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18 Attorneys for Defendants
 19 ANDERSON LANDFILL, INC., USA WASTE OF CALIFORNIA, INC. and MIKE RIVERA

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

21 CALIFORNIA SPORTFISHING
 PROTECTION ALLIANCE, a non-profit
 22 corporation,

23 Plaintiff,

24 vs.

25 ANDERSON LANDFILL, INC., a Delaware
 corporation, USA WASTE OF
 26 CALIFORNIA, INC. a Delaware
 corporation, and MIKE RIVERA, an
 27 individual,

28 Defendants.

Case No. 2:10-cv-00831-WBS-DAD

STIPULATION FOR LEAVE TO FILE FIRST
 AMENDED COMPLAINT; [~~PROPOSED~~]
 ORDER THEREON

Judge: Hon. William B. Shubb

1 WHEREAS, Plaintiff California Sportfishing Protection Alliance (“Plaintiff” or “CSPA”)
2 filed its Complaint in this action on April 7, 2010;

3 WHEREAS, on or about September 16, 2010, Plaintiff provided notice of Defendant USA
4 Waste of California, Inc.’s alleged violations of California Health & Safety Code Section 25249.5
5 (also referred to as “Proposition 65”) (“Proposition 65 Notice”), and of its intention to file suit
6 against Defendants Anderson Landfill, Inc. and USA Waste of California, Inc., to the Proposition 65
7 Enforcement Reporting section of the office of the California Attorney General (“California
8 Attorney General”); the District Attorney of each California county containing sources of drinking
9 water potentially impacted by Defendants Anderson Landfill, Inc. and USA Waste of California,
10 Inc.’s violations of Proposition 65 as described in the Proposition 65 Notice; and, to Defendant USA
11 Waste of California, Inc., as required by California Health & Safety Code Section 25249.5 *et seq.*;

12 WHEREAS, the 60-day statutory notice period of the Proposition 65 Notice will expire on or
13 about November 20, 2010;

14 WHEREAS, Plaintiff has provided Defendants herein a proposed First Amended Complaint
15 which adds a claim alleging that Defendants Anderson Landfill, Inc. and USA Waste of California,
16 Inc.’s operation of the Facility has caused and continues to cause, the discharge of lead, lead
17 compounds, mercury and mercury compounds to sources of drinking water in violation of
18 Proposition 65;

19 WHEREAS, the parties would like to avoid incurring the legal fees which will necessarily
20 arise were Defendants to contest Plaintiff’s filing of the proposed First Amended Complaint;

21 WHEREAS, the parties agree that by entering into this Stipulation, Defendants are not
22 waiving any defenses they may have with respect to any of the new allegations or claims in
23 Plaintiff’s First Amended Complaint;

24 THEREFORE, IT IS HEREBY STIPULATED by and among Plaintiff California
25 Sportfishing Protection Alliance and Defendants Anderson Landfill, Inc., USA Waste of California,
26 Inc. and Mr. Mike Rivera, that Plaintiff shall be permitted to file its proposed First Amended
27 Complaint on November 20, 2010, or as soon thereafter as may be convenient for Plaintiff.
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1 Defendants' response to the First Amended Complaint shall be filed no later than twenty-one days
2 after the filing of Plaintiff's First Amended Complaint.

3
4 Dated: November 5, 2010

Respectfully submitted,
LAW OFFICES OF ANDREW L. PACKARD

6
7 By: /s/ Erik Roper
ERIK M. ROPER
Attorneys for Plaintiff
CALIFORNIA SPORTFISHING
8 PROTECTION ALLIANCE
9

10
11 Dated: November 5, 2010

REED SMITH LLP

12 By: /s/ Julia Butler
JULIA C. BUTLER
Attorneys for Defendants
ANDERSON LANDFILL, INC.
13 USA WASTE OF CALIFORNIA, INC. and
14 MIKE RIVERA
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ORDER

Pursuant to Stipulation, it is ORDERED that (1) Plaintiff is granted leave to file its proposed First Amended Complaint on November 20, 2010, or as soon thereafter as may be convenient for Plaintiff; and, (2) Defendants' response to the First Amended Complaint shall be filed no later than twenty-one days after the filing of Plaintiff's First Amended Complaint. .

Dated: November 5, 2010



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE