

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BASEL ACTION NETWORK, a Sub-)
project of the Tide Center and)
SIERRA CLUB,)
)
Plaintiffs,)
)
v.)
)
MARITIME ADMINISTRATION; Capt.)
William G. Schubert, in his official capacity)
as Administrator;)
)
UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY; Michael Leavitt)
in his official capacity as Administrator)
)
Defendants.)

Civ. No. 03-02000-RMC
UNITED STATES' CROSS-MOTION
FOR SUMMARY JUDGMENT

The United States Department of Justice, on behalf of the Maritime Administration (“MARAD”) and Capt. William G. Schubert, in his official capacity as Administrator, and the United States Environmental Protection Agency (“EPA”) and Michael Leavitt, in his official capacity as Administrator, pursuant to Fed. R. Civ. P. 56, cross moves for summary judgment with respect to all claims asserted by the Basel Action Network and the Sierra Club in the Second Amended Complaint filed in this action. A memorandum of points and authorities in support of the relief requested is submitted herewith.

Respectfully submitted,

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s/Cynthia J. Morris

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