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18 Attorneys for Federal Defendant

19 **IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 20 **SAN FRANCISCO DIVISION**

21 **THE SIERRA CLUB and ENVIRONMENTAL**  
 22 **INTEGRITY PROJECT,**

23 Plaintiffs,

24 vs.

25 **UNITED STATES ENVIRONMENTAL**  
 26 **PROTECTION AGENCY,**

27 Defendant.

Case No. C-11-0846-MEJ

**STIPULATED DISMISSAL AND**  
 28 **~~[PROPOSED]~~ ORDER**

1 Pursuant to Federal Rule 41(a)(2) and in accordance with, and subject to the provisions of, the  
2 Settlement Agreement and Release signed by the parties on October 1, 2013 Plaintiffs hereby dismiss  
3 with prejudice all claims, except for plaintiffs' claim for attorneys fees, brought in the Complaint filed in  
4 this action on February 23, 2011. Any and all claims for attorneys' fees will be resolved in accordance  
5 with the terms of the Settlement Agreement and Release.

6 MELINDA HAAG  
7 United States Attorney

8 s/ David Bahr  
9 David Bahr (Oregon Bar No. 901990)  
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11 1035 ½ Monroe Street

8 s/ Abraham Simmons  
9 ABRAHAM SIMMONS  
10 Assistant United States Attorney  
11 Attorneys for Federal Defendant

12 ~~PROPOSED~~ ORDER

13 IT IS SO ORDERED. All claims in this action, except plaintiffs' claims for attorneys' fees, are  
14 dismissed with prejudice.

15 Dated this 3RD day of January, 2014.

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18 JUDGE MARIA-ELENA JAMES  
19 UNITED STATES DISTRICT COURT  
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