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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 SAN FRANCISCO BAYKEEPER, a non-profit
 14 corporation,

15 Plaintiff,

16 v.

17 SYAR INDUSTRIES, INC.,

18 Defendant.

Civil No. C 14-00779 JD

**NOTICE OF SETTLEMENT AND REQUEST
 TO VACATE STATUS CONFERENCE;
~~PROPOSED~~ ORDER**

Honorable James Donato

1 **TO THE COURT AND TO THE PARTIES:**

2 **PLEASE TAKE NOTICE** that Plaintiff San Francisco Baykeeper (“Baykeeper”) and
3 Defendant Syar Industries, Inc. (“Syar”) (collectively, the “Parties”) have reached a tentative settlement
4 in this action, which has been executed by the Parties. As required by federal law, a copy of the
5 [Proposed] Consent Decree has been sent to the U.S. Department of Justice and to the U.S.
6 Environmental Protection Agency (collectively, “the Agencies”) for a mandatory 45-day review
7 period under 33 U.S.C. § 1365(c)(3) and 40 C.F.R. § 135.5. Copies of the [Proposed] Consent Decree
8 will be sent to the Agencies via U.S. Certified Mail on today’s date. Upon expiration of the 45-day
9 review period, the Parties will jointly request that the Court (1) approve and execute an Order
10 dismissing the Complaint, and (2) approve and execute the [Proposed] Consent Decree which provides
11 for continuing Court jurisdiction over any disputes which may arise between the parties under the
12 agreement.

13 In light of the 45-day statutory review period, which ends on December 18, 2014, Plaintiff
14 respectfully requests that the Court vacate from its calendar the November 19, 2014 Case Management
15 Conference and associated deadlines, and issue an order that the Parties have until December 23, 2014
16 to file a motion to enter the [Proposed] Consent Decree.

17 WHEREFORE, Plaintiff respectfully requests the Court to approve and enter the Proposed
18 Order below.

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20 Dated: November 3, 2014

Respectfully submitted,

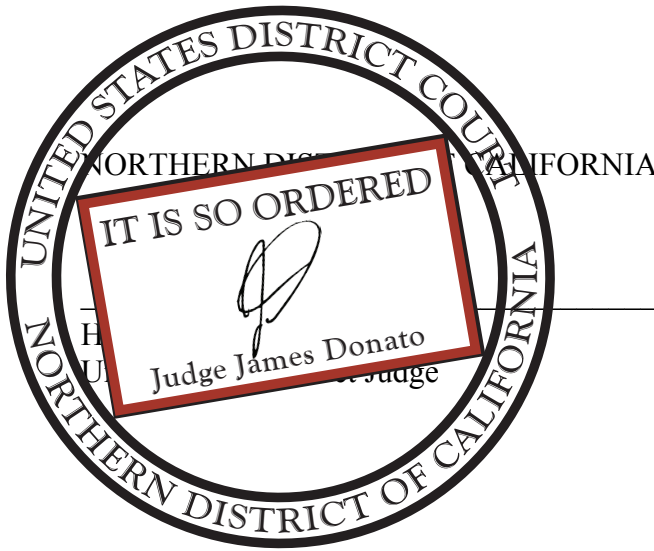
21 By: /s/ George Torgun
22 George Torgun
23 Attorney for Plaintiff
24 SAN FRANCISCO BAYKEEPER
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~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED that the Case Management Conference set for November 19, 2014 and all associated deadlines are vacated. The Court sets December 23, 2014 as the deadline for the Parties to file a motion to enter the [Proposed] Consent Decree.

IT IS SO ORDERED.

Date: 11/6/14



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