

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
(Northern Division)

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 THE CITY OF JACKSON, MISSISSIPPI,)
)
 Defendant.)
_____)

Case No. 3:22-cv-00686-HTW-LGI

**AMENDMENT TO INTERIM
STIPULATED ORDER**

WHEREAS, the Court issued an Interim Stipulated Order (“ISO”) in this matter on November 29, 2022 [Dkt. No. 6], which among other things appointed Mr. Ted Henifin as the Interim Third-Party Manager (“ITPM”) of the City’s public drinking water system (the “System”) and Water/Sewer Billing Administration Division (“WSBA”);

WHEREAS, solely to implement his obligations under the ISO, Mr. Henifin incorporated JXN Water, Inc. on December 7, 2022;

WHEREAS, JXN Water, Inc. is a corporation organized under the laws of the State of Mississippi, with its principal place of business in Jackson, Mississippi;

WHEREAS, pursuant to Article VI, Paragraph 23 (“Modification”) of the ISO, the City of Jackson and the United States (“the Parties”) have agreed to modify the ISO to clarify that the ITPM may act through JXN Water, Inc. or a successor entity for the purpose of complying with the ISO;

WHEREAS, as set forth in the accompanying Joint Motion for Amendment to Interim Stipulated Order, the purpose for the amendment is to facilitate the ability of the ITPM to apply for and receive certain grant monies through JXN Water, Inc. or a successor entity;

WHEREAS, the ITPM has reviewed and consents to the substance and form of the amendment;

WHEREAS, the State of Mississippi, a non-party signatory to the Interim Stipulated Order, has reviewed and consents to the substance and form of the amendment by and through the Mississippi State Department of Health;

WHEREAS, this amendment is not intended to affect any other provision of the Interim Stipulated Order;

NOW THEREFORE, the Parties agree and stipulate, and the Court **ORDERS**:

1. That Paragraph 4 of the ISO is modified as follows:

4. **Interim Third-Party Manager**. Edward “Ted” Henifin is hereby appointed as Interim Third-Party Manager (“ITPM”) of the System and WSBA. Solely for the purpose of implementing this Stipulated Order, the ITPM may operate through JXN Water, Inc., or a successor entity. Any document submitted pursuant to the ISO through JXN Water, Inc., or a successor entity, to the City, MSDH, or EPA shall be signed by the ITPM.

2. All other provisions of the ISO remain in effect.

APPROVED this 4th day of April, 2023.

/s/HENRY T. WINGATE
UNITED STATES DISTRICT JUDGE

**Signature Page for Amendment to Interim Stipulated Order in
*United States v. City of Jackson***

FOR THE UNITED STATES OF AMERICA:

TODD KIM
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Dated: April 4, 2023

/s/ Karl Fingerhood
/s/ Angela Mo
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DARREN J. LAMARCA
United States Attorney for the
Southern District of Mississippi

Dated: April 4, 2023

/s/ Angela Williams (with permission by AM)
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FOR THE CITY OF JACKSON, MISSISSIPPI:

Dated: April 4, 2023

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FOR THE MISSISSIPPI STATE DEPARTMENT OF HEALTH:

Dated: April 4, 2023

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Signature Page for Amended Interim Stipulated Order in *United States v. City of Jackson*

FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY:

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