecution and remediation.
- d) Defendant shall pay the sum of FIVE HUNDRED DOLLARS (\$500.00) payable to the California State Water Resources Control Board.

6. Defendant shall pay the sum of FIVE HUNDRED EIGHTY DOLLARS AND THIRTY CENTS (\$580.30) payable to the Stanislaus County Superior Court for filing fees.

7. Defendants waive all objections to, employees from the CSWRCB and the Department of Environmental Resources, entering upon their business operations in Stanislaus, CA , for the purpose of inspection and enforcement of the terms of this agreement.

8. All checks shall be sent to the Stanislaus County District Attorney's Office, attention: Donna Robinson, Stanislaus County Courthouse, P.O. Box 442, Modesto, CA 95353. All amounts, except the filing fee, are due within sixty (60) of the filing of this Final Judgment. **The filing fee is due with the signed Stipulated Judgment.**

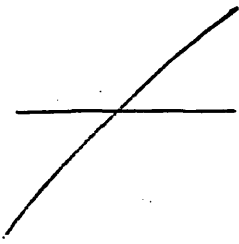
1           9.       This Judgment shall go into effect immediately upon entry hereof. Entry is authorized  
2 immediately upon filing.


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4 Dated: 3/30/05

By:   
TURLOCK BARREL I (DBA)

6 Dated: 3/30/05


By:   
DALIP MANN, individually

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9  
10 Dated: 

By:   
ATTORNEY FOR DEFENDANT

JAMES C. BRAZELTON  
STANISLAUS COUNTY DISTRICT ATTORNEY

15 Dated: 3/30/05

By:   
GLORIA M. MAS  
DEPUTY DISTRICT ATTORNEY

18           IT IS ORDERED, ADJUDGED AND DECREED.

20 Dated: APR 15 2005

ROGER LEACHESNE  
JUDGE OF THE SUPERIOR COURT