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10 Attorneys for Plaintiff
 11 CALIFORNIA SPORTFISHING
 12 PROTECTION ALLIANCE

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**

15 CALIFORNIA SPORTFISHING
 16 PROTECTION ALLIANCE, a non-profit
 17 corporation,

18 Plaintiff,

19 vs.

20 SOILAND, INC., a corporation,

21 Defendant.

Case No. 4:14-CV-04411-DMR

**STIPULATION TO DISMISS
 PLAINTIFF'S CLAIMS; ~~PROPOSED~~
 ORDER GRANTING DISMISSAL**

[FRCP 41(a)(2)]

22 WHEREAS, on July 31, 2014, Plaintiff California Sportfishing Protection Alliance
 23 ("CSPA") provided Defendant Soiland, Inc. ("Soiland") with a Notice of Violations and Intent to
 24 File Suit ("Notice") under Clean Water Act § 505, 33 U.S.C. § 1365.

25 WHEREAS, on October 1, 2014, CSPA filed its Complaint against Soiland in this Court,
 26 California Sportfishing Protection Alliance v. Soiland, Inc., Case No. 4:14-cv-04411-DMR. Said
 27 Complaint incorporates by reference all of the allegations contained in CSPA's Notice.

28 WHEREAS, CSPA and Soiland, through their authorized representatives and without either
 adjudication of CSPA's claims or admission by Soiland of any alleged violation or other
 wrongdoing, have chosen to resolve in full by way of settlement the allegations of CSPA as set forth
 in the Notice and Complaint, thereby avoiding the costs and uncertainties of further litigation. A

1 copy of the Settlement Agreement and Mutual Release of Claims (“Settlement Agreement”) entered
2 into by and between CSPA and Soiland is attached hereto as Exhibit 1 and incorporated by reference.

3 WHEREAS, the parties submitted the Settlement Agreement via certified mail, return receipt
4 requested, to the U.S. EPA and the U.S. Department of Justice and the 45-day review period set forth
5 at 40 C.F.R. § 135.5 has completed and the federal agencies have submitted correspondence to the
6 Court indicating that they have no objection to the terms of the Settlement Agreement.

7 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the
8 parties that CSPA’s claims, as set forth in the Notice and Complaint, be dismissed. The parties
9 respectfully request an order from this Court dismissing such claims. In accordance with paragraph
10 2 of the Settlement Agreement, the parties also request that this Court maintain jurisdiction over the
11 parties through December 22, 2017, for the sole purpose of resolving any disputes between the
12 parties with respect to enforcement of any provision of the Settlement Agreement, or through the
13 conclusion of any proceeding to enforce the Settlement.

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Dated: August 7, 2015

Respectfully submitted,

LOZEAU DRURY LLP

By: /s/ Douglas J. Chermak
Douglas J. Chermak
Attorneys for Plaintiff
California Sportfishing Protection Alliance

CLEMENT, FITZPATRICK & KENWORTHY PC

By: Clayton E. Clement (as authorized on 8/7/15)
Clayton E. Clement
Attorneys for Defendant
Soiland, Inc.

~~[PROPOSED]~~ ORDER

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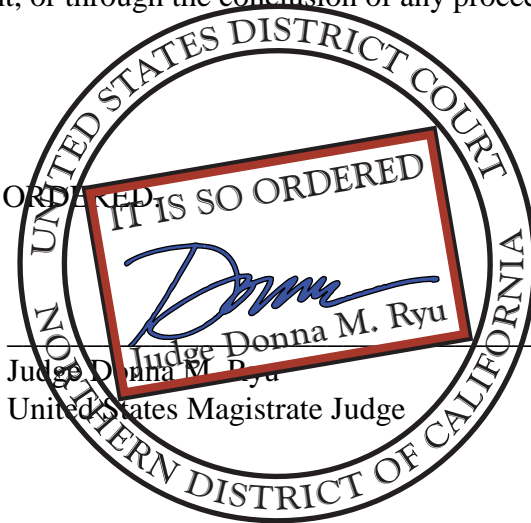
Good cause appearing, and the parties having stipulated and agreed,

IT IS HEREBY ORDERED that Plaintiff California Sportfishing Protection Alliance’s claims against Defendant Soiland, Inc., as set forth in the Notice and Complaint filed in Case No. 4:14-cv-04411-DMR, are hereby dismissed consistent with the terms of the Settlement Agreement that is attached hereto as Exhibit 1.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction over the parties through December 22, 2017, for the sole purpose of resolving any disputes between the parties with respect to any provision of the Settlement Agreement, or through the conclusion of any proceeding to enforce the Settlement Agreement.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 11, 2015



Judge Donna M. Ryu
United States Magistrate Judge