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20 UNITED STATES DISTRICT COURT
 21 EASTERN DISTRICT OF CALIFORNIA

22 UNITED STATES OF AMERICA,
 23 Plaintiff,
 24 v.
 25 ROGER J. LAPANT, JR., *et al.*,
 26 Defendants.

27 Case No. 2:16-cv-01498-KJM-DB

28 **STIPULATION AND ORDER TO MODIFY
 CONSENT DECREE AND SETTLEMENT
 BETWEEN THE UNITED STATES AND
 ROGER J. LAPANT, JR.**

1 Plaintiff United States of America and Defendant Roger J. LaPant, Jr. hereby stipulate
2 and propose for the Court's approval two specific modifications to the Consent Decree and
3 Settlement between the United States and Roger J. LaPant, Jr., which the Court entered on or
4 about July 1, 2021 (ECF No. 168) ("LaPant CD").

5 On December 9, 2021, Mr. LaPant, through counsel, provided information to the United
6 States concerning a personal hardship and a financial matter. He requested an extension of time
7 through and including February 24, 2022, to satisfy his obligation under Paragraph 16 of the
8 LaPant CD, which requires Mr. LaPant to pay a \$250,000 civil penalty within 180 days of the
9 Court's entry of the decree; and his obligation under Paragraph 23.b. of the LaPant CD, which
10 requires Mr. LaPant to submit a compensatory mitigation proposal to the Corps of Engineers
11 within 180 days of the Court's entry of the decree.

12 The United States concurs with Mr. LaPant's request.

13 This stipulation and proposed order is submitted pursuant to Paragraph 53 of the LaPant
14 CD, which provides: "The terms of this Consent Decree may be modified only by a subsequent
15 written agreement signed by the Parties. Where the modification constitutes a material change
16 to any term of this Consent Decree, it shall be effective only upon the Court's approval."
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20 Dated: December 15, 2021

Respectfully submitted and stipulated,

21 /s/ Andrew J. Doyle

22 United States Department of Justice
23 Environmental and Natural Resources Division
24 Tel: (202) 532-3156 (mobile)
25 *Attorney for the United States*

26 /s/ Therese Y. Cannata

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MODIFICATION OF LAPANT CD

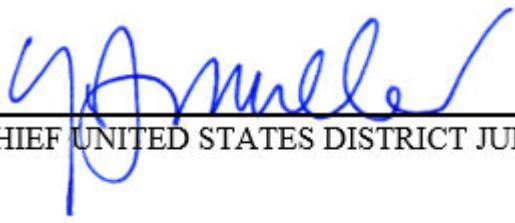
Upon due consideration, the Court approves the parties' stipulation to modify the Consent Decree and Settlement between the United States and Roger J. LaPant, Jr., which the Court entered on or about July 1, 2021 (ECF No. 168) ("LaPant CD").

Mr. LaPant shall have through and including February 24, 2022, to satisfy his civil penalty payment obligation under Paragraph 16 of the LaPant CD.

Mr. LaPant shall have through and including February 24, 2022, to satisfy his compensatory mitigation proposal obligation under Paragraph 23.b. of the LaPant CD.

In all other respects, the LaPant CD remains unchanged.

DATED: January 5, 2022.



CHIEF UNITED STATES DISTRICT JUDGE