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12 UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

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15 ASSOCIATION OF IRRITATED )  
 RESIDENTS, an unincorporated association, )

16 *Plaintiff,* )

17 )  
 18 v. )

19 UNITED STATES ENVIRONMENTAL )  
 PROTECTION AGENCY, et al., )

20 *Defendants.* )  
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Case No. 09-cv-01890 CW

**STIPULATION TO DISMISS  
 WITH PREJUDICE**

**AND**

**ORDER THEREON**

Stipulation to Dismiss With Prejudice  
 and Order Thereon

Case No. 09-cv-01890 CW

1 Pursuant to Paragraph 3 of the Consent Decree entered by the Court on December 30,  
2 2009 in the above-captioned matter (Dkt. 20) and Federal Rule of Civil Procedure 41(a)(1), the  
3 parties to this action, Plaintiff Association of Irrigated Residents and Defendants United States  
4 Environmental Protection Agency et al. (“EPA” or “Agency”), hereby stipulate and agree,  
5 through their undersigned counsel, that this action shall be dismissed with prejudice.

6 Paragraph 3 of the Consent Decree provides that the parties will jointly request the Court  
7 to dismiss this action with prejudice when the actions in Paragraph 1 of the Consent Decree,  
8 taken pursuant to section 110(k) of the Clean Air Act, 42 U.S.C. § 7410(k), have been  
9 completed.

10 EPA has fulfilled the obligations set forth in Paragraph 1 of the Consent Decree, as  
11 amended by the Court on March 22, 2010 (Dkt. 23), which required EPA to: (1) sign for  
12 publication in the Federal Register no later than April 12, 2010 a notice of the Agency’s final  
13 action on San Joaquin Valley Unified Air Pollution Control District Rule 2020 and the portion of  
14 Rule 2201 (i.e., Paragraph 4.6.9) submitted to EPA for review on December 29, 2006; and (2)  
15 deliver the signed notice to the Office of the Federal Register for publication. *See* Approval and  
16 Promulgation of Implementation Plans, State of California, San Joaquin Valley Unified Air  
17 Pollution Control District, New Source Review, 75 Fed. Reg. 26,102 (May 11, 2010).

18 Accordingly, the parties joint request that this action be dismissed with prejudice.

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20 Respectfully submitted,

21 FOR THE DEFENDANTS:

22 IGNACIA S. MORENO  
23 Assistant Attorney General  
24 Environment & Natural Resources Division

25 Dated: June 25, 2010

26 /s/ Rochelle L. Russell  
27 ROCHELLE L. RUSSELL  
28 United States Department of Justice  
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Stipulation to Dismiss With Prejudice  
and Order Thereon

1 FOR THE PLAINTIFF:

2 Dated: June 25, 2010

/s/ Brent Newell (with permission)  
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*Attorneys for Association of Irrigated Residents*

8 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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10 Dated: 6/28/2010

  
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CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

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