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DISTRICT COURT OF GUAM  
TERRITORY OF GUAM

UNITED STATES OF AMERICA  
Plaintiff,  
vs.  
GOVERNMENT OF GUAM,  
Defendant.

Civil Case No. 02-00022

**ORDER**

This matter came before the court on July 15, 2009, for a quarterly status hearing. At that time, the Receiver, Gershman, Brickner & Bratton, Inc. (“GBB”) reported on the progress of Consent Decree projects and on the operations of the Solid Waste Management System (“SWDM”). See Docket No. 463. Various Guam agencies also provided updates on their respective work on the Consent Decree projects. The court is concerned about the Department of Public Works’ (“DPW”) report. Specifically, DPW addressed the possible delay in the construction and expansion of the Ylig Bridge because a colony of *Partula radiolata*, a rare Guam Tree Snail, had been found living under the bridge. The court orders the plaintiff and the United States Fish and Wildlife Service to provide assistance to DPW in this regard to make sure there is an expedited solution.

Additionally, to ensure that there is ongoing progress to meet the previously established Consent Decree timetable the following is ordered:

- DPW is ordered to file progress reports every two weeks, beginning on August

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1, 2009 regarding the *Partula radiolata* and its efforts in addressing the situation;

- The Guam Environmental Protection Agency is hereby directed to file a request detailing its budgetary need for additional funds in order to work on specific Consent Decree Projects. Said request shall be filed by 12:00 noon, July 29, 2009;
- The Government of Guam shall use its best efforts to execute the Letter of Intent with the military by close of business on July 17, 2009; and
- GBB is permitted to establish appropriate interim residential collection fees as set forth in its July 2009 quarterly report.

Lastly, the next status hearing is scheduled for October 21, 2009 at 9:00 a.m. All parties previously ordered to attend the July 15, 2009 status hearing are required to attend the October 21 status hearing.

**SO ORDERED.**



**/s/ Frances M. Tydingco-Gatewood**  
**Chief Judge**  
**Dated: Jul 15, 2009**