

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

THE STATE OF COLORADO,)	
)	
Plaintiff,)	Civil Action No. 83-C-2383
)	
v.)	
)	
ASARCO Incorporated, a New Jersey)	
corporation,)	
)	
Defendants.)	
)	
)	
)	
)	
)	

**ORDER GRANTING JOINT MOTION AND STIPULATED ORDER
TO AMEND 1993 CONSENT DECREE TO SUBSTITUTE PARTIES**

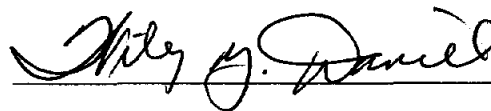
Upon consideration of the Parties' Joint Motion and Stipulated Order to Amend 1993 Consent Decree to Substitute Parties (the "Motion") and it appearing that the Court has jurisdiction over this matter;

IT IS ORDERED that the Motion is GRANTED and conditioned upon the following: (A) the entry of a confirmation order and the satisfaction or waiver of all conditions to the Effective Date, (B) funding of the Custodial Trust as required under the settlement agreement and applicable plan documents, and (C) transfer of title to the Globe Plant to the Custodial Trustee, the 1993 Consent Decree is amended as of the Effective Date to:

1. Substitute Le Petomane XXV, Inc., not individually but solely in its representative capacity as Custodial Trust Trustee of the ASARCO Multi-State Custodial Trust, for ASARCO LLC in the 1993 Consent Decree, subject to the terms of the Amended Consent Decree and Settlement Agreement Establishing a Custodial Trust for Certain Owned Sites in Alabama, Arizona, Arkansas, Colorado, Illinois, Indiana, New Mexico, Ohio, Oklahoma, Utah, and Washington; and
2. Remove ASARCO LLC as a party to the 1993 Consent Decree in accordance with the Amended Consent Decree and Settlement Agreement Establishing a Custodial Trust for Certain Owned Sites in Alabama, Arizona, Arkansas, Colorado, Illinois, Indiana, New Mexico, Ohio, Oklahoma, Utah, and Washington.

IT IS SO ORDERED.

Dated: April 14, 2010
~~2009~~



District Court Judge