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10 Attorneys for Plaintiff  
 11 CALIFORNIA SPORTFISHING PROTECTION ALLIANCE

12 **UNITED STATES DISTRICT COURT**  
 13 **EASTERN DISTRICT OF CALIFORNIA**

14 CALIFORNIA SPORTFISHING  
 15 PROTECTION ALLIANCE, a non-profit  
 16 corporation,

17 Plaintiff,

18 vs.

19 SUN GRO HORTICULTURE  
 20 PROCESSING, a Delaware corporation.

21 Defendant.

Case No. 2:16-cv-02247-WHO

**NOTICE OF SETTLEMENT AND ORDER**

**[L.R. 160 and FRCP 16]**

22 PLEASE TAKE NOTICE pursuant to Local Rule 160(a) that the parties have reached a  
 23 settlement resolving all claims in this action. The settlement is contingent upon the expiration of the  
 24 federal agency 45-day review period.<sup>1</sup>

25 PLEASE TAKE FURTHER NOTICE that, in accordance with federal law, no judgment  
 26 disposing of this action may be entered prior to 45 days following the receipt of the proposed  
 27 settlement agreement by the United States Department of Justice and the national and Region IX  
 28 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)).

<sup>1</sup> Title 33 of the United States Code, Section 1365(c) provides that “[n]o consent judgment shall 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.”

1 Such notice will be mailed to the agencies on March 24, 2017. The regulatory agencies' review  
2 period will thus end by approximately May 18, 2017 (allowing forty-five days for agency review  
3 and approximately ten days for mailing time). If any of the reviewing agencies object to the  
4 proposed agreement, the parties would require additional time to meet and confer and attempt to  
5 resolve the agencies' concerns.

6 Local Rule 160(b) requires the Court to fix a date upon which the documents disposing of the  
7 action must be filed, within 21 days of this notice of settlement, absent good cause. Given the  
8 statutorily mandated 45-day review period, good cause exists to set May 18, 2017, as the date by  
9 which a Stipulation for Approval of Settlement Agreement and Dismissal of Plaintiff's Claims or a  
10 Notice that the settlement is null and void must be filed.

11  
12 Dated: March 24, 2017

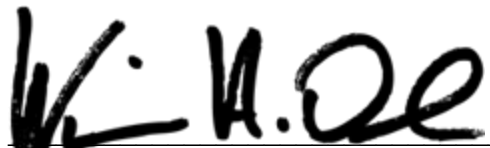
By: /s/ Douglas J. Chermak  
Douglas J. Chermak  
Attorneys for Plaintiff  
THE CALIFORNIA SPORTFISHING PROTECTION  
ALLIANCE

13  
14  
15 Dated: March 24, 2017

By: /s/ Sara P. Sandford (authorized on 3/24/2017)  
Sara P. Sandford  
Attorneys for Defendant  
SUN GRO HORTICULTURE PROCESSING

16  
17  
18  
19 **IT IS SO ORDERED.**

20  
21 Dated: March 27, 2017

  
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Judge William H. Orrick  
United States District Judge