

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

CALIFORNIA DEPARTMENT OF  
TOXIC SUBSTANCES CONTROL,

Plaintiff,

vs.

TRI-AIR, INC., et al.,

Defendants.

CASE NO. CV F 02-6137 LJO SMS

**ORDER TO ENTER CONSENT  
DECREE**  
(Doc. 99.)

Plaintiff California Department of Toxic Substances Control (“DTSC”) and defending parties Tri-Air, Inc., Charles Robinson, Robert Nash and Jerry McDonald (collectively “settling parties”) have entered into a Settlement Agreement and Consent Decree, which was filed with this Court on February 17, 2012. No timely opposition papers have been filed to oppose this Court’s approval of the Consent Decree. On the basis of good cause, this Court APPROVES the Settlement Agreement and Consent Decree and VACATES the March 20, 2012 hearing on DTSC’s motion to approve the Settlement Agreement and Consent Decree. *See* Local Rule 230(c).

The Settlement Agreement and Consent Decree constitutes this Court’s final judgment as to and among the settling parties pursuant to F.R.Civ.P. 54 and 58. As such, this Court DIRECTS the clerk to close this action.

IT IS SO ORDERED.

**Dated: March 9, 2012**

**/s/ Lawrence J. O'Neill**

UNITED STATES DISTRICT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28