

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA	)	CIVIL NO. 12-00693 JMS-BMK
and THE STATE OF HAWAII,	)	
	)	ORDER GRANTING PLAINTIFFS'
Plaintiffs,	)	MOTION TO ENTER CONSENT
	)	DECREE
vs.	)	
	)	
CAPE FLATTERY LIMITED and	)	
PACIFIC BASIN (HK) LIMITED,	)	
	)	
Defendants.	)	
_____	)	

**ORDER GRANTING PLAINTIFFS' MOTION TO ENTER CONSENT  
DECREE**

On March 19, 2013, Plaintiffs the United States of America (“United States”) and the State of Hawaii filed a Motion to Enter Consent Decree. Doc. No. 11. The Consent Decree at issue was lodged on December 21, 2012, and is related to the grounding of the M/V Cape Flattery on coral reef habitat outside the entrance channel to Barbers Point Harbor, Oahu, Hawaii.

On March 22, 2013, Defendants Cape Flattery Limited and Pacific Basin (HK) Limited, entered an appearance through counsel. Doc. No. 13. Defendants also filed a Notice of Concurrence in the Entry of the Consent Decree Lodged December 21, 2012. Doc. No. 14.

Pursuant to 28 C.F.R. § 50.7, the United States published notice of the Consent Decree in the Federal Register. *See* 78 Fed. Reg. 1251-02 (January 8, 2013). The thirty day public comment period for the Consent Decree ended on February 7, 2013, without the United States receiving any public comments.

The Court has reviewed Plaintiffs' Motion to Enter Consent Decree, and finds that the Consent Decree is procedurally and substantively fair, and in the public interest. Accordingly, the Motion to Enter Consent Decree is GRANTED. The court has approved and signed the Consent Decree lodged on December 21, 2012. The Clerk of Court shall file the Consent Decree, which shall constitute a final judgment of the court, and close the case file.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, March 27, 2013.



/s/ J. Michael Seabright  
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J. Michael Seabright  
United States District Judge

*United States of America v. Cape Flattery Limited*, Civ. No. 12-00693 JMS-BMK, Order Granting Plaintiffs' Motion to Enter Consent Decree