logical R	ights Foundation v. Pick-n-Pull Auto & Truck Dismantlers e	t al D
1 2 3 4 5 6 7 8 9	Christopher Sproul (State Bar No. 126398) Jodene Isaacs (State Bar No. 226895) ENVIRONMENTAL ADVOCATES 5135 Anza Street San Francisco, California 94121 Telephone: (415) 533-3376, (510) 847-3467 Facsimile: (415) 358-5695 Email: csproul@enviroadvocates.com Email: jisaacs@enviroadvocates.com Fredric Evenson (State Bar No. 198059) ECOLOGY LAW CENTER ~Monterey Bay~ P.O. Box 1000 Santa Cruz, CA 95061 Telephone: (831) 454-8216 Email: <u>evenson@ecologylaw.com</u>	
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10 11	Attorneys for Plaintiff ECOLOGICAL RIGHTS FOUNDATION	
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13	UNITED STATES DISTRICT COURT	
14	NORTHERN DISTRIC	
15	ECOLOGICAL RIGHTS FOUNDATION,	
16	Plaintiff,	Civil Case No. 5:15-cv-02381 PSG
17	V.	NOTICE OF SETTLEMENT;
18	PICK-N-PULL SAN JOSE AUTO DISMANTLERS, A CALIFORNIA GENERAL	[PROPOSED] ORDER DISMISSING COMPLAINT AND ENTERING
19	PARTNERSHIP,	CONSENT DECREE
20	Defendant.	
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TO THE CLERK OF THE COURT, ANY INTERESTED PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Plaintiff, Ecological Rights Foundation, and Defendant, Pick-n-Pull San Jose Auto Dismantlers ("Pick-n-Pull"), (collectively, the "Parties") have reached settlement in the above-captioned case and have executed a Consent Decree.

PLEASE TAKE FURTHER NOTICE that U.S. Environmental Protection Agency regulations require that any proposed settlement of a Clean Water Act case must be provided to the United States Department of Justice and the national and Region IX offices of the United States Environmental Protection Agency ("federal agencies") prior to any judicial entry of the settlement. (*See* 33 U.S.C. §1365(c); 40 C.F.R. § 135.5.) Plaintiff provided the [Proposed] Consent Decree to the federal agencies for review on October 30, 2015 and on December 14, 2015, the United States Department of Justice notified the court and the parties of its non-objection to the proposed settlement. In accordance with federal law, judgment disposing of this action may be now be entered.

NOW THEREFORE, for the reasons set forth above, the Parties hereby stipulate, and respectfully request, that the Court: (1) approve and execute the Order dismissing the Complaint with prejudice under Rule 41(a)(2) of the Federal Rules of Civil Procedure and (2) approve and sign the attached Consent Decree which provides for continuing Court jurisdiction over any disputes which may arise between the parties under the agreement.

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RESPECTFULLY SUBMITTED, DATED: December 14, 2015

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: /s/ Margaret Rosegay MARGARET ROSEGAY Attorney for Defendant

1	DATED: December 14, 2015	ENVIRONMENTAL ADVOCATES
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3		By: /s/ Jodene Isaacs JODENE ISAACS
4		Attorney for Plaintiff ECOLOGICAL RIGHTS FOUNDATION
5		ECOLOGICAL RIGHTS FOUNDATION
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	Stipulation to Dismiss; [Romposed] Order Civil Case No.: C 15-02381 PSG	

1	[PROPOSED] ORDER
2 3	After consideration of the Consent Decree between the parties attached to this order, I hereby
3 4	dismiss this case with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and retain
5	jurisdiction over the parties with respect to any disputes that may arise under the Consent Decree.
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7	IT IS SO ORDERED:
8	Date: 12/18/2015 Port S. Aure
9	Honorable Magistrate Judge Paul S. Grewal UNITED STATES MAGISTRATE JUDGE
10	NORTHERN DISTRICT OF CALIFORNIA
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28	Stipulation to Dismiss; [Proposed] Order

Civil Case No.: C 15-02381 PSG