

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)
and STATE OF NEBRASKA,)
)
Plaintiffs,)
)
v.)
)
PECKHAM, INC.; MARK)
PECKHAM; CITY OF WEST)
POINT, NEBRASKA; WIMMER’S)
MEAT PRODUCTS, INC.; and)
WEST POINT DAIRY PRODUCTS,)
LLC,)
)
Defendants.)
_____)

8:08CV293

MEMORANDUM AND ORDER

After providing public notice and allowing for public comment pursuant to [28 C.F.R. § 50.7](#), plaintiffs United States of America and the State of Nebraska have filed a motion to enter consent decree (filing [133](#)). The proposed consent decree (filing [132-1](#)) resolves the claims made by the United States and the State of Nebraska against defendants Peckham, Inc. (f/k/a West Point Dairy Products, Inc.) and Mark Peckham for violations of the Clean Water Act.

After careful review of the parties’ consent decree (filing [132-1](#)), I shall grant the motion. Accordingly,

IT IS ORDERED:

1. The motion to enter consent decree (filing [133](#)) filed by plaintiffs United States of America and the State of Nebraska is granted;

2. The Clerk of Court shall file the above-described consent decree, as signed and dated by the undersigned United States District Judge, as a separate document following the filing of this memorandum and order;

3. The Clerk of Court shall terminate defendants Peckham, Inc. (f/k/a West Point Dairy Products, Inc.) and Mark Peckham as parties to this action;

4. As the court has previously entered consent decrees between Plaintiffs and each of the other defendants in this case (filings [95](#), [113](#), [126](#)) as final judgments under Fed. R. Civ. P. [54](#) and [58](#), the filing of the consent decree between Plaintiffs and defendants Peckham, Inc. (f/k/a West Point Dairy Products, Inc.) and Mark Peckham resolves all outstanding claims in this case, and the Clerk of Court shall terminate this case.

DATED this 19th day of May, 2010.

BY THE COURT:

Richard G. Kopf

United States District Judge

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