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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

NATURAL RESOURCES DEFENSE) Case No. C 01-0421-JL
COUNCIL, INC.)
)
Plaintiff,)
v.)
)
GARY LOCKE, et al.,)
)
Defendants.)

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~~PROPOSED~~ **JUDGMENT IN A CIVIL CASE**

This action was decided by Magistrate James Larson on cross-motions for summary judgment. The issues have been heard and a decision has been rendered.

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IT IS ORDERED AND ADJUDGED, pursuant to the Court's April 23, 2010 Order Granting in Part and Denying in Part Parties' Cross-Motions for Summary Judgment, Dkt. No. 340, and the Court's order entered April 29, 2010, Dkt. No. 342, that:

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1. Judgment is entered in favor of Plaintiff on the First Cause of Action in the Fifth Amended Complaint, Dkt. No. 260, failure to rebuild overfished Pacific Groundfish species in the shortest time possible in violation of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. § 1854(e)(4)(A).
 2. Judgment is entered in favor of Plaintiff on the Second Cause of Action in the Fifth Amended Complaint, unlawful economic analysis in violation of the Magnuson-Stevens Act.
 3. Judgment is entered in favor of Federal Defendants on the Third Cause of Action in the Fifth Amended Complaint, violations of the National Environmental Policy Act (NEPA).

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Date: 5-4-11


CLERK OF COURT

C-01-0421-JL

JAMES LARSON
U.S. MAGISTRATE JUDGE