

SUPREME COURT
FILED

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S S218176

IN THE
SUPREME COURT OF CALIFORNIA

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FLAVIO RAMOS, et al.,
Plaintiffs and Appellants

v.

BRENNTAG SPECIALTIES, et al.,
Defendants and Respondents

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

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**DEFENDANT AND RESPONDENT SOUTHWIRE COMPANY'S
JOINDER IN THE PETITION FOR REVIEW FILED BY
DEFENDANT AND RESPONDENT ALCOA, INC.**

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ATTORNEYS FOR DEFENDANT AND RESPONDENT
SOUTHWIRE COMPANY

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DEFENDANT AND RESPONDENT ALCOA, INC.**

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TO: The Supreme Court of California:

Defendant and Respondent SOUTHWIRE COMPANY hereby joins in the
Petition for Review filed by Defendant and Respondent ALCOA, INC. and
requests the Court to grant its Petition for Review. This joinder is filed pursuant to
California Rules of Court 8.268, and in the spirit of rule 8.200 (a)(5), to avoid

duplication and needless waste of paper, and yet to protect the interests of Respondent and Defendant SOUTHWIRE COMPANY.

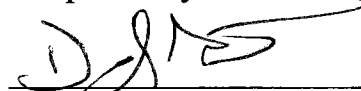
By this joinder, Respondent SOUTHWIRE COMPANY hereby joins in and incorporates by reference the entire Petition for Review.

SOUTHWIRE COMPANY is similarly situated to ALCOA, INC. in that the operative complaint makes identical allegations as to each of them. {9AA 2275:1 through 2276:19 and 2281:4 through 2291:21} The grounds set forth in the Petition for Review are equally available to SOUTHWIRE COMPANY.

This 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 is in direct conflict within the appellate courts. Defendant and Respondent SOUTHWIRE COMPANY respectfully requests that this Court grant this Petition for Review to address the direct and irreconcilable conflict between published decisions of the Second District Court of Appeal, or in the alternative, the Court should grant review pending the outcome of its decision in *Webb v. Special Electric Company, Inc.*.

Dated: April 29, 2014

Respectfully submitted,



BATES WINTER & MISTRETTE LLP
David L. Winter
Attorneys for Defendant and Respondent
SOUTHWIRE COMPANY

PROOF OF SERVICE BY MAIL

Re: *Ramos v. Brenntag Specialties, et al.*
Court of Appeal 2nd Appellate District Case No. B248038
Los Angeles County Superior Court, Case No. BC449958

STATE OF CALIFORNIA)
) ss.
COUNTY OF PLACER)

I am employed in the County of Placer, State of California. I am over the age of 18 years and not a party to the within above-entitled action; my business address is 925 Highland Pointe Drive, Suite 380, Roseville, CA 95678.

On April 29, 2014, I served the foregoing document: **RESPONDENT SOUTHWIRE COMPANY’S JOINDER IN THE PETITION FOR REHEARING FILED BY RESPONDENTS ALCOA, INC. AND SCHORR METALS, INC.,** addressed as follows:

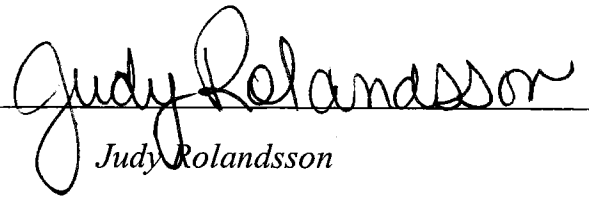
SEE ATTACHED SERVICE LIST

The document was served by the following means:

XX (BY MAIL) I caused copies of such document, enclosed in a sealed envelopes to be deposited in the mail at Roseville, California, with postage thereon fully prepaid to the persons and addresses indicated on the attached list. I am “readily familiar” with this firm’s practice of processing correspondence for mailing. Under that practice it is deposited with the U.S. postal service on the same day with postage fully prepaid at Roseville, California, in the ordinary course of business. I am aware that on motion of any party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing set forth in this affidavit.

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

Executed on April 29, 2014, 2014, at Roseville, California.



Judy Rolandsson

Re: *Ramos v. Brenntag Specialties, et al.*
 Court of Appeal Case No. B248038
 Superior Court Case No. BC449958

SERVICE LIST

<p>Court of Appeal Attention: Clerk, Civil Filing 300 South Spring Street, 2nd Fl., North Tower Los Angeles, CA 90013</p>	
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