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 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 UNITED STATES OF AMERICA, and SAN
 JOAQUIN VALLEY UNIFIED AIR
 12 POLLUTION CONTROL DISTRICT,

13 Plaintiffs,

14 v.

15 FORWARD, INC.,

16 Defendant.

Case No. 2:11-CV-00590-EFB

**STIPULATION FOR LEAVE OF
 COURT TO FILE SECOND
 AMENDED COMPLAINT AND
 ORDER**

17
 18 WHEREAS during the course of discovery, the Plaintiffs learned of facts that they believe
 19 form the basis for violations beyond those alleged in the First Amended Complaint on file with the
 20 Court (Docket # 6);

21 WHEREAS the Plaintiffs have prepared a proposed Second Amended Complaint, attached
 22 hereto as Exhibit A, which encompasses the recently discovered alleged violations;

23 WHEREAS the parties to this action have now arrived at a settlement of this action that is
 24 embodied in the Proposed Consent Decree filed today and that by its terms encompasses the alleged
 25 violations in the proposed Second Amended Complaint as well as those already included in the First
 26 Amended Complaint;

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28 //

1 NOW THEREFORE the parties jointly request that the Court grant leave to the Plaintiffs to
2 file the proposed Second Amended Complaint.

3 DATED: March 29, 2012

BENJAMIN B. WAGNER
United States Attorney

5 /s/ Sylvia Quast
6 SYLVIA QUAST
7 Assistant U.S. Attorney
8 Attorneys for Plaintiff United States of America

9 DATED: March 29, 2012

SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL DISTRICT

11 /s/ Catherine T. Redmond
12 Catherine T. Redmond
13 District Counsel
14 Attorneys for Plaintiff San Joaquin Valley
15 Unified Air Pollution Control District

16 DATED: March 29, 2012

LAW OFFICES OF THOMAS M. BRUEN
A Professional Corporation

17 /s/ Thomas M. Bruen
18 THOMAS M. BRUEN
19 Attorneys for Defendant Forward, Inc.

20 **ORDER**

21 In light of the foregoing stipulation, leave to file the Second Amended Complaint attached as
22 Exhibit A to the stipulation, is hereby granted.

23 IT IS SO ORDERED.

24 DATED: March 29, 2012.

25 
26 EDMUND F. BRENNAN
27 UNITED STATES MAGISTRATE JUDGE
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