

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA and
THE STATE OF WISCONSIN,

Plaintiffs,

v.

Case No. 10-C-910

NCR CORPORATION, et al.,

Defendants.

ORDER

The government lodged a proposed consent decree involving P.H. Glatfelter Company and Georgia-Pacific Consumer Products LP with the court in January 2019, which was subject to a thirty-day public comment period. On March 14, 2019, the government filed an unopposed motion seeking court approval of that settlement and vacatur of certain prior decisions. Upon review of the decree and the brief in support, the court finds that the settlement is reasonable, is consistent with the purposes of CERCLA, and will help achieve clarity and finality. The government also seeks entry of an order vacating three of the court's decisions: the January 3, 2017 Decision and Order on Plaintiffs' Motion *in Limine*, the February 5, 2018 Decision and Order on Cross Motions for Summary Judgment on Recovery of Response Costs from P.H. Glatfelter Co., and the July 13, 2018 Decision and Order Denying Plaintiffs' Motion for Reconsideration. The vacatur of those decisions is a condition precedent to the settlement. I conclude that it is appropriate to vacate those decisions to facilitate a settlement.

IT IS THEREFORE ORDERED that the government's motion (ECF No. 1255) is **GRANTED**. The consent decree is hereby approved. The clerk is directed to enter the consent decree (ECF No. 1252-1) on the docket.

IT IS FURTHER ORDERED that the orders found at ECF Nos. 1167, 1217, and 1239 are hereby **VACATED** in accordance with the terms of the consent decree.

IT IS FURTHER ORDERED that any remaining motions are **DENIED as moot**.

Dated this 14th day of March, 2019.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court