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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

CALIFORNIA RIVER WATCH,

Plaintiff,

v.

CITY OF VACAVILLE,

Defendant.

Case No. 2:17-cv-00524-KJM-KJN

**ORDER PARTIALLY DISMISSING
CLAIMS**

Trial Date: Vacated

The Court, having considered Plaintiff California River Watch (“Plaintiff”) and Defendant City of Vacaville’s (“Defendant” or “Vacaville”) stipulation for partial dismissal of Plaintiff’s claims in this action, and good cause appearing therefor, HEREBY ORDERS THAT:

(1) Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), any and all claims, contentions allegations or assertions by Plaintiff that Vacaville has violated the Resource Conservation and Recovery Act (RCRA) in connection with the discharge or release of water from Defendant’s potable water system into the environment are HEREBY DISMISSED WITH PREJUDICE;

(2) This dismissal obviates the need for the Court to rule on Plaintiff’s claims regarding an alleged endangerment to the environment in resolving the Parties pending cross-motions for summary judgment (Dkt. Nos. 40 and 51); and,

1 (3) Except as specifically provided in their Settlement Agreement and Release, the
2 Parties will each bear their own attorneys' fees and costs in connection with the claims dismissed
3 in this stipulation.

4 **IT IS SO ORDERED.**

5 DATED: February 7, 2020

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9 CHIEF UNITED STATES DISTRICT JUDGE
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