

FILED

DEC -7 2009

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____
DEPUTY CLERK

RECEIVED

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
OCT 15 2009

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

Case No. CIV. S-01-1520 MCE GGH

**ORDER DIRECTING THE
DEPOSIT OF SETTLEMENT MONIES WITH
THE CLERK OF THE COURT AND
DIRECTING THE CLERK TO DEPOSIT ALL
SETTLEMENT MONIES WITH THE COURT
REGISTRY INVESTMENT ACCOUNT**

UNITED STATES OF AMERICA,

Plaintiff,

v.

COUNTY OF EL DORADO, and CITY
OF SOUTH LAKE TAHOE,
CALIFORNIA, et al,

Defendants.

AND ALL RELATED ACTIONS.

///

///

USA v. El Dorado County, et al

Doc. 361

1
2 Pursuant to Rule 67 of the Federal Rules of Civil Procedure, 28 U.S.C. ¶ 2041, and United
3 States District Court for the Eastern District of California Local Rule 67-150(b), and in
4 accordance with the terms of Consent Decree in the above-captioned matter between El Dorado
5 County, the United States of America, the City of South Lake Tahoe, South Tahoe Refuse, and
6 "Settling Third Party Defendants" as that term is used in the Consent Decree, and in accordance
7 with the terms of the Consent Decree in the above-captioned matter, it is hereby ORDERED that:

8 1. The Settling Third Party Defendants, within twenty (20) business days of the Effective
9 Date of the Consent Decree, as defined therein, shall pay to the Clerk of the Court all sums as
10 specified in Paragraph 5 of the Consent Decree;

11 2. The Settling Third Party Defendants shall make the payments specified in Paragraph 5
12 of the Consent Decree by checks made payable to the "Clerk, United States District Court" in
13 accordance with the procedures specified in Paragraph 5 of the Consent Decree;

14 3. The Clerk of the Court, consistent with Paragraph 6 of the Consent Decree, shall
15 deposit the payments specified in Paragraph 5 of the Consent Decree with the Registry of the
16 Court in the interest bearing account and administered through the United States District Court
17 for the Eastern District of California. The account shall be entitled United States. v. County of El
18 Dorado, et al, Registry Account No. 1" ("U.S. v. El Dorado County Registry Account No. 1");

19 4. The U.S. v El Dorado County Registry Account No.1 shall be established with the
20 Registry of the Court specifically for, and only for, settlement monies specified in Paragraph 5 of
21 the Consent Decree;

22 5. All settlement monies in the U.S. v. El Dorado County Registry Account No.1 shall be
23 invested in Money Market accounts and/or certificates of deposit and/or United States Treasury
24 Bills with maturity dates not to exceed 91 days. All income earned as interest on investment of
25 settlement monies shall be credited to the U.S. v. El Dorado County Registry Account No.1; and
26 settlement monies in the U.S. v El Dorado County Account No.1 shall be distributed pursuant to
27 Paragraph 6 of the Consent Decree;

28 6. Monthly reports showing settlement monies received, disbursements made, income

1
2 earned, maturity dates of securities held, and principal balance of the U.S. v. El Dorado County
3 Registry Account No.1 shall be prepared and distributed by the Clerk of the United States District
4 Court for the Eastern District of California to counsel for the United States of America and the
5 County of El Dorado, California;

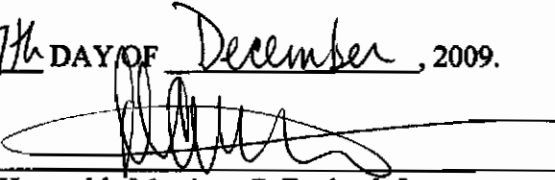
6 7. Settlement monies in the U.S. v. El Dorado County Registry Account No.1, not
7 otherwise distributed pursuant to Paragraph 6 above, shall remain on deposit with the Registry of
8 the Court until final order of distribution by the Court, at which time all of the funds or a portion
9 of the funds, together with any interest earned thereon, shall be retrieved by the Clerk of the Court
10 and disbursed pursuant to such final order of distribution;

11 8. Because the United States is a party to the action underlying the registry investment
12 and pursuant to the amendment to the Fee Schedules for United States Courts published at 54
13 Fed. Reg. 20407 (May 11, 1989), the Clerk of the Court shall not deduct a miscellaneous
14 schedule fee for the handling of U.S. v. El Dorado County Registry Account No.1; and

15 9. A certified copy of this order and a copy of the Consent Decree referenced above shall
16 be served upon the Clerk of the Court for the Eastern District of California.

17
18 APPROVED AS TO FORM Victoria C. Minor, Clerk, Clerk, U.S. District Court

19
20 SO ORDERED THIS 7th DAY OF December, 2009.

21
22 
23 Honorable Morrison C. England, Jr.
24 United States District Judge, Eastern District of California
25
26
27
28