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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	UNITED STATES OF AMERICA,	No. 2:01-01520-MCE-DAD
12	Plaintiff,	
13	٧.	ORDER
14	EL DORADO COUNTY, CALIFORNIA; and CITY OF SOUTH LAKE TAHOE,	
15	CALIFORNIA,	
16	Defendants.	
17	AND RELATED ACTIONS.	
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19	Through the present action, the government seeks to recover response costs to	
20	remediate pollution discovered at the site of a former landfill dump located on National	
21	Forest Service lands near Meyers, California. In August of 2010, the government and	
22	Defendant El Dorado County, entered into a Partial Consent Decree designed to	
23	consolidate buried waste mass at the landfill. On April 27, 2011, however, the County	
24	moved to modify that Decree on grounds that the design drawing and specifications	
25	created by the United States Forest Service deviated significantly from actual conditions	
26	at the site. The County's Motion was granted by Memorandum and Order filed July 8,	
27	2011, and this Court ordered that a separate evidentiary hearing be held to determine	
28	the government's liability for any additional costs paid by the County, but not reflected by	
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1	the original specifications, to effectuate the remediation design. The government's	
2	appeal of that Order was dismissed on January 11, 2013, and the County now	
3	represents that it remedial construction is now substantially complete. While the parties	
4	represent that they have been engaged in private mediation to settle their	
5	reimbursement issues in an attempt to avoid having to proceed with a formal evidentiary	
6	hearing, their Joint Status report filed December 20, 2013 indicates they have not yet	
7	been successful in settling the matter. The parties accordingly request a referral to the	
8	assigned Magistrate Judge for the evidentiary hearing, and ask that the Magistrate	
9	Judge submit his recommendations to the undersigned for final order. By subsequent	
10	correspondence to the Court the parties have reaffirmed their consent to assigning the	
11	evidentiary hearing to the Magistrate Judge for his findings and recommendations.	
12	In accordance with the parties' agreement, in accordance with Local Rule 301,	
13	and good cause appearing, the assigned Magistrate Judge is hereby specially	
14	designated and authorized to do the following:	
15	 Schedule a status/case management conference for purposes of setting a hearing date and briefing schedule 	
16	for an evidentiary hearing in this matter;	
17 18	 Determine what, if any, discovery is needed prior to that hearing and develop a schedule and plan for completing any such discovery; 	
19	3. Conduct the evidentiary hearing described above and	
20	make recommendations to the undersigned for apportionment of additional necessary response costs	
21	incurred or to be incurred at the landfil site as between Plaintiff United States and Defendant County of El	
22	Dorado.	
23	IT IS SO ORDERED.	
24	Dated: April 2, 2014	
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27	MORRISON C. ENGLAND, JR, CHIEF JUDGE UNITED STATES DISTRICT COURT	
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