

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ARKEMA INC. and OZARK-
MAHONING COMPANY,**

Plaintiffs,

v.

**ARCELORMITTAL USA INC.,
ROSICLARE LEAD AND
FLUORSPAR MINING COMPANY,
ON MARINE SERVICES COMPANY
LLC, ESTATE OF JACK QUARANT,
AMMIN HOLDINGS, INC., PRINCE
MINERALS, INC.,**

12-cv-01022-DRH-DGW

Defendants.

ORDER

HERNDON, Chief Judge:

It is hereby **ORDERED** that the Motion for Entry of Order Dismissing Defendants ON Marine Services Company LLC, ArcelorMittal USA LLC, Prince Minerals, Inc., and Estate of Jack Quarant (“Settling Defendants”) (Doc. 79) is **GRANTED**.

IT IS FURTHER ORDERED AS FOLLOWS:

1. All claims asserted by the Plaintiffs in the Complaint and all potential claims of Plaintiffs against the Settling Defendants and all actual and potential counterclaims by the Settling Defendants against the Plaintiffs and actual and potential cross-claims by the Settling Defendants against any Settling Defendant in this action, any of which are for response costs incurred in the

performance of work and other obligations required in the Consent Decree styled *People of the State of Illinois v. Alcoa Inc., et al.*, Case No. 3-09-CV-00392-DRH-PMF (S.D. Ill.) (the “Consent Decree”), shall be and hereby are dismissed and barred with prejudice, and the Settling Defendants are hereby dismissed as parties to this action.

2. This dismissal is without costs or attorneys’ fees against the Plaintiffs or the Settling Defendants, each party to bear its own costs and fees.

3. All asserted and potential cross-claims by any Non-Settling Defendant or by any other person (including entities) against the Settling Defendants and by the Settling Defendants against any Non-Settling Defendants, any of which are for response costs incurred in the performance of work and other obligations required in the Consent Decree, shall be and hereby are dismissed and barred with prejudice.

4. This Order of Dismissal with Prejudice does not bar or otherwise adjudicate potential claims by Plaintiffs against Settling Defendants or by Settling Defendants against Plaintiffs for response costs not dismissed pursuant to Paragraphs 1 and 3 above, including those response costs for obligations that are not required in the Consent Decree.

5. Pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Court finding no just reason for delay, this Order of Dismissal with Prejudice shall be entered as a final judgment of the Court with respect to the Settling Defendants, and the dismissal of cross-claims with prejudice as provided herein

shall be deemed to be a final Order of the Court.

IT IS SO ORDERED.

Signed this 28th day of June, 2013.

 David R. Herndon
2013.06.28
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**Chief Judge
United States District Court**