

REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL

Status Report: U.S.A. v. City

(Secondary Treatment)

Civil Action No. 88-1101-B (IEG)

A motion to dismiss portions of the above entitled case was argued on April 10, 1989 in Department 2 of the Southern District United States District Court before the Honorable Rudi M. Brewster. The court took the motion under submission and has now issued its order (attached hereto) denying the City's motion to dismiss portions of the complaint while striking violations alleged to have occurred after the date of the complaint.

The City will now answer the factual allegations of the complaint while continuing to demonstrate to the court and the plaintiffs its progress toward secondary treatment.

Respectfully submitted,

JOHN W. WITT

City Attorney

TB:mb:452.1.1:(x043.1)

Attachment

cc Metropolitan

Sewer Task Force

RC-89-12