

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Exide Technologies, Inc.
1300 Deerfield Parkway, Suite 200
Milton, Georgia 30004

In the Matter of:

Exide Technologies, Inc.
2700 South Indiana Avenue
Vernon, California 90058

ID No. CAD097854541

Respondent.

HWCA: P3-12/13-010

(1) STIPULATION TO CONTINUE
DATE OF ADMINISTRATIVE
HEARING ;

(2) (PROPOSED) ORDER

Whereas, Petitioner the Department of Toxic Substances Control ("Department" or "DTSC") and Respondent Exide Technologies, Inc. ("Exide") are engaged in an Administrative Hearing before Administrative Law Judge Julie Cabos-Owen; and

Whereas, the first portion of the Administrative Hearing was tried before Judge Cabos-Owen on June 3-5, 2013; and

Whereas, the second stage of the Administrative Hearing is set to begin on September 3, 2013 and conclude on September 5, 2013; and

Whereas, the parties have been engaged in extensive discussions regarding the outstanding Suspension Order that have progressed over the past few weeks to the point where the parties are exchanging drafts of a Stipulation and Order ("Order"); and

Whereas, the parties at this time wish to focus their attention and effort upon concluding the Order, rather than completing the trial of this matter; and

Whereas, any Order would need to be approved by the United States Bankruptcy Court for the District of Delaware, where Exide's Chapter 11 bankruptcy proceeding is being heard; and

Whereas, the earliest the parties could obtain Bankruptcy Court approval, assuming that the parties reach a conclusion of the Order, would be in late October, 2013; and

Whereas, the parties wish to continue the Administrative Hearing to a date after October, 2013.

It is hereby stipulated by and between the parties, as follows:

1. The hearing date for the Administrative Hearing shall be continued from September 3-5, 2013 to a date chosen by the parties jointly in consultation with the Presiding Judge of the Office of Administrative Hearing; and
2. The parties and the presiding Judge of the Office of Administrative Hearing shall hold a telephone conference call at the convenience of the parties and the Presiding Judge to schedule the continued hearing date, if it is required.

Dated: August 29, 2013

SHEPPARD, MULLIN, RICHTER & HAMPTON, LLP



Attorneys for Respondent
EXIDE TECHNOLOGIES, INC.

Dated: August 29, 2013



NANCY JANE BOTHWELL
Attorneys for Petitioner
Department of Toxic Substances Control

IT IS SO ORDERED:

Dated: August ____, 2013
