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 12 California

13 IN THE UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

17 **IN RE: VOLKSWAGEN “CLEAN
 18 DIESEL” MARKETING, SALES
 19 PRACTICES, AND PRODUCTS
 LIABILITY LITIGATION**

20 Relates to: *People of the State of California v.*
 21 *Volkswagen AG, et al.*, No. 16-cv-3620 (N.D.
 Cal.)

Case No. MDL 2672 CRB (JSC)

**CALIFORNIA’S NOTICE OF JOINDER
 IN THE UNITED STATES’ MOTION
 FOR ENTRY OF AMENDED PARTIAL
 CONSENT DECREE**

Judge: Hon. Charles R. Breyer

23
 24 PLEASE TAKE NOTICE THAT the People of the State of California, by and through the
 25 California Air Resources Board (“CARB”), and by and through Kamala D. Harris, Attorney
 26 General of the State of California (“CAAG”) (collectively, “California”), respectfully joins in the
 27 United States’ motion for entry of the Amended Partial Consent Decree. Dkt. 1973 in 15-md-
 28 2672.

1 As stated in the United States' motion papers, in addition to partially resolving 2.0 liter
 2 vehicle claims brought by the United States, the Amended Partial Consent Decree¹ also partially
 3 resolves California's claims against the settling defendants for injunctive relief under its
 4 environmental and unfair competition laws. The Amended Partial Consent Decree preserves
 5 California's claims for environmental penalties related to both 2.0 and 3.0 liter vehicles, as well
 6 as other claims for relief related to 3.0 liter vehicles.²

7 The Amended Partial Consent Decree recognizes CARB's unique status under the Clean
 8 Air Act as a co-regulator that sets and enforces its own standards for mobile emission sources.
 9 See CAA § 209, 42 U.S.C. § 7543. The settlement embodied in the Amended Partial Consent
 10 Decree and appendices is the product of lengthy negotiations involving attorneys and technical
 11 experts from United States Environmental Protection Agency and CARB, as well as attorneys
 12 from the United States Department of Justice and CAAG. CARB and CAAG are signatories to
 13 the Amended Partial Consent Decree on behalf of California.

14 While resolution of California's environmental and unfair competition claims is not subject
 15 to the Clean Air Act's notice and comment requirements, California joins in all portions of the
 16 United States' motion. For all of the reasons set forth in that motion, California respectfully
 17 requests that the Court enter the Amended Partial Consent Decree.

18 Dated: September 30, 2016

Respectfully submitted,

KAMALA D. HARRIS
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 NICKLAS A. AKERS
 Senior Assistant Attorney General
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/s/ Jon F. Worm
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 of the State of California*

26 ¹ As noted in the United States' motion papers, California agrees with the other parties to the
 27 changes reflected in the Amended Partial Consent Decree.

28 ² The CAAG civil penalty and injunctive relief claims were previously resolved through a consent
 decree entered by this Court on September 1, 2016. Dkt. 1801 in 15-md-2672.

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CERTIFICATE OF SERVICE

I hereby certify that, on September 30, 2016, I caused to be served true copies of California’s Notice of Joinder in the United States’ Motion for Entry of Amended Partial Consent Decree by electronic means by filing such documents through the Court’s Electronic Case Filing System.

/s/ Jon F. Worm
JON F. WORM
Deputy Attorney General
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