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15	UNITED STATES DISTRICT COURT		
16	EASTERN DIST	TRICT OF CALIFORNIA	
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18	CALIFORNIA SPORTSFISHING	Case No. 2:14-cv-01452-KJM-CKD	
19	PROTECTION ALLIANCE, a non-profit corporation,	Assigned to Hon. Kimberly J. Mueller	
20		į	
21	Plaintiff,	NOTICE OF SETTLEMENT; STIPULATION AND ORDER	
22	vs.	STAYING PROCEEDINGS AND	
23	RIVER CITY WASTE RECYCLERS,	VACATING EXISTING DATES	
24	LLC, a California Limited Liability Company,		
25			
26	Defendant.		
27			
28	Notice of Settlement; Stipulation and Order Staying Proceedings and Vacating Existing Date	- 1 - Case No. 2:14-cv-01452-KJM-CKD tes	

PLEASE TAKE NOTICE that the parties have reached a settlement resolving all of the remaining claims in this action. Entry of the settlement, however, must await the expiration of the federal agencies' 45-day review period required by the Federal Water Pollution Control Act, 33 U.S.C. § 1365(c)(2).¹

PLEASE TAKE FURTHER NOTICE that, in accordance with federal law, no judgment disposing of this action may be entered prior to 45 days following the receipt of the proposed consent decree by the United States Department of Justice and the national and Region IX offices of the United States Environmental Protection Agency. See 40 C.F.R. § 135.5 (requiring the parties to provide notice to the court of the 45-day agency review period under 33 U.S.C. § 1365(c)). Such notice is being mailed to the agencies on September 19, 2016. The regulatory agencies' review period will end by approximately November 12, 2016 (allowing forty-five days for agency review and approximately nine days for mailing time). If any of the reviewing agencies object to the proposed Consent Decree, the parties may require additional time to meet and confer and attempt to resolve the agencies' concerns. At the end of the 45-day review period, the parties will file the proposed Consent Agreement for review and approval by the Court.

In light of the settlement agreement entered into by the parties and the need to await the conclusion of the agencies' 45-day review period, Plaintiff California Sportfishing Protection Alliance ("CSPA") and Defendant River City Waste Recyclers, LLC ("River City"), through their respective counsel, stipulate and agree as follows:

WHEREAS, on June 17, 2014, CSPA filed its Complaint in this action;

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¹ Title 33 of the United States Code, Section 1365(c)(2) provides that "[n]o consent judgment shall be entered in an action in which the United States is not a party prior to 45-days following the receipt of a copy of the proposed consent judgment by the Attorney General and the Administrator."

WHEREAS, CSPA and River City have previously engaged in settlement discussions and renewed their settlement discussions subsequent to the Court's issuance of its September 6, 2016 order granting in part CSPA's motion for summary judgment;

WHEREAS, the parties successfully completed and executed a proposed Consent Decree on September 16, 2016;

WHEREAS, on Monday, September 19, 2016, CSPA will be submitting the proposed Consent Decree via certified mail, return receipt requested, to the U.S. EPA and the U.S. Department of Justice and must await the completion of the 45-day review period set forth at 40 C.F.R. § 135.5 and 33 U.S.C. § 1365(c)(2);

WHEREAS, in the interests of efficiency and judicial economy, the parties wish to minimize costs incurred in this matter pending the agencies' review of the executed settlement agreement;

WHEREAS, in light of the parties' entering into the settlement agreement and the need to allow the federal agencies 45 days to review the proposed Consent Decree, the parties further request that the Court immediately stay all proceedings in this action until December 1, 2016, by which date the parties expect to have filed the proposed Consent Decree for approval by the Court. The parties further request that all deadlines and dates currently scheduled by the Court be vacated.

WHEREAS, Local Rule 160(b) requires the Court to fix a date upon which the documents disposing of the action must be filed within 21 days of this notice absent good cause. Given the statutorily mandated 45-day review period, good cause exists to set December 1, 2016 as the date by which the Proposed Consent Decree or a Notice that the settlement is null and void must be filed.

THEREFORE, IT IS HEREBY STIPULATED, by and between CSPA and River City, through their respective counsel of record, that the Court stay all proceedings in this action until December 1, 2016 and, with the exception of this Stipulation, vacate all deadlines and dates currently scheduled by the Court.

1	Respectfully submitted,	
2	Date: September 16, 2016	LAW OFFICE OF MARK A. PRUNER
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4		/s/ Mark A. Pruner (as authorized on September 16, 2016)
5		By: Mark A. Pruner, Esq. Attorney for Defendant River City Waste Recyclers, LLC
6	Date: September 16, 2016	LOZEAU DRURY LLP
7		
8		/s/ Michael R. Lozeau
9		By: Michael R. Lozeau, Esq. Attorneys for Plaintiff California Sportfishing Protection
10		Alliance
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12	PURSUANT TO STIPULATION, IT IS SO ORDERED	
13	Date: September 26, 2016	100 00 10
1415		UNITED STATES DISTRICT JUDGE
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