

final ID, the Commission determined that there was a violation of section 337 by AATI with respect to certain asserted claims of the '258 patent and issued a limited exclusion order ("LEO") consistent with its findings of violation. Subsequently, based on an enforcement complaint filed by Linear, the Commission instituted an enforcement proceeding by notice in the **Federal Register** on October 10, 2008.

On March 18, 2010, the ALJ issued the subject ID, finding that, due to infringement of claims 2 and 34 of the '258 patent by the accused products, AATI violated the LEO. On May 17, 2010, the Commission determined not to review the ID and requested briefing from the parties regarding remedy, the public interest, and bonding.

Having reviewed the record of this investigation, including the recent submissions by the parties, for the reasons set forth in the Commission Opinion, the Commission has determined not to modify the existing limited exclusion order and not to issue a cease-and-desist order. The products at issue in the enforcement proceeding are covered by the existing limited exclusion order, and should be excluded thereunder.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

Issued: July 19, 2010.

By order of the Commission.

**William R. Bishop,**

*Acting Secretary to the Commission.*

[FR Doc. 2010-18031 Filed 7-22-10; 8:45 am]

**BILLING CODE P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-706]

### In the Matter of Certain Wireless Communications System Server Software, Wireless Handheld Devices and Battery Packs: Notice of Commission Determination Not To Review An Initial Determination Terminating the Investigation In Its Entirety On the Basis of A Settlement Agreement; Termination of the Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade

Commission has determined not to review an initial determination ("ID") (Order No. 13) of the presiding administrative law judge ("ALJ") terminating the above-captioned investigation on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Jia Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-4737. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on February 24, 2010, based on a complaint filed by Motorola, Inc. ("Motorola") of Schaumburg, Illinois. 75 FR 8401 (Feb. 24, 2010). The complainant named the following respondents: Research in Motion Limited and Research in Motion Corporation (collectively "RIM"). The complaint alleges violations of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain wireless communications system server software, wireless handheld devices and battery packs by reason of infringement of certain claims of U.S. Patent Nos. 5,319,712; 5,359,317; 5,569,550; 6,232,970; and 6,272,333.

On June 17, 2010, Motorola and RIM filed a joint motion before the ALJ to terminate the investigation on the basis of a settlement agreement. A copy of their settlement agreement is attached to the joint motion. On June 24, 2010, the Commission investigative attorney ("IA") filed a response supporting the parties' motion. On June 29, 2010, the ALJ issued the subject ID granting the joint motion to terminate. No petitions for review were filed.

The Commission has determined not to review the ID. The investigation is terminated.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42(h) of the Commission's Rules of Practice and Procedure (19 CFR 210.42(h)).

By order of the Commission.

Issued: July 20, 2010.

**William R. Bishop,**

*Acting Secretary to the Commission.*

[FR Doc. 2010-18048 Filed 7-22-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

Notice is hereby given that on July 20, 2010, a proposed Consent Decree in *United States v. Cardi Materials, LLC* ("Cardi") Civil Action No. 10-300 (ML), was lodged with the United States District Court for the District of Rhode Island.

In this action, the United States seeks, *inter alia*, injunctive relief in relation to discharges by Cardi from its concrete and asphalt manufacturing facility, in violation of, and at times in the absence of a National Pollutant Discharge Elimination System Permit issued under the Clean Water Act, 33 U.S.C. 1251, *et seq.*, and with respect to violations of the Oil Pollution Prevention regulations at 40 CFR part 112. The Consent Decree requires Cardi, among other things, to: (1) Eliminate process water discharge; (2) maintain compliance with applicable storm water discharge permits and its storm water prevention plan; (3) maintain compliance with a suitable spill prevention control and countermeasure plan; (4) designate a qualified environmental compliance officer; (5) conduct employee training; and (6) conducting quarterly storm water sampling. The Consent Decree also requires Cardi to pay a civil penalty of \$55,000.00 and undertake a Supplemental Environmental Project.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United*