

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SENECA RESOURCES CORPORATION,)	
Plaintiff)	C.A. No. 15-60 Erie
)	
v.)	
)	
HIGHLAND TOWNSHIP, et al.,)	Magistrate Judge Baxter
Defendants.)	

MEMORANDUM ORDER

Plaintiff Seneca Resources Corporation initiated this action on February 18, 2015, challenging the constitutionality, validity and enforceability of a Community Rights Ordinance adopted by Highland Township and its Board of Supervisors, which allegedly prohibits Plaintiff's ability to create and operate a UIC injection well in Highland Township. On August 11, 2015, a motion to intervene [ECF No. 32] was filed on behalf of three proposed intervenors (for ease of reference, the proposed intervenors will collectively be referred to as the "Intervenor Applicants"): Crystal Spring Ecosystem ("Crystal Spring"), Highland Township Municipal Authority ("Municipal Authority"), and Citizens Advocating a Clean Healthy Environment, Inc. ("CACHE"). By Memorandum Opinion & Order dated March 29, 2016, this Court denied the Intervenor Applicants' motion to intervene. [ECF No. 44]. The Intervenor Applicants subsequently filed a motion for reconsideration of this Court's Order denying intervention on April 26, 2016 [ECF No. 57]

On August 11, 2016, Plaintiff and Defendants filed a Stipulation and Consent Decree resolving all outstanding issues between the parties and stipulating to the dismissal of all claims and counterclaims in this case. [ECF No. 82]. The Consent Decree was subsequently approved by Order of this Court dated August 12, 2016. [ECF No. 84]. At the time this Order was entered,

the Intervenor Applicants' motion for reconsideration of this Court's Order denying intervention was still pending. The Intervenor Applicants has since filed a motion for reconsideration of the Order approving the Consent Decree. [ECF No. 85].

By separate Order entered on this date, this Court has denied the Intervenor Applicants' motion for reconsideration of its Order denying intervention. As a result, the Intervenor Applicants are not parties to this action and, thus, lack standing to ask for reconsideration of this Court's Order approving the Consent Decree entered by Plaintiff and Defendants.

AND NOW, this 16th day of August, 2016,

IT IS HEREBY ORDERED that the Intervenor Applicants' motion for reconsideration of Consent Decree [ECF No. 85] is DENIED.

/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States Magistrate Judge