

THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

2010 MAR 15 10:36

OGEECHEE-CANOOCHEE )  
RIVERKEEPER, INC.; )  
 )  
Plaintiff, )

v. )

Case No. 6:08-cv-00064-BAE-GRS

T.C. LOGGING, INC.; HENRY )  
THOMAS CLARK; LOW COUNTRY )  
LAND CLEARING, LLC; LOW )  
COUNTRY LAND AND )  
EXCAVATING, INC.; RSM )  
ENVIRONMENTAL LAND )  
CLEARING, INC.; NICHOLAS R. )  
PERKINS; and CARL AND LORI )  
PROMAN. )

Defendants. )

**CONSENT ORDER AND FINAL JUDGMENT**

Upon consideration of the agreement of the parties, evidenced by representations made by counsel at a hearing held on April 20, 2010 and incorporated herein by reference, and it otherwise appearing proper to do so, it is hereby:

**ORDERED** that the Court's Order of March 18, 2010 assessing penalties against Defendants T.C. Logging and Henry Thomas Clark (collectively "T.C. Logging") for T.C. Logging's violation of the Clean Water Act ("CWA") is modified to reduce the amount of penalties payable to the U.S. Treasury to \$48,000;

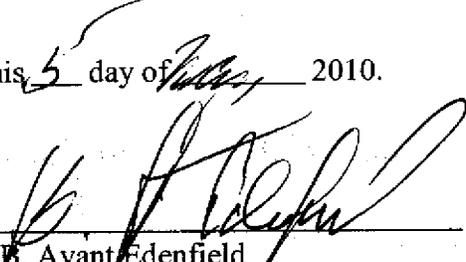
**ORDERED** that T.C. Logging shall donate \$30,000 over the next three years to the Georgia Land Trust for the purchase of conservation easements in the Ogeechee River watershed, with payment as follows: the first payment of \$10,000 due by December 31, 2010,

the second payment of \$10,000 due by December 31, 2011, and the third payment of \$10,000 due by December 31, 2012;

**ORDERED** that, pursuant to 33 U.S.C. § 1365(d) and Fed. R. Civ. P. 54, T.C. Logging shall pay \$60,000 in attorneys' fees and \$8,418.39 in costs to counsel for Plaintiff Ogeechee-Canoochee Riverkeeper, Inc. ("OCRK") within 30 days of the date of this Order; and

**ORDERED** that T.C. Logging shall develop a construction plan and perform all of the remedial work required by the Court's Order of March 18, 2010, and shall cover all costs resulting from any consultation with, or site visits made by, OCRK's expert Dr. Bruce Pruitt in connection with remedial work at the site.

**SO ORDERED AND ENTERED** this 5 day of May, 2010.

  
B. Avant Edenfield  
United States District Court Judge

CONSENTED TO:

s/ Catherine M. Wannamaker  
Catherine M. Wannamaker  
GA Bar No. 811077  
Southern Environmental Law Center  
127 Peachtree St NE, Suite 605  
Atlanta, GA 30303-1840

COUNSEL FOR PLAINTIFF  
OGEECHEE-CANOOCHEE  
RIVERKEEPER

s/ Timothy R. Walmsley  
Timothy R. Walmsley  
GA Bar No. 735085  
Hunter, Maclean, Exely, & Dunn, P.C.  
200 E. Saint Julian Street  
P.O. Box 9848  
Savannah, GA 31412

COUNSEL FOR DEFENDANTS  
T.C. LOGGING, INC. AND HENRY  
THOMAS CLARK

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing "Consent Order and Final Judgment" was served on counsel for all parties who have appeared in this case, including Defendants TC Logging, Inc., Henry Thomas Clark, and Carl and Lori Proman, in accordance with the directives from the Court's Notice of Electronic Filing ("NEF"), which was generated as a result of electronic filing these documents on this 3rd day of May, 2010.

By: /s/ Catherine M. Wannamaker

ATTORNEY FOR PLAINTIFF OGEECHEE-  
CANOOCHEE RIVERKEEPER