

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

5 Attorneys for People

6 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
7 **FOR THE COUNTY OF STANISLAUS**

8  
9 **THE PEOPLE OF THE STATE OF**  
10 **CALIFORNIA**

11 Plaintiff,

12 vs.

13 **AL'S FOOD MART**

14 Defendant.

CASE NO.

372702

STIPULATED JUDGMENT FOR  
INJUNCTION, CIVIL PENALTIES,  
AND OTHER RELIEF

15  
16 Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA, having filed their  
17 complaint herein, JAMES C. BRAZELTON, District Attorney of Stanislaus County, by and  
18 through GLORIA M. MAS, Deputy District Attorney of Stanislaus County, and defendant AL'S  
19 FOOD MART (DBA) hereby stipulate and consent to the entry of the Permanent Injunction and  
20 Final Judgment Pursuant to Stipulation. By signing this stipulation, these named defendants  
21 hereby admit the allegations of the complaint. This stipulation is entered into based in part on  
22 representations made and reaffirmed by these named defendants herein, that certain penalty  
23 payments will be made according to the terms of the Stipulated Final Judgment. This Stipulated  
24 Final Judgment shall constitute evidence of admission or concession by these named defendants  
25 regarding all allegations of law and fact alleged in the complaint on file herein.

26  
27 Upon the consent of the parties hereto, and it appearing to the court that there is good cause  
28 for the entry of this Stipulated Final Judgment,  
People v. Al's Food Mart

STIPULATED JUDGMENT FOR  
INJUNCTION, CIVIL PENALTIES, AND  
OTHER RELIEF

FILED  
2005 JUL -5 AM 8:40  
CLERK OF SUPERIOR COURT  
COUNTY OF STANISLAUS  
BY \_\_\_\_\_

1 IT IS ORDERED, ADJUDGED AND DECREED as follows:

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

4  
5 2. The injunctive provisions of this Final Judgment are applicable to defendants, its  
6 subsidiaries and divisions, and any agent, employee, representative and all persons, partners,  
7 corporations, or other entities acting by, through, under, or on behalf of defendants and all persons  
8 in concert with or participating with said defendants with actual or constructive knowledge of this  
9 injunction, only insofar as they are doing business in the State of California and confined to  
10 defendants' business operations in the County of STANISLAUS and throughout the state of  
11 California.

12  
13 RMB / m/a  
14 Pursuant to Business and Professions Practice Code §17203, Defendants are hereby permanently  
15 enjoined from:

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

19  
20 4. Defendants shall pay the sum of TWO THOUSAND FIVE HUNDRED  
21 DOLLARS (\$2,500.00) in civil penalties to be paid as follows:

22  
23 a) Defendants shall pay TWO THOUSAND FIVE HUNDRED DOLLARS  
24 (\$2,500.00), as civil penalties, including partial cost recovery, pursuant to Health and  
25 Safety Code § 25299. This civil penalty amount shall be made payable to the Stanislaus  
26 County Treasurer Department of Environmental Resources.

27 These penalties shall be **STAYED** for a period of three (3) years, beginning the filing  
28 of this Stipulated Judgment, on the condition that no violations occur pursuant to this  
People v. Al's Food Mart

STIPULATED JUDGMENT FOR  
INJUNCTION, CIVIL PENALTIES, AND  
OTHER RELIEF

1 agreement. It is understood that this stayed \$2,500.00 portion of the civil penalty shall  
2 immediately be due and owed on this case if any future violations occur. If no violations  
3 occur during the three-year period, the stay will become permanent.  
4

5 5. In addition, defendants shall pay the sum of SEVEN THOUSAND FIVE  
6 HUNDRED DOLLARS (\$7,500.00) to a Supplemental Environmental Program, and/or  
7 Recovery Costs, as follows:  
8

9 a) Defendant shall pay the sum of TWO THOUSAND FIVE HUNDRED  
10 DOLLARS (\$2,500.00), payable to the Secretary of the California Environmental  
11 Protection Agency. This money shall be deposited into the Environmental Enforcement  
12 and Training Account established by Assembly Bill 2486 (2002, Keeley) under the  
13 authority of Penal Code § 14301.  
14

15 b) Defendant shall pay the sum of TWO THOUSAND FIVE HUNDRED  
16 DOLLARS (\$2,500.00), payable to the Stanislaus County Department of Environmental  
17 Resources. Such money is to be used for environmental offenses to conduct investigation,  
18 prosecution and remediation.  
19

20 c) Defendant shall pay the sum of TWO THOUSAND FIVE HUNDRED  
21 DOLLARS (\$2,500.00) payable to the California State Water Resources Control Board  
22 State Water and Pollution Cleanup and Abatement Account.  
23

24  
25 6. Defendant shall pay the sum of FIVE HUNDRED EIGHTY DOLLARS AND  
26 THIRTY CENTS (\$580.30) payable to the Stanislaus County Superior Court for filing fees.  
27

28 7. Defendants waive all objections to, employees from the CSWRCB and the  
People v. Al's Food Mart

STIPULATED JUDGMENT FOR  
INJUNCTION, CIVIL PENALTIES, AND  
OTHER RELIEF

1 Department of Environmental Resources, entering upon their business operations in Stanislaus,  
2 CA, for the purpose of inspection and enforcement of the terms of this agreement.

3  
4 8. All checks shall be sent to the Stanislaus County District Attorney's Office,  
5 attention: Donna Robinson, Stanislaus County Courthouse, P.O. Box 442, Modesto, CA 95353.  
6 All amounts, except the filing fee, are due within ninety days (90) of the filing of this Final  
7 Judgment. **The filing fee is due with the signed Stipulated Judgment.**

8  
9 9. This Judgment shall go into effect immediately upon entry hereof. Entry is  
10 authorized immediately upon filing.

11  
12  
13  
14 Dated: 2-13-05

15 By:   
16 On Behalf of AL'S FOOD MART (DBA)  
17 PARVATIS SINGH

18 Dated: \_\_\_\_\_

19 By: \_\_\_\_\_  
20 ATTORNEY FOR DEFENDANT

21 JAMES C. BRAZELTON  
22 STANISLAUS COUNTY DISTRICT ATTORNEY

23  
24 Dated: 4-13-05

25 By:   
26 GLORIA M. MAS  
27 DEPUTY DISTRICT ATTORNEY

28 People v. Al's Food Mart

STIPULATED JUDGMENT FOR  
INJUNCTION, CIVIL PENALTIES, AND  
OTHER RELIEF

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT IS ORDERED, ADJUDGED AND DECREED.

JUN 30 2005

Dated: \_\_\_\_\_

ROSE M. FAUCHESNE  
JUDGE OF THE SUPERIOR COURT

People v. Al's Food Mart

STIPULATED JUDGMENT FOR  
INJUNCTION, CIVIL PENALTIES, AND  
OTHER RELIEF