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14 *Attorneys for the State of California,*
15 *on behalf of the California Regional Water Quality*
16 *Control Board for the Central Valley Region*
and the California Department of
17 *Toxic Substances Control, respectively*

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**PLAINTIFFS' REQUEST FOR ENTRY OF
FINAL JUDGMENT PURSUANT TO RULE 58**

Pursuant to Fed.R.Civ.P. 58(d), and Section 113(g)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9613(g)(2), the United States together with the State of California on behalf of the California Department of Toxic Substances Control and the Regional Water Quality Control Board for the Central Valley Region (“Plaintiffs”) request that final judgment be set out in a separate document as required by Rule 58(a), in the form of the Proposed Final Judgment filed with this Request. The Plaintiffs respectfully request that the Entry of Final Judgment encompass the substance of the following.

1. As to the United States, judgment is entered, *in personam*, against T.W. Arman (aka Theodore Arman, aka Ted Arman (collectively “T.W. Arman”)), and Iron Mountain Mines, Inc., jointly and severally, in the amount of \$57,140,669.53 for response costs (\$26,968,134.84) incurred through February 1996, plus interest (\$30,172,534.69) through September 30, 2010, relating to the area including the inactive mines on Iron Mountain outside Redding, Shasta County, California, and areas where hazardous substances released from the mines are located (the Superfund Site defined by the United States Environmental Protection Agency as the “Iron Mountain Mine Site”).
2. As to the United States, judgment is entered, *in personam*, against T.W. Arman and Iron Mountain Mines, Inc., jointly and severally, for additional prejudgment interest after September 30, 2010, as provided by law.
3. Declaratory Judgment is entered, *in personam*, that T.W. Arman and Iron Mountain Mines, Inc. are jointly and severally liable to the United States for additional response costs, incurred in connection with the Iron Mountain Mine Superfund Site, and for prejudgment interest on those costs as provided by law, to

1 the extent that those costs have not been, and are not being paid pursuant to the
2 December 8, 2000 Consent Decree entered in this matter.

- 3 4. Declaratory Judgment is entered, *in personam*, that T.W. Arman and Iron
4 Mountain Mines, Inc. are jointly and severally liable to the State of California, on
5 behalf of the California Department of Toxic Substances Control and the
6 California Regional Water Quality Control Board for the Central Valley Region,
7 for additional response costs, incurred in connection with the Iron Mountain Mine
8 Superfund Site, and for prejudgment interest on those costs as provided by law, to
9 the extent that those costs have not been, and are not being paid pursuant to the
10 December 8, 2000 Consent Decree entered in this matter.

11 The Plaintiffs make this Request based on this Court's Orders of (1) September
12 30, 2002 (granting summary judgment on liability, entered October 1, 2002, as docket entry
13 1241), as affirmed May 5, 2010 (entered May 6, 2010, as docket entry 1316), and (2) July 13,
14 2010 (granting summary judgment for response costs incurred by the United States through
15 February 29, 1996, docket entry 1318), as amended October 1, 2010 (granting declaratory
16 judgment on liability, docket entry 1323).

17 In support of this Request, the Plaintiffs submit a Proposed Final Judgment.

18 Counsel for the State of California (Ms. Padilla and Ms. Russell) have authorized
19 Counsel for the United States to sign this document on their behalf.

20 Dated: December 15, 2010

21 Respectfully submitted,

22 /s/ Larry Martin Corcoran
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25 Environment and Natural Resources Division
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3 *Control Board for the Central Valley Region and*
4 *the California Department of*
5 *Toxic Substances Control, respectively*

6 CERTIFICATE OF SERVICE

7 I Hereby Certify That, on December 15, 2010, I caused the PLAINTIFFS'
8 REQUEST FOR ENTRY OF FINAL JUDGMENT PURSUANT TO RULE 58 and Proposed
9 Final Judgment to be filed electronically using the Court's ECF system, which will send notice
10 of such filings to all registered counsel of record.

11
12 /s/ Larry Martin Corcoran
13 LARRY MARTIN CORCORAN
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