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IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

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COMITE CIVICO DEL VALLE, INC.,

Case No. 10-cv-00946 PJH

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Plaintiff,

**STIPULATION TO DISMISS  
WITH PREJUDICE**

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v.

**AND**

18

LISA JACKSON, in her official capacity as  
 Administrator of the United States  
 Environmental Protection Agency, and  
 19 JARED BLUMENFELD, in his official  
 capacity as Regional Administrator for Region  
 20 IX of the United States Environmental  
 Protection Agency,  
 21

**[PROPOSED] ORDER THEREON**

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Defendants.

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STIPULATION TO DISMISS WITH PREJUDICE  
AND [PROPOSED ORDER] THEREON

Case No. 10-cv-00946 PJH

1 Pursuant to Paragraph 2 of the Consent Decree entered by the Court on August 31, 2010  
2 in the above-captioned matter (Dkt. 12) and Federal Rule of Civil Procedure 41(a)(1), the parties  
3 to this action, Plaintiff Comité Cívico Del Valle, Inc. and Defendants Lisa Jackson, in her official  
4 capacity as Administrator of the United States Environmental Protection Agency, and Jared  
5 Blumenfeld, in his official capacity as Regional Administrator for Region IX of the United States  
6 Environmental Protection Agency (collectively, "EPA" or "Agency"), hereby stipulate and agree,  
7 through their undersigned counsel, that this action shall be dismissed with prejudice.

8 Paragraph 2 of the Consent Decree provides that the parties will jointly request the Court  
9 to dismiss this case with prejudice when the action in Paragraph 1 of the Consent Decree, taken  
10 pursuant to section 110(k) of the Clean Air Act, 42 U.S.C. § 9410(k), has been completed.

11 EPA has fulfilled the obligation set forth in Paragraph 1 of the Consent Decree, which  
12 required EPA to sign for publication in the Federal Register no later than November 15, 2010 a  
13 notice of the Agency's final action on Imperial County Air Pollution Control District Rule 420  
14 ("Rule 420"). EPA signed its final action on Rule 420 on October 25, 2010. *See* Revisions to  
15 the California State Implementation Plan, Imperial County Air Pollution Control District; Final  
16 Rule, 75 Fed. Reg. 69002, 69004 (Nov. 10, 2010) (final action dated October 25, 2010).

17 Accordingly, the parties jointly request that this action be dismissed with prejudice.

18 Respectfully submitted,

19 COUNSEL FOR DEFENDANTS:

20 Dated: November 24, 2010

21 IGNACIA S. MORENO  
Assistant Attorney General  
Environment & Natural Resources Division

22 /s/ Rochelle L. Russell  
23 ROCHELLE L. RUSSELL  
Trial Attorney  
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28 *Counsel for Defendants*

1 COUNSEL FOR PLAINTIFF:

2 Dated: November 24, 2010

/s/ Gideon Kracov (with permission)

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*Counsel for Plaintiff Comite Civico del Valle, Inc.*

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

11  
12 Dated: 11/29/10

HON. PHYLLIS J. HAMILTON  
UNITED STATES DISTRICT COURT JUDGE

