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**FILED**

JUN 05 2013

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

6 Attorneys for Plaintiff  
 7 NORTHERN CALIFORNIA RIVER WATCH

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

10 NORTHERN CALIFORNIA RIVER  
 11 WATCH, a non-profit Corporation,

CASE NO.: 5:12-CV-01624 HRL

12 Plaintiff,

~~PROPOSED~~ ORDER OF ENTRY OF  
 CONSENT DECREE

13 v.

14 CITY OF SAN JOSÉ, et al,

15 Defendants.  
 16 \_\_\_\_\_ /

17 WHEREAS, the parties in the above-captioned matter have reached a settlement, the  
 18 specific terms of which are set forth in a Proposed Consent Decree dated April 19, 2013 and  
 19 lodged with this Court on April 26, 2013 (DKT # 35); and,

20 WHEREAS, on April 19, 2013 a copy of the Proposed Consent Decree was provided via  
 21 electronic mail to the U.S. Department of Justice for a mandatory 45-day agency review  
 22 consistent with 33 U.S.C. § 1365(c) and 40 C.F.R. §135.5; and, was also provided to the U.S.  
 23 Department of Justice via certified mailing; and,

24 WHEREAS, the 45-day agency review period expired on June 3, 2013;

25 IT IS HEREBY **ORDERED** that the Proposed Consent Decree dated April 19, 2013 is  
 26 entered as an Order of the Court.

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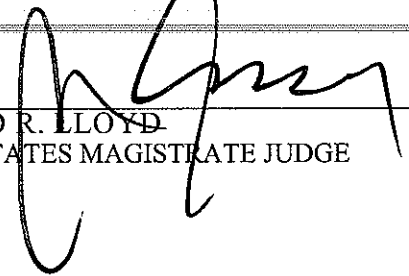
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**IT IS FURTHER ORDERED** that the Court shall retain jurisdiction over this case for the sole purpose of enforcing compliance by the parties with the terms of the Consent Decree.

**SO ORDERED.** *THE CLERK SHALL CLOSE THE FILE.*

DATED: *6/5/13*

  
\_\_\_\_\_  
HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE