

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION**

WATERKEEPER ALLIANCE, INC.

Plaintiff,

v.

ALAN AND KRISTIN HUDSON FARM,
et al.

Defendants.

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Civil Action

No. 1:10-cv00487-WDQ

PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56(a), Plaintiff Waterkeeper Alliance, Inc., by its undersigned counsel, hereby moves the Court to enter summary judgment in its favor against Alan and Kristin Hudson Farm (“Hudson Farm”) and Perdue Farms, Inc. (“Perdue”).

Hudson Farm and Perdue are liable under Sections 301 and 402 of the Clean Water Act (CWA) as owners and/or operators of a Concentrated Animal Feeding Operation located at 9101 Logtown Road in Berlin, Maryland, for discharging pollutants into waters of the United States without a permit. 33 U.S.C. §§ 1311, 1342. There is no genuine issue as to any material fact and the Plaintiff is entitled to summary judgment as a matter of law.

WHEREFORE, as set forth in this Motion, the Plaintiff’s Memorandum of Support for this Motion, and accompanying Exhibits, the Plaintiff now respectfully requests that this Court

grant summary judgment and find Hudson Farm and Perdue liable for their violations of the CWA.

Dated: November 17, 2011.

Respectfully Submitted:

/s/

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*practicing pursuant to Rule 702 of the Federal Rules

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion, Memorandum in Support of Motion, and Proposed Order were served on this 17th day of November, 2011 on the following parties via CM/ECF:

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