



**NOTICE OF COURT DECISION AFFECTING THE PORT
OF LOS ANGELES CLEAN TRUCK PROGRAM
EFFECTIVE OCTOBER 26, 2010**

On August 26, 2010, the U.S. District Court issued a decision in favor of the City following the trial in the *American Trucking Associations (ATA) v. City of LA* (City) lawsuit. The final judgment held that all provisions of the Port of Los Angeles Concession Agreement are fully enforceable. The ATA has appealed this final judgment to the U.S. Court of Appeals for the Ninth Circuit, and requested that the District Court enjoin some of the concession provisions until after the appeal is decided.

On October 26, 2010, the District Court issued an order temporarily enjoining the employee driver requirement in the Concession Agreement pending the appeal to the Ninth Circuit. **As a result the Port shall refrain from enforcing the employee driver provision until further notice.** The Court has allowed all other Concession Agreement requirements to be enforced other than the employee driver requirement.

Do not hesitate to contact the Port of Los Angeles through the Clean Truck Program help line 866-721-5686 or email to ctp@tetrattech.com if you have any further questions.