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CENTRAL DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

5 Attorneys for County of Orange
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7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

9 COUNTY OF ORANGE,
Plaintiffs,

v.

10 AIR CALIFORNIA, et al.
Respondents.

11 CITY OF NEWPORT BEACH,
12 Counterclaimant,

v.

13 COUNTY OF ORANGE; ORANGE
14 COUNTY BOARD OF SUPERVISORS,
and DOES 1 through 1,000, Inclusive,
15 Counterdefendants.

) Case No. CV 85-1542 TJH (MCx)
) **ORDER RE**
) **NINTH SUPPLEMENTAL**
) **STIPULATION BY THE COUNTY OF**
) **ORANGE, CALIFORNIA, THE CITY**
) **OF NEWPORT BEACH, STOP**
) **POLLUTING OUR NEWPORT, AND**
) **THE AIRPORT WORKING GROUP**
) **OF ORANGE COUNTY, INC.,**
) **AMENDING THE TERMS AND**
) **CONDITIONS OF THE PREVIOUS**
) **STIPULATIONS OF THOSE PARTIES**
) **AND REQUESTING A**
) **MODIFICATION OF AN**
) **EXECUTORY JUDGMENT OF THE**
) **COURT**

) ~~AND~~

) ~~[PROPOSED] ORDER~~

18 AND RELATED COUNTERCLAIMS.
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~~PROPOSED~~

MODIFIED FINAL JUDGMENT

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1. In 1985, the County of Orange, the City of Newport Beach, Stop Polluting Our Newport, and the Airport Working Group ("Settling Parties") entered into a Stipulation for Entry of Final Judgment by Certain Settling Parties, settling all pending actions and claims related to the 1985 Master Plan of John Wayne Airport ("JWA") and related actions ("the 1985 Settlement Agreement"). On December 13, 1985, this Court entered Final Judgment on Stipulation for Entry of Judgment by Certain Settling Parties which accepted the stipulation of the Settling Parties and incorporated certain portions of their stipulation into that judgment. The principal terms of the 1985 Settlement Agreement relate to restrictions and limitations on aircraft operations and commercial passenger facilities.

2. In the intervening years, by stipulations of the Settling Parties, orders of the Court have been entered to reflect certain modifications in the agreement of the Settling Parties which were contained in stipulations presented to and approved by the Court. None of these modifications further restricted operations or facilities as compared to the 1985 Settlement Agreement.

3. The Settling Parties have now presented to the Court a Ninth Supplemental Stipulation by the County of Orange, California, the City of Newport Beach, Stop Polluting Our Newport, and the Airport Working Group of Orange County, Inc., Amending the Terms and Conditions of the Previous Stipulations of those Parties

1 ("Amended Stipulation") and Requesting a Modification of an Executory Judgment of
2 the Court and [Proposed] Order.

3 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

4 A. The Amended Stipulation contains many of the terms of the 1985
5 Settlement Agreement and the eight (8) previous stipulations of the Settling Parties and
6 for clarity and ease of reference, the Amended Stipulation is deemed to contain all of
7 the agreements and obligations of the Settling Parties.

8 B. The provisions of paragraphs 15 through 44 and 53 through 61 of the
9 Amended Stipulation are hereby incorporated as part of this Modified Final Judgment.

10 C. The Settling Parties shall each bear their own costs and attorneys' fees in
11 connection with the entry of this Modified Final Judgment.

12 **IT IS SO ORDERED.**



13 Dated: October 23, 2014 By: _____

The Honorable Terry J. Hatter, Jr.
United States District Judge

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