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THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES OF AMERICA, et al.,

Plaintiffs,

NO. C70-9213

v.

STATE OF WASHINGTON, et al.,

Defendants.

Subproceeding No. 89-3 (Shellfish)

ORDER AND CONSENT DECREE APPROVING SETTLEMENT AGREEMENT

IT IS HEREBY ORDERED:

The Court, having reviewed the Joint Motion for Order And Consent Decree Approving Settlement Agreement, including the June 20, 2007 Settlement Agreement and other documents, finds that the Settlement Agreement is fair and reasonable, both procedurally and substantively, consistent with applicable law, in good faith, and in the public interest. The Settlement Agreement is hereby approved and incorporated as a Consent Decree and Order of this Court.

DONE this 21st day of June, 2007.

RICARDO S. MARTINEZ UNITED STATES DISTRICT JUDGE

C70-9213, Subproceeding 89-3 (Shellfish)

[Proposed] Order And Consent Decree Approving Settlement Agreement – Page 1 KANJI & KATZEN, PLLC 100 S. King Street, Suite 560 Seattle, WA 98104 (206) 344-8100