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16  
17 **UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 CHARTIS SPECIALTY INSURANCE  
COMPANY, for itself and as subrogee  
20 of Whittaker Corporation; and  
WHITTAKER CORPORATION,

21 Plaintiffs,

22 v.

23 UNITED STATES OF AMERICA,

24 Defendant.

Case No. CV-13-01527-EMC (MEJ)

**~~[PROPOSED]~~ SETTLEMENT  
ORDER AND PARTIAL  
JUDGMENT**

26  
27 Upon consideration of the Joint Motion to Enter Proposed Consent Decree of  
28 plaintiff Chartis Specialty Insurance Company n/k/a AIG Specialty Insurance

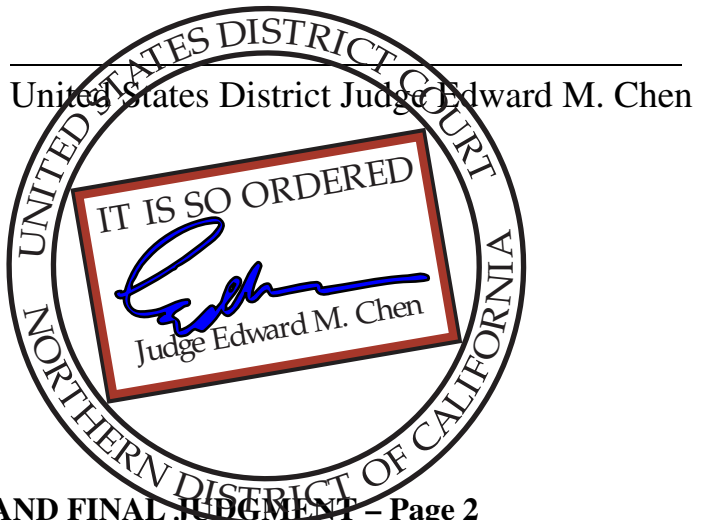
1 Company (“Chartis Specialty”) and defendant the United States of America, the  
2 Memorandum in Support and other pleadings submitted, as well as the terms of the  
3 proposed Consent Decree between Chartis Specialty and the United States (together,  
4 “the Parties”), the Court hereby finds that the Parties’ proposed Consent Decree is fair  
5 and reasonable, both procedurally and substantively, consistent with CERCLA and  
6 other applicable law, in good faith, and in the public interest. Accordingly, the  
7 foregoing Consent Decree is hereby APPROVED.

8 As per Paragraph 5(a) of the Consent Decree, the United States is entitled to  
9 contribution protection consistent with section 113(f) of CERCLA, 42 U.S.C. §  
10 9613(f), the Uniform Comparative Fault Act, and any other applicable provision of  
11 federal or state law, whether by statute or common law, extinguishing the United  
12 States’ liability as set forth in the Consent Decree.

13 Upon entry of the Consent Decree, all of Chartis Specialty’s claims against the  
14 United States, and all of the United States’ counterclaims against Chartis Specialty in  
15 the above-captioned action, whether alleged in the complaints, or otherwise, shall be  
16 dismissed with prejudice, as provided in the Consent Decree.

17 There being no just reason for delay, this Court directs entry of partial  
18 judgment in accordance with the terms of the Consent Decree and this Order. The  
19 Parties shall each bear their own costs, expenses, and attorneys’ fees.

20 SIGNED, SO ORDERD, and ENTERED this 21<sup>st</sup> day of December, 2015.



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