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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**UNITED STATES OF AMERICA, and
CALIFORNIA DEPARTMENT OF TOXIC
SUBSTANCES CONTROL,**

Plaintiffs,

v.

**STERLING CENTRECORP INC.,
STEPHEN P. ELDER and ELDER
DEVELOPMENT, INC.,**

Defendants.

No. 2:08-cv-02556-MCE-CKD

FINAL JUDGMENT

Having held Defendants Sterling Centrecorp, Inc., Stephen P. Elder, and Elder Development, Inc. (“Defendants”) liable for the response costs of the United States of America and the California Department of Toxic Substances Control (“DTSC”) associated with the Lava Cap Gold Mine Superfund Site in Nevada County, California, including costs incurred but not adjudicated in this action and future costs, pursuant to Federal Rule of Civil Procedure 54, it is hereby ORDERED that final judgment be entered in favor of the United States and DTSC against Defendants Sterling Centrecorp Inc., Stephen P. Elder and Elder Development, Inc., as follows:

1. \$28,593,387.39 in non-enforcement response costs incurred through November 30, 2012 (including pre-judgment interest) to the United States against the Defendants; and
2. \$723,726.78 in non-enforcement costs incurred through October 31, 2014 (including pre-judgment interest) to DTSC against the Defendants; and


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3. \$476,754.94 in enforcement response costs incurred through April 5, 2016 (including pre-judgment interest) to DTSC against the Defendants; and
4. \$2,256,216.31 in enforcement response costs incurred through April 5, 2016 (including pre-judgment interest) to the United States against Defendant Sterling Centrecorp Inc.; and
5. Defendants are liable pursuant to 42 U.S.C. § 9613(g)(2) for further response costs incurred by the United States or DTSC.

It is further ORDERED that the claims of the United States and DTSC for all other response costs are hereby dismissed without prejudice. The United States and DTSC have not waived their right to seek recovery of any unadjudicated costs or future costs against any party as permitted by law.

IT IS SO ORDERED.

Dated: March 17, 2018


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE