

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 CARL E. NEIGHBORS,)
 CARL E. NEIGHBORS II, and)
 ALETHA G. NEIGHBORS,)
)
 Defendants.)

No. 12-CV-584-WDS

CONSENT JUDGMENT

The United States of America having filed its complaint, and the Defendants, Carl E. Neighbors, Carl E. Neighbors II, and Aletha G. Neighbors, having waived their right to file an answer and waived any defense which they may have to the entry of judgment, and sufficient reason appearing for the entry of said judgment:

IT IS HEREBY ORDERED, ADJUDGED, and DECREED:

I. INJUNCTIVE RELIEF

A. Defendants agree to immediately cease all unauthorized dumping, mowing, or cutting of vegetation on federal property.

B Defendants agree to remove cattle, livestock, fencing, gates, and all manner of trash, debris, junk, equipment, and abandoned vehicles from all locations set forth on Attachment A within 6 months of the entry of this Consent Judgment.

C. Defendants agree to respect and abide by all posted National Forest boundary markers by refraining from unauthorized use of any Forest Service lands, including but not

limited to (1) placing or allowing unauthorized cattle or other livestock access or use, (2) dumping any refuse, trash, debris, or litter, (3) abandoning any personal property or vehicle, (4) mowing or cutting of any vegetation for any purpose.

II. COURT JURISDICTION, SCOPE AND TERMS

A. The parties have consented to the entry of this Consent Judgment as indicated by the signatures below. To this end, the parties stipulate that the exclusive jurisdiction and venue for any dispute relating to this Consent Judgment is the United States District Court for the Southern District of Illinois.

B. The Consent Judgment is effective immediately upon its entry by the Court.

C. The entry of this Consent Judgment will terminate this case. The Court will retain jurisdiction, in order to enforce the terms of this Consent Judgment, for a period of one (1) year after the entry of the judgment. The United States may move the Court to extend this period of time if it determines that Defendants have violated one or more terms of the Consent Judgment or if the interests of justice otherwise require.

D. The United States agrees to file with the Court a written status report upon compliance or within six (6) months from the date of this agreement, whichever is sooner, informing the Court of Defendants' progress in compliance with this Consent Judgment.

E. The United States shall endeavor in good faith to resolve informally any differences regarding interpretation of and compliance with this Consent Judgment prior to bringing such matters to the Court for resolution. However, in the event of a failure by Defendants, whether willful or otherwise, to perform in a timely manner any act required by this Consent Judgment or otherwise to act in violation of any provision thereof, the United States

may move this Court to impose any remedy authorized by law or equity, including, but not limited to, an order requiring performance of such act or deeming such act to have been performed, and an award of any damages, costs, and attorney's fees that may have been occasioned by Defendants' violation or failure to perform.

F. In executing this agreement, the parties acknowledge the property boundaries of the United States government property as set forth in the cadastral surveys contained in Attachment B and as graphically depicted in Attachment C are true and accurate representations of the common boundary lines between the parties' respective real property.

G. Each party to this Consent Judgment shall bear its own costs and attorney's fees associated with this action.

H. This Consent Judgment may be signed by the parties in counterparts.

IT IS FURTHER ORDERED that the Clerk of the Court shall remove this case from the docket.

DATED: 27 August, 2012

s/ WILLIAM D. STIEHL
District Judge