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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

WHITTAKER CORPORATION,

Plaintiff,

v.

UNITED STATES OF AMERICA

Defendant.

Case No. CV-13-01741-FMO (JCx)

**SETTLEMENT ORDER AND
FINAL JUDGMENT**

Upon consideration of the Joint Motion To Enter proposed Consent Decree, the Memorandum in Support and other pleadings submitted, as well as the terms of the proposed Consent Decree between Plaintiff Whittaker Corporation (“Whittaker”) and Defendant United States of America (“United States”) (together, “the Parties”), the Court hereby finds that the Parties’ proposed Consent Decree is fair and reasonable, both procedurally and substantively, consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”) and other applicable law, in good faith, and in the public interest. Accordingly, the foregoing Consent Decree is hereby APPROVED.

The Court concludes, as specified in Paragraph 4 of the Consent Decree, that the Parties’ settlement adequately and fairly reflects both Whittaker’s and the United States’ alleged CERCLA liability and respective equitable shares for response costs

1 related to the Bermite Site. As per Paragraph 7 of the Consent Decree, the United
2 States entitled to contribution protection pursuant to section 113(f) of CERCLA, 42
3 U.S.C. § 9613(f), the Uniform Comparative Fault Act, and any other applicable
4 provision of federal or state law, whether by statute or common law, extinguishing the
5 United States' liability as set forth in the Consent Decree.

6 Upon entry of the Consent Decree, all of Whittaker's claims against the United
7 States, and all of the United States' counterclaims against Whittaker in the above-
8 referenced action, whether alleged in the complaints or otherwise, shall be dismissed
9 with prejudice, as provided in the Consent Decree.

10 There being no just reason for delay, this Court directs entry of final judgment
11 in accordance with the terms of the Consent Decree and this Order. The Parties shall
12 each bear their own costs, expenses, and attorneys' fees.

13 SIGNED, SO ORDERED, and ENTERED this 15th day of October, 2018.

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16 /s/

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18 Fernando M. Olguin
19 United States District Judge
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