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F I L E D

Clerk of the Superior Court

OCT 15 2008

By: K SANDOVAL, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

TRANSACTION 21960576

Coordination Proceeding Special Title
(Rule 1550(b));

CASE NO. J.C.C.P. No. 4221-00000

NATURAL GAS CASES I, II, III, and IV,
(Document Relates To Pipeline and Price
Reporting Cases)

Honorable Ronald S. Prager, Department 71

**[JOINTLY PROPOSED] ORDER (1) OF
DISMISSAL AND JUDGMENT NUNC PRO
TUNC, AND (2) REQUIRING RULE OF
COURT 3.545 TRANSMISSION OF THIS
ORDER TO THE CLERKS OF COURTS
WHERE COORDINATED ACTIONS WERE
ORIGINALLY FILED**

THE COURT HEREBY ORDERS AND DECREES AS FOLLOWS:

On the dates listed below, the Court entered dismissal with prejudice and judgment on the following cases against Sempra Energy, Southern California Gas Company, San Diego Gas & Electric Company, and/or Sempra Energy Trading LLC (formerly Sempra Energy Trading Corp.). With respect to each case, except those listed in Part B, this Order of Dismissal and Judgment is an order *nunc pro tunc*. Each of these "original" cases was properly coordinated before this Court into JCCP 4221-00000 by order of the Judicial Council under Rule of Court 3.520 or 3.540, or by this Court as an "add-on" case pursuant to Rule of Court 3.544. Specifically:

A. On November 1, 2005, the Court dismissed, and entered judgment on, the following coordinated cases, with prejudice:

1. *County of Los Angeles v. Southern California Gas Co., et al.*, (originally filed on January 8, 2002 in Los Angeles County Superior Court, Case No. BC265905).

**[JOINTLY PROPOSED] ORDER (1) OF DISMISSAL AND JUDGMENT NUNC PRO TUNC,
AND (2) REQUIRING RULE OF COURT 3.545 TRANSMISSION**

- 1 2. *City of San Bernardino v. Southern California Gas Co., et al.*, (originally filed on December
2 27, 2002 in Los Angeles County Superior Court, Case No. BC287753).
- 3 3. *City of Upland v. Southern California Gas Co., et al.*, (originally filed on December 27, 2002
4 in Los Angeles County Superior Court, Case No. BC287755).
- 5 4. *City of Vernon v. Southern California Gas Co., et al.*, (originally filed on December 27, 2002
6 in Los Angeles County Superior Court, Case No. BC287754).
- 7 5. *Edgington Oil Company v. Southern California Gas Co., et al.*, (originally filed on December
8 27, 2002 in Los Angeles County Superior Court, Case No. BC287756).
- 9 6. *World Oil Corp., Lunday-Thagard Company, and Demenno-Kerdoon v. Southern California
10 Gas Co., et al.*, (originally filed on December 27, 2002 in Los Angeles County Superior
11 Court, Case No. BC287757).
- 12 7. *City of Culver City v. Southern California Gas Co., et al.*, (originally filed on April 11, 2003
13 in Los Angeles County Superior Court, Case No. BC293832).
- 14 8. *City of Burbank, City of Glendale, and Imperial Irrigation District v. Southern California Gas
15 Co., et al.*, originally filed on January 22, 2004 in San Diego County Superior Court, Case
16 No. GIC824558).

17 **B. On July 20, 2006, the Court dismissed, and entered judgment on, the following coordinated**
18 **cases, with prejudice:**

- 19 9. *Continental Forge Co. v. Southern California Gas Co., et al.* (originally filed on September
20 25, 2000 as Los Angeles County Superior Court Case No. BC237336).
- 21 10. *Andrew and Andrea Berg (dba Wave Length Hair Productions) and Gerald J. Marcil v.*
22 *Southern California Gas Co., et al.* (originally filed on December 18, 2000 as Los Angeles
23 County Superior Court Case No. BC241951).
- 24 11. *City of Long Beach, United Church Retirement Homes, Long Beach Brethren Manor and*
25 *Robert Lamond v. Southern California Gas Co., et al.* (originally filed on March 20, 2001 as
26 Los Angeles County Superior Court Case No. BC247114).
- 27 12. *Douglas and Valerie Welch, Frank and Kathleen Stella and John Clement Molony v. El Paso*
28 *Merchant Energy L.P., et al.* (originally filed on December 13, 2000 as John Phillip v. El Paso
Merchant Energy L.P., et al. in San Diego County Superior Court Case No. GIC759425).
13. *Phillip v. El Paso Merchant Energy LP, et al.* (originally filed on December 13, 2000 as San
Diego Superior Court Case No. GIC759426).
14. *THUMS Long Beach Company v. Southern California Gas Co., et al.*, (originally filed on
October 5, 2004 as San Diego Superior Court Case No. GIC836713).
15. *Laurence Uyeda and H&M Roses Inc. v. Centerpoint Energy, Inc., et al.* (originally filed on
May 9, 2003 as San Diego Superior Court Case No. GIC810580).

1 16. *Mark & Susan Benschmidt, et al. v. AEP Energy Services, Inc., et al.*, (originally filed on
2 February 2, 2004 as San Diego Superior Court Case No. GIC825011).

3 17. *Dan Older, et al. v. Sempra Energy, et al.*, (originally filed on September 8, 2004 as San
4 Diego Superior Court Case No. GIC835457).

5 C. On May 7, 2007, the Court dismissed, and entered judgment on, the following coordinated case,
6 with prejudice:

7 18. *City of Los Angeles v. Southern California Gas Co., et al.* (originally filed on March 20, 2001
8 as Los Angeles County Superior Court Case No. BC247125).¹

9 D. On January 14, 2008, the Court dismissed, and entered judgment on, the following coordinated
10 cases, with prejudice:

11 19. *County of Santa Clara v. Southern California Gas Co., et al.*, (originally filed on July 8, 2004
12 in San Diego County Superior Court, Case No. GIC832538).

13 20. *Sacramento Municipal Utility District ("SMUD") v. Southern California Gas Co., et al.*,
14 (originally filed on November 19, 2004 in Sacramento County Superior Court, Case No.
15 04AS04689).

16 21. *County of San Mateo v. Southern California Gas Co., et al.*, (originally filed on December 23,
17 2004 in San Mateo County Superior Court, Case No. CIV 443882).

18 22. *The Board of Trustees of the California State University v. Southern California Gas Co., et
19 al.*, (originally filed on October 31, 2005 in San Diego County Superior Court, Case No.
20 GIC856188).

21 E. On January 22, 2008, the Court dismissed, and entered judgment on, the following coordinated
22 cases, with prejudice:

23 23. *Regents of the University of California v. Southern California Gas Co., et al.*, (originally filed
24 on November 1, 2004 in Alameda County Superior Court, Case No. RG04183086).

25 24. *ABAG Publicly Owned Energy Resources v. Southern California Gas Co., et al.*, (originally
26 filed on November 19, 2004 in Alameda County Superior Court, Case No. RG04186098).

27 F. On January 30, 2008, the Court dismissed, and entered judgment on, the following coordinated
28 case, with prejudice:

29 25. *Nurserymen's Exchange v. Southern California Gas Co., et al.*, (originally filed on October
30 21, 2004 in San Mateo County Superior Court, Case No. CIV442605).

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¹ Although referenced in the January 4, 2006 court-approved settlement agreement, the City of Los Angeles settled its claims in a separate agreement dated March 26, 2007, and its claims were dismissed by this Court on May 7, 2007.

1 G. On February 4, 2008, the Court dismissed, and entered judgment on, the following coordinated
 2 cases, with prejudice:

3 26. *County of San Diego v. Southern California Gas Co., et al.*, (originally filed on July 28, 2004
 4 in San Diego County Superior Court, Case No. GIC833371).

5 27. *School Project for Utility Rate Reduction ("SPURR") v. Southern California Gas Co., et al.*,
 6 (originally filed on October 19, 2004 in Alameda County Superior Court, Case No.
 7 RG04180958).

8 H. On February 8, 2008, the Court dismissed, and entered judgment on, the following coordinated
 9 cases, with prejudice:

10 28. *County of Alameda v. Southern California Gas Co., et al.*, (originally filed on October 29,
 11 2004 in Alameda County Superior Court, Case No. RG04182878).

12 29. *City of San Diego v. Southern California Gas Co., et al.*, (originally filed on December 2,
 13 2004 in San Diego County Superior Court, Case No. GIC 839407).

14 30. *Owens-Brockway Glass Container Inc. v. Southern California Gas Co., et al.*, (originally filed
 15 on December 30, 2004 in Alameda County Superior Court, Case No. RG04192046).

16 I. On March 10, 2008, the Court dismissed, and entered judgment on, the following coordinated
 17 case, with prejudice:

18 31. *City of San Francisco, County of San Francisco v. Southern California Gas Co., et al.*,
 19 (originally filed on July 8, 2004 in San Diego County Superior Court, Case No. GIC832539)

20 Rule of Court 3.545(b)(1) requires that "[a] certified copy of the order dismissing or
 21 terminating the action and of any judgment must be transmitted to: (1) The clerk of the court in which
 22 the action was pending when coordination was ordered" That clerk then "shall promptly enter
 23 any judgment and serve notice of entry of the judgment on all parties to the action and on the Chair of
 24 the Judicial Council." *Id.* In order to effectuate the requirements of Rule 3.545(b)(1), this Court
 25 hereby orders counsel for Sempra Energy, Southern California Gas Company, and San Diego Gas &
 26 Electric Company to transmit for filing one certified copy of this ORDER (1) OF DISMISSAL AND
 27 JUDGMENT *NUNC PRO TUNC*, AND (2) REQUIRING RULE OF COURT 3.545
 28 TRANSMISSION OF THIS ORDER TO THE CLERKS OF COURTS WHERE COORDINATED
 ACTIONS WERE ORIGINALLY FILED to each clerk of the court for each original case listed
 above. Each said clerk will then be able to comply with Rule 3.545(b)(1) and "promptly enter [the]

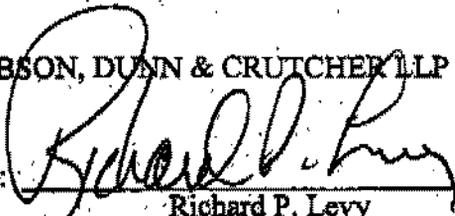
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judgment and serve notice of entry of the judgment on all parties to the action and on the Chair of the Judicial Council." *Id.*

DATED: October 13 ~~September~~ __, 2008

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By: 
Richard P. Levy
Attorneys for Sempra Energy, Southern California Gas Company, San Diego Gas & Electric Company,

DATED: September __, 2008

STROOCK & STROOCK & LAVIN LLP

By: _____
Alan Z. Yudkowsky
Attorneys for Sempra Energy Trading LLC
(formerly Sempra Energy Trading Corp.)

DATED: September __, 2008

ENGSTROM, LIPSCOMB & LACK

By: _____
Walter J. Lack
Designated Representative for Settlement Class
and Attorneys for the City of Los Angeles

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judgment and serve notice of entry of the judgment on all parties to the action and on the Chair of the
Judicial Council." *Id.*

Respectfully submitted,

DATED: September __, 2008

GIBSON, DUNN & CRUTCHER LLP

By: _____
Richard P. Levy
Attorneys for Sempra Energy, Southern
California Gas Company, San Diego Gas &
Electric Company,

DATED: September 17 2008

STROOCK & STROOCK & LAVIN LLP

By: Alan Z. Yudkowsky
Alan Z. Yudkowsky
Attorneys for Sempra Energy Trading LLC
(formerly Sempra Energy Trading Corp.)

DATED: September __, 2008

ENGSTROM, LIPSCOMB & LACK

By: _____
Walter J. Lack
Designated Representative for Settlement Class
and Attorneys for the City of Los Angeles

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judgment and serve notice of entry of the judgment on all parties to the action and on the Chair of the Judicial Council." *Id.*

Respectfully submitted,

DATED: September __, 2008

GIBSON, DUNN & CRUTCHER LLP

By: Richard P. Levy
Attorneys for Sempra Energy, Southern California Gas Company, San Diego Gas & Electric Company.

DATED: September __, 2008

STROOCK & STROOCK & LAVIN LLP

By: Alan Z. Yudkowsky
Attorneys for Sempra Energy Trading LLC (formerly Sempra Energy Trading Corp.)

DATED: September 18, 2008

ENGSTROM, LIPSCOMB & LACK

By: Walter J. Lack
Walter J. Lack
Designated Representative for Settlement Class and Attorneys for the City of Los Angeles

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[JOINTLY PROPOSED] ORDER (1) OF DISMISSAL AND JUDGMENT *NEQZ PRO TUNC*, AND (2) REQUIRING RULE OF COURT 3.545 TRANSMISSION

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DATED: September 11, 2008

BAKER, BURTON & LUNDY, P.C.

By: 
Brad Naley Baker
Designated Representative for Settlement Class

DATED: September __, 2008

THE LAW OFFICE OF BRIAN MCMAHON

By: _____
Brian McMahon
Attorney for the City of Long Beach

DATED: September __, 2008

QUINN, EMANUEL, URQUHART, OLIVER
& HEDGES

By: _____
Christopher Trayback
Attorneys for THUMS Long Beach

DATED: September __, 2008

BLECHER & COLLINS P.C.

By: _____
Maxwell M. Blecher
Attorneys for County of Los Angeles, County of
San Bernardino, City of Upland, City of Vernon,
Edgington Oil Co., Lundray-Thagard Company,
Demetrio-Kendron, World Oil Co., City of
Culver City, City of Burbank, City of Glendale,
and Imperial Irrigation District

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JOINTLY PROPOSED ORDER (1) OF DISMISSAL AND JUDGMENT NUNC PRO TUNC,
AND (2) REQUIRING RULE OF COURT 3.543 TRANSMISSION

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DATED: September __, 2008

BAKER, BURTON & LUNDY, P.C.

By: _____
Brad Naley Baker
Designated Representative for Settlement Class

DATED: September 30, 2008

THE LAW OFFICE OF BRIAN MCMAHON

By: Brian McMahon
Brian McMahon
Attorney for the City of Long Beach

DATED: September __, 2008

QUINN, EMANUEL, URQUHART, OLIVER
& HEDGES

By: _____
Christopher Tayback
Attorneys for THUMS Long Beach

DATED: September __, 2008

BLECHER & COLLINS P.C.

By: _____
Maxwell M. Blecher
Attorneys for County of Los Angeles, County of
San Bernardino, City of Upland, City of Vernon,
Edgington Oil Co., Lunday-Thagard Company,
Demmenno-Kerdoon, World Oil Co., City of
Culver City, City of Burbank, City of Glendale,
and Imperial Irrigation District

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DATED: September __, 2008

BAKER, BURTON & LUNDY, P.C.

By: _____
Brad Naley Baker
Designated Representative for Settlement Class

DATED: September __, 2008

THE LAW OFFICE OF BRIAN MCMAHON

By: _____
Brian McMahon
Attorney for the City of Long Beach

DATED: September 11, 2008

QUINN, EMANUEL, URQUHART, OLIVER & HEDGES

By: _____

Christopher Tayback
Attorneys for THUMS Long Beach

DATED: September __, 2008

BLECHER & COLLINS P.C.

By: _____
Maxwell M. Blecher
Attorneys for County of Los Angeles, County of San Bernardino, City of Upland, City of Vernon, Edgington Oil Co., Lunday-Thagard Company, Demenno-Kerdoon, World Oil Co., City of Culver City, City of Burbank, City of Glendale, and Imperial Irrigation District

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DATED: September __, 2008

BAKER, BURTON & LUNDY, P.C.

By: _____
Brad Naley Baker
Designated Representative for Settlement Class

DATED: September __, 2008

THE LAW OFFICE OF BRIAN MCMAHON

By: _____
Brian McMahon
Attorney for the City of Long Beach

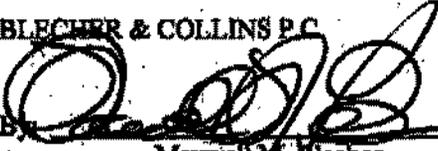
DATED: September __, 2008

QUINN, EMANUEL, URQUHART, OLIVER
& HEDGES

By: _____
Christopher Tayback
Attorneys for THUMS Long Beach

DATED: September 9, 2008

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DATED: October, 2008

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School Project for Utility Rate Reduction, County
of Alameda, City of San Diego, Owens-Brockway
Glass Container, Inc., City of San Francisco and
County of San Francisco

IT IS SO ORDERED:

DATED: OCT 15 2008

Ronald S. Prager

THE HONORABLE RONALD S. PRAGER

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