

S218176

IN THE
SUPREME COURT OF CALIFORNIA

FLAVIO RAMOS et al.,
Plaintiffs and Appellants,

SUPREME COURT
FILED

v.

FEB 17 2015

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

Frank A. McGuire Clerk
Deputy

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

10th
DEFENDANT AND RESPONDENT BRENNTAG
SPECIALTIES, INC.'S JOINDER IN THE REPLY BRIEF ON
THE MERITS OF DEFENDANT AND RESPONDENT
ALCOA INC.

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**IN THE
SUPREME COURT OF CALIFORNIA**

FLAVIO RAMOS et al.,
Plaintiffs and Appellants,

v.

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

**DEFENDANT AND RESPONDENT BRENNTAG
SPECIALTIES, INC.'S JOINDER IN THE REPLY
BRIEF ON THE MERITS OF DEFENDANT AND
RESPONDENT ALCOA, INC.**

Defendant and respondent BRENNTAG SPECIALTIES, INC. ("Brenntag") hereby joins in the Reply 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 Brenntag.

By this joinder, respondent Brenntag hereby joins in and incorporates by reference the entire Reply Brief on the Merits.

Brenntag is similarly situated to Alcoa Inc. in that plaintiffs make identical allegations as to each defendant, and Brenntag, 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 Reply Brief on the Merits are equally available to Brenntag.

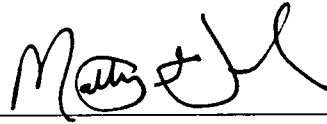
The ruling by Division Four of the Second Appellate District improperly expands the duties of raw material suppliers based on mistakes of law and fact, and should be reversed.

DATED: February 13, 2015

Respectfully submitted,

SEDGWICK LLP

By: _____



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Attorneys for Defendant and

Respondent

BRENNTAG SPECIALTIES, INC.

1 **PROOF OF SERVICE**

2 I am a resident of the State of California, over the age of eighteen years, and not a party to
3 the within action. My business address is Sedgwick LLP, 801 South Figueroa Street, 19th Floor,
4 Los Angeles, California 90017-5556. On February 13, 2015, I served the within document(s):

5 **DEFENDANT AND RESPONDENT BRENNTAG SPECIALTIES, INC.'S
6 JOINDER IN THE REPLY BRIEF ON THE MERITS OF DEFENDANT
7 AND REPSONSDENT ALCOA INC.**

- 8 FACSIMILE - by transmitting via facsimile the document(s) listed above to the
9 fax number(s) set forth on the attached Telecommunications Cover Page(s) on this
10 date before 5:00 p.m.
- 11 MAIL - by placing the document(s) listed above in a sealed envelope with postage
12 thereon fully prepaid, in the United States mail at Los Angeles, California
13 addressed as set forth below.
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15 the person(s) at the address(es) set forth below.
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17 envelope with shipping prepaid, and depositing in a collection box for next day
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21 LexisNexis File & Serve, an electronic service provider at
22 www.fileandserve.lexisnexis.com, from the email address
23 kim.wlodarczak@sedgwicklaw.com. To my knowledge, the transmission was
24 reported as complete and without error. See Cal. R. Ct. R. 2.253, 2.255, 2.260.

25 I am readily familiar with the firm's practice of collection and processing correspondence
26 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
27 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
28 motion of the party served, service is presumed invalid if postal cancellation date or postage
meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above
is true and correct. Executed on February 13, 2015, at Los Angeles, California.

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Kim Wlodarczak

SERVICE LIST

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

Case No. BC 449958

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