From:	Brown, Lisa@ARB
To:	Wehling, Jefferson
Cc:	Spiegelman, Nina; Smith, Noah
Subject:	RE: Request for examples of Consent Decrees in the air program
Date:	Tuesday, February 18, 2014 3:12:03 PM
Attachments:	2013-04-19 Trial Court Decision Denying Friends & Parks Petition for Writ.pdf

Thanks for this. New question—assuming we are successful in settling this using a consent decree—any thoughts on whether the NGO who brought the litigation (Friends of Oceano Dunes) would be successful in asking for attorney fees? I would think not as they lost at the trial court (the District Rule was upheld).

From: Wehling, Jefferson [mailto:Wehling.Jefferson@epa.gov]
Sent: Thursday, December 12, 2013 12:31 PM
To: Brown, Lisa@ARB
Cc: Spiegelman, Nina; Smith, Noah
Subject: RE: Request for examples of Consent Decrees in the air program

Lisa:

EPA is not a party to the Ocotillo Wells litigation so we don't have a copy of the related consent decree. But, I am forwarding to you the settlement agreement and attachments related to resolution of two lawsuits filed in the Ninth Circuit challenging an EPA action involving Imperial County dust rules: Imperial County Air Pollution Control District v. EPA (No. 10-72709) and California Department of Parks and Recreation v. EPA (No. 10-72729). Feel free to call me if you have any questions or need additional information.

Jeff Wehling
U.S. EPA, Region IX, ORC-2
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3901

From: Brown, Lisa@ARB [mailto:lbrown@arb.ca.gov]
Sent: Friday, December 06, 2013 2:42 PM
To: Spiegelman, Nina; Wehling, Jefferson; Smith, Noah
Subject: RE: Request for examples of Consent Decrees in the air program

Thanks for the call –sorry I was gone (and apparently don't know my own phone #)

Can I get a copy of the Consent Decree in the Ocotillo Wells litigation from Imperial County?

--Lisa