

SEP 8 - 2014

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S218176

**IN THE
SUPREME COURT OF CALIFORNIA**

FLAVIO RAMOS et al.,
Plaintiffs and Appellants,

v.

BRENNTAG SPECIALTIES, INC. et al.,
Defendants and Respondents.

AFTER A DECISION BY THE COURT OF APPEAL,
SECOND APPELLATE DISTRICT, DIVISION FOUR, CASE NO. B248038

**DEFENDANT AND RESPONDENT SCHORR METALS,
INC.'S JOINDER IN THE OPENING BRIEF ON THE
MERITS OF DEFENDANT AND RESPONDENT ALCOA,
INC.**
5th

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SCHORR METALS, INC.

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**DEFENDANT AND RESPONDENT SCHORR
METALS, INC.'S JOINDER IN THE OPENING
BRIEF ON THE MERITS OF DEFENDANT AND
RESPONDENT ALCOA, INC.**

Defendant and respondent Schorr Metals Inc. hereby joins in the Opening Brief on the Merits filed by defendant and respondent Alcoa, Inc. This joinder is filed pursuant to California Rules of Court, rule 8.200(a)(5), to avoid duplication and needless waste of paper, and yet to protect the interests of defendant and respondent Schorr Metals Inc.

By this joinder, respondent Schorr Metals Inc. hereby joins in and incorporates by reference the entire Opening Brief on the Merits.

Schorr Metals Inc. is similarly situated to Alcoa, Inc. in that plaintiffs make identical allegations as to each defendant, and Schorr Metals Inc., like Alcoa, supplied raw materials for a

manufacturing process undertaken by plaintiff's employer, who exercised total control over the process that allegedly gave rise to plaintiff's claimed injuries. The grounds set forth in the Opening Brief on the Merits are equally available to Schorr Metals Inc.

The ruling by Division Four of the Second Appellate District improperly expands the duties of raw material suppliers based on mistakes of law and fact, and should be reversed.

September 4, 2014

Gordon & Rees LLP
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By: Matthew P. Nugent
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Attorneys for Defendant and Respondent
SCHORR METALS, INC.

PROOF OF SERVICE

I, the undersigned, say: I am over 18 years of age, employed in the County of San Diego, California, in which the within-mentioned service occurred; and that I am not a party to the subject cause. My business address is Gordon & Rees LLP, 101 West Broadway, Ste. 2000, San Diego, CA 92101. On September 5, 2014, I served true and correct copy of the following document(s):

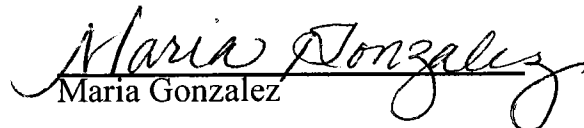
**DEFENDANT AND RESPONDENT SCHORR METALS, INC.'S
JOINDER IN THE OPENING BRIEF ON THE MERITS OF
DEFENDANT AND RESPONDENT ALCOA, INC.**

- (X) **BY FIRST CLASS MAIL** (C.C.P. §1013a, et seq.): I caused said document(s) to be deposited in the United States mail in a sealed envelope with postage fully prepaid at San Francisco, California, following the ordinary practice at my place of business of collection and processing of mail with the U.S. Postal Service on the same day as shown on this declaration (**SEE SERVICE LIST**):
- (X) **BY FEDERAL EXPRESS SERVICE CARRIER** (C.C.P. §1013(c), et seq.; and CRC 8.25(b)(3)(A)): I caused said document(s) to be deposited with an express service carrier in a sealed envelope designed by the carrier, with fees and postage prepaid at San Diego, California, on the same day as shown on this declaration (**TO THE SUPREME COURT ONLY**)
- () **BY PERSONAL SERVICE**. I caused said document(s) to be hand-delivered to the addressee pursuant to Code of Civil Procedure §1011. (**TO THE SUPREME COURT ONLY**)

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 5, 2014, at San Diego, California.


Maria Gonzalez

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Ramos, Flavio, et al. v. Brenntag Specialties, Inc., et al.

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