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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

ECOLOGICAL RIGHTS FOUNDATION,
Plaintiff,
v.
MAD RIVER LUMBER LLC, et al.,
Defendants.

Case No. 17-cv-04031-RMI

**ORDER APPROVING CONSENT
DECREE AND GRANTING DISMISSAL
WITH PREJUDICE PURSUANT TO
FRCP 41(A)(2)**

Re: Dkt. No. 29

United States District Court
Northern District of California

The Parties have consented to entry of the foregoing Consent Agreement and have requested the Court's approval and entry thereof.

Pursuant to 33 U.S.C. § 1365, Plaintiff Ecological Rights Foundation ("EcoRights") has served the Complaint herein on the United States Attorney General and the Administrator of the United States Environmental Protection Agency.

Pursuant to 33 U.S.C. § 1365(c)(3), at least 45 days have elapsed since the United States Attorney General was served on December 22, 2017, and the Administrator of the United States Environmental Protection Agency was served on December 21, 2017, with copies of the [Proposed] Consent Agreement.

The Court has reviewed the Consent Agreement, and fully considered all comments received thereon to date from the Parties hereto, the United States Attorney General and the United States Environmental Protection Agency.

The Court has fully considered the Parties' request to enter this Consent Agreement as an order, and the Court finds the Consent Agreement to be: (1) fair, adequate and reasonable; (2) consistent with applicable laws; and (3) protective of the public interest.

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Accordingly, it is ORDERED as follows:

1. THIS CONSENT AGREEMENT IS HEREBY APPROVED AND JUDGMENT IS ENTERED IN ACCORDANCE THEREWITH. This Order of approval is in lieu of a signature by the Court on page 25 of the Consent Agreement;

2. Plaintiff Ecological Rights Foundation’s claims against Mad River Lumber, LLC and Tap Ventures, LLC (collectively “Defendants”) as set forth in the Notice and/or Complaint filed in this matter, are hereby dismissed with prejudice, and

3. This Court shall retain and have jurisdiction over EcoRights and Defendants with respect to implementation of the terms of their Consent Agreement and the resolution of any disputes that may arise under that Consent Agreement attached to the parties’ Stipulation to Dismiss as Exhibit A.

IT IS SO ORDERED.

Dated: February 12, 2018



ROBERT M. ILLMAN
United States Magistrate Judge