

NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

NO: 634257

SEC. 26

STATE OF LOUISIANA

VERSUS

VEOLIA ENVIRONMENTAL SERVICES NORTH AMERICA, L.L.C.,  
VEOLIA ES TECHNICAL SOLUTIONS, L.L.C.,  
AND CHEMICAL WASTE MANAGEMENT, INC.

FILED: \_\_\_\_\_

DEPUTY CLERK

JOINT MOTION FOR CONSENT JUDGMENT

STATE  
OCT 31 2014  
BY *[Signature]*  
DEPUTY CLERK OF COURT

NOW INTO COURT, through undersigned counsel, comes the State of Louisiana, ex rel. James D. "Buddy" Caldwell, Attorney General ("State"), Veolia Environmental Services North American, L.L.C. ("VESNA"), Veolia ES Technical Solutions, L.L.C. ("Veolia ES"), and Chemical Waste Management, Inc. ("CWM"), through undersigned counsel, and upon suggesting to the Court that:

1.

On October 13, 2014, the State filed a Petition for Temporary Restraining Order, Preliminary Injunction, and Permanent Injunction against VESNA, Veolia ES, and CWM to prevent the transport to and disposal in Louisiana of certain incinerator ash from the incineration on October 10, 17, and 18, 2014, of decontaminated materials associated with the recent Ebola virus diagnoses in Dallas, Texas (the "Incinerator Ash").

2.

On October 13, 2014, a Temporary Restraining Order ("TRO") was issued, directing the parties as follows:

- a. "VESNA and Veolia ES be and are commanded to cease and desist any transport of the incinerator ash from the treated Ebola contaminated waste in Texas to the State of Louisiana;
- b. VESNA and Veolia ES be and are commanded to apply for any applicable permits from the State of Louisiana and provide the State of Louisiana with copies of all information it

REC'D C.P.

OCT 31 2014

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has regarding the material and the transport and treatment of same, including but not limited to, transport manifest, treatment protocol, any testing performed on the materials including the results thereof, any paperwork sufficient to prove that the materials do not constitute or contain infectious waste, and any and all communications or correspondence from other federal and state regulatory agencies regarding the materials, including but not limited to USDOT, CDC, Texas Department of Health;

- c. VESNA and Veolia ES be and are commanded to provide a list of Texas licensed and permitted hazardous waste landfills authorized to dispose of the materials with whom VESNA and Veolia ES may also be under contract and to which the materials can be transported and contained in the State of Texas where the Ebola contaminated materials originated.
- d. CWM be and is commanded not to accept for disposal or dispose of any incinerated ash or other medical waste originating from Ebola contaminated materials.”

3.

On October 21, 2014, through a Joint Motion, the parties agreed that a temporary extension of the TRO would provide an opportunity to further discuss stipulations, consent judgments, or other terms and conditions that would ensure the protection of the health, safety and welfare of Louisiana citizens and eliminate the need for a hearing on the preliminary or permanent injunction.

4.

Following the issuance of the TRO and the temporary extension, the parties have been in discussions regarding the Incinerator Ash and the transport and treatment of same and have come to the mutual agreement that the most effective and efficient resolution to this matter is through the Consent Judgment attached hereto.

5.

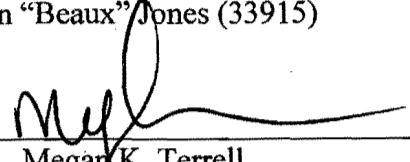
Therefore, the parties consent to and jointly move for the entry of Judgment herein, which provides that the Incinerator Ash will not be transported to or disposed of in Louisiana.

WHEREFORE, in accordance with the foregoing, the parties pray that this Court grant this Joint Motion for Consent Judgment.

Respectfully submitted,

**JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL**

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*Attorneys for Chemical Waste Management, Inc.*

**DEUTSCH, KERRIGAN & STILES, L.L.P.**

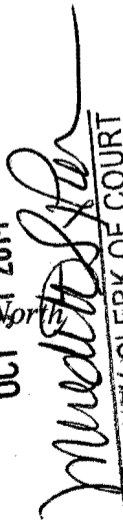
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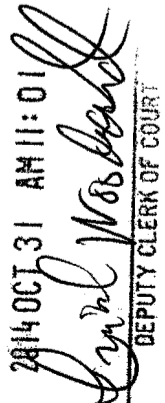
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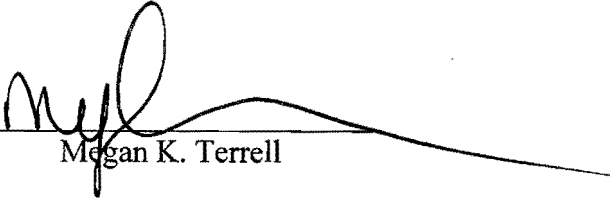
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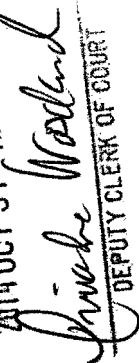
**CERTIFICATE OF MAILING**

I hereby certify that a copy of the above and foregoing has been forwarded to all counsel of record by placing same in the U.S. Mail, postage prepaid and properly addressed, facsimile, hand delivery, electronic mail, or other electronic transmission on this 31<sup>st</sup> day of October, 2014.

  
Megan K. Terrell

FILED  
EAST BATON ROUGE PARISH, LA

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OCT 31 2014

  
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VEOLIA ES TECHNICAL SOLUTIONS, L.L.C.,  
AND CHEMICAL WASTE MANAGEMENT, INC.

FILED: \_\_\_\_\_

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DEPUTY CLERK

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CONSENT JUDGMENT

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This matter having come before the Court by agreement between the Plaintiff, the State of Louisiana, ex rel. James D. "Buddy" Caldwell, Attorney General ("State"), and the Defendants, Veolia Environmental Services North American, L.L.C. ("VESNA"), Veolia ES Technical Solutions, L.L.C. ("Veolia E.S."), and Chemical Waste Management, Inc. (collectively the "Parties"), who represent that they have fully settled and compromised all claims and disputes involved in this suit, and stipulate and agree to the rendering of the following judgment:

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

1. On October 10, 17, and 18, 2014, decontaminated materials associated with the recent Ebola virus diagnoses in Dallas, Texas were incinerated at facilities owned and/or operated by Veolia ES Technical Solutions, L.L.C. Incinerator ash was generated by the incinerator (the "Incinerator Ash"), and the Incinerator Ash needs to be disposed.
2. On October 13, 2014, the State commenced this action seeking temporary, preliminary, and permanent injunctive relief to, *inter alia*, prevent the transport to and disposal of the Incinerator Ash from Texas into Louisiana. This Court issued the requested Temporary Restraining Order ("TRO") on the same day.
3. On October 21, 2014, the parties agreed to a temporary extension of the TRO to provide the parties an opportunity to discuss stipulations, consent judgments, or other terms and

conditions that would eliminate the need for a hearing on the preliminary or permanent injunction.

4. The parties agree that the Incinerator Ash will not be transported to or disposed of in Louisiana, and the TRO is dissolved in all other respects.

Each party to bear their own costs, if any.

Bob Downing  
Honorable Bob Downing  
Judge, Pro Tempore, Nineteenth Judicial District Court

October 31, 2014

I hereby certify that on this day a notice of the above judgment was mailed by me, with sufficient postage affixed, to: Megan Terrell, Veolia Environment Services North Am.  
Done and signed on Donna Beverall  
October 31, 2014  
Deputy Clerk of Court  
→ Veolia Technical Solutions, LLC,  
and Chemical Waste Mgmt.,  
Anna Crochet, Duris Holmes

FILED  
EAST BATON ROUGE PARISH-LA

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Shirley Wade  
DEPUTY CLERK OF COURT

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OCT 31 2014

Meredith Spivey  
DEPUTY CLERK OF COURT