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19 Attorneys for Plaintiff CALIFORNIA SPORTFISHING PROTECTION ALLIANCE

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

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

24 Plaintiff,

25 vs.

26 STOCKTON RECYCLING, INC., a California
 27 corporation, JAMES WILLIAMS, an individual,
 28 and FRED ESPINO, an individual, and PAUL
 FAIAS, an individual,

Defendants.

CIV. NO. S-11-705-LKK/CKD

**STIPULATION TO CONSOLIDATE
 RELATED CASES; ORDER**

Before: Hon. Lawrence K. Karlton

(Federal Water Pollution Control Act,
 33 U.S.C. § 1251 *et seq.*)

CALIFORNIA SPORTFISHING PROTECTION
 ALLIANCE, a non-profit corporation,

Plaintiff,

vs.

STOCKTON RECYCLING, INC., a California
 corporation, JAMES WILLIAMS, an individual,
 and FRED ESPINO, an individual,

Defendants.

CIV. NO. S-11-1239-LKK/CKD

STIPULATION TO CONSOLIDATE
 RELATED CASES; [PROPOSED] ORDER

Case Nos. S-11-705-LKK/CKD
 S-11-1239-LKK/CKD
 S-11-1599-LKK/CKD

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CALIFORNIA SPORTFISHING PROTECTION ALLIANCE, a non-profit corporation,

Plaintiff,

vs.

STOCKTON RECYCLING, INC., a California corporation, and JAMES WILLIAMS, an individual,

Defendants.

CIV. NO. S-11-1599-LKK/CKD

Plaintiff California Sportfishing Protection Alliance (“Plaintiff” or “CSPA”) and Defendants Stockton Recycling, Inc. and James Williams (“Defendants”) (collectively, the “Parties”) stipulate as follows:

WHEREAS, Federal Rule of Civil Procedure 42 (“FRCP 42”) provides this Court authority to consolidate actions involving common questions of law or fact;

WHEREAS, the Parties acknowledge that the above-referenced actions involve common questions of law and fact within the meaning of FRCP 42;

WHEREAS, the above cases have been designated by the Court as related cases pursuant to Local Rule 123; and

WHEREAS, the three related cases involve the same parties and are based on Plaintiff’s allegations that at each of the Defendant’s three facilities in the City of Stockton, the Defendants are discharging contaminated storm water in violation of the general industrial storm water permit for each facility, raising the same questions of law and very similar facts;

WHEREAS, in the interest of judicial economy the Parties agree that the above-referenced actions should be consolidated pursuant to FRCP 42;

THEREFORE, IT IS HEREBY STIPULATED by and among the Parties that Civil Case Nos. S-11-705-LKK/CKD, S-11-1239-LKK/CKD and S-11-1599-LKK/CKD should be consolidated.

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Respectfully submitted,

Dated: Dec. 15, 2011

LAW OFFICES OF ANDREW L. PACKARD

/s/ Erik M. Roper
By: Erik M. Roper
Attorneys for Plaintiff
CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE

Date: Dec. 15, 2011

LAW OFFICES OF THOMAS M. BRUEN
A Professional Corporation


/s/ Thomas Bruen
By: Thomas M. Bruen
(As authorized on Dec. 15, 2011 – L.R. 131)
Attorneys for Defendants
STOCKTON RECYCLING, INC.
and JAMES WILLIAMS

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ORDER

Pursuant to Stipulation, and good cause appearing, it is ORDERED that Civil Case Nos. S-11-705-LKK/CKD, S-11-1239-LKK/CKD and S-11-1599-LKK/CKD shall be consolidated for all purposes and assigned to the Honorable Lawrence K. Karlton.

Dated: December 16, 2011.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT