

twelfth respondent, Old Dominion Footwear, Inc. of Madison Heights, Virginia, was added to the investigation on October 10, 2006. All but five respondents have been terminated from the investigation on the basis of a consent order, settlement agreement, or undisputed Commission determination of non-infringement. The five remaining respondents are: (1) Collective; (2) Double Diamond; (3) Effervescent; (4) Gen-X Sports; and (5) Holey Shoes.

On April 11, 2008, the ALJ issued his final ID finding no violation of section 337 by the remaining respondents. On April 24, 2008, the Commission issued a notice extending the deadline for determining whether to review the final ID by 15 days to June 11, 2008. On June 11, 2008, the Commission issued a notice extending the deadline for determining whether to review the final ID by 7 days to June 18, 2008.

Upon considering the parties' filings, the Commission has determined to review-in-part the final ID. Specifically, with respect to the '789 patent, the Commission has determined to review the ALJ's findings concerning non-infringement by the respondents' products and lack of satisfaction of the technical prong of the domestic industry requirement by Crocs' footwear. The Commission has also determined to review the ALJ's finding of invalidity with respect to the '858 patent. The Commission does not request any further written submissions at this time.

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 sections 210.42-45 of the Commission's Rules of Practice and Procedure, 19 CFR 210.42-45.

By order of the Commission.  
Issued: June 18, 2008.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E8-14179 Filed 6-23-08; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on June 11, 2008, a proposed Consent Decree in *United States et al. v. Centex Homes, a Nevada General Partnership*, Civil Action No. 1:08CV605 was lodged with the United States District Court for the Eastern District of Virginia.

In this action the United States sought civil penalties and injunctive relief for alleged violations of the Clean Water

Act ("CWA"), 33 U.S.C. 1311 *et seq.*, as well as violations of state and federal National Pollutant Discharge Elimination System ("NPDES") permits governing the discharge of storm water from Centex's construction sites. The proposed consent decree would require Centex to pay a civil penalty of \$1,485,000 and implement a company-wide compliance program that goes beyond current regulatory requirements.

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 States v. Centex Homes*, D.J. Ref. No. 90-5-1-1-08059.

The consent decree and associated appendices may be examined at the Office of the United States Attorney, Eastern District of Virginia, 2100 Jamieson Avenue, Alexandria, Virginia 22314. During the public comment period, the consent decree also may be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the consent decree and the associated appendices may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$ 39.25 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address. To obtain a copy of the proposed consent decree exclusive of exhibits, please enclose a check in the amount of \$19.50 (25 cents per page reproduction cost) payable to the U.S. Treasury. All requests for documents should refer to *United States v. Centex Homes*, Civil Action Number 1:08CV605, and D.J. Ref. No. 90-5-1-1-08059.

**Karen Dworkin,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

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**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

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

Notice is hereby given that on June 11, 2008, a proposed Consent Decree in *United States et al. v. KB Home*, Civil Action No. 1:08CV603 was lodged with the United States District Court for the Eastern District of Virginia.

In this action the United States sought civil penalties and injunctive relief for alleged violations of the Clean Water Act ("CWA"), 33 U.S.C. 1311 *et seq.*, as well as violations of state and federal National Pollutant Discharge Elimination System ("NPDES") permits governing the discharge of storm water from KB Home's construction sites. The proposed consent decree would require KB Home to pay a civil penalty of \$1,185,000 and implement a company-wide compliance program that goes beyond current regulatory requirements.

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 States v. KB Home*, D.J. Ref. No. 90-5-1-1-08057.

The consent decree and associated appendices may be examined at the Office of the United States Attorney, Eastern District of Virginia, 2100 Jamieson Avenue, Alexandria, Virginia 22314. During the public comment period, the consent decree also may be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the consent decree and the associated appendices may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$34.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address. To obtain a copy of the proposed consent decree exclusive of exhibits, please enclose a check in the