

For Immediate Release

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PLACER COUNTY JUDGE REJECTS MINING COMPANY'S SECOND ATTEMPT TO DISMISS MEADOW VISTA PROTECTION LAWSUIT

Auburn, California [June 22, 2006]: The Placer County Superior Court has ruled against a local mining company, Chevreux Aggregates, Inc., on its motion for judgment on the pleadings filed in April, 2007. The motion attempted to dismiss a lawsuit against the mining company which challenges the company's noncompliance with antiquated use permits. Meadow Vista Protection (MVP), a local, grass-roots, nonprofit organization, filed the lawsuit in July of 2006 to compel compliance with the permits and to obtain a court order that one of the permits—an asphalt permit dating back to 1972—has lapsed due to long periods of nonuse. None of the permits under which the company operates has ever been subjected to environmental review pursuant to the California Environmental Quality Act.

Chevreux's objections to the lawsuit were effectively identical to objections the mining company unsuccessfully raised on demurrer nearly a year ago. The court's ruling states that the mining company failed to show any material change in the law since the same arguments were rejected in October of 2006.

The judge also ruled that a determination as to whether the mining company's thirty-five year old asphalt permit has lapsed would have to wait until trial. The ruling stated that a "material issue of fact" required the matter to be determined at trial in November, 2007.