

# Exhibit 1

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

UNITED STATES OF AMERICA,	)	Civil Action No. 1:17-cv-00006-BR
	)	Civil Action No. 90-229
Plaintiff	)	
	)	
v.	)	
	)	
ROBERT BRACE,	)	
ROBERT BRACE FARMS, INC., and	)	
ROBERT BRACE and SONS, INC.	)	
	)	
Defendants	)	

**STIPULATION REGARDING THE UNITED STATES’  
REQUESTS FOR ENTRY UPON LAND**

The Parties hereby stipulate as follows:

1. The Defendants agree to an inspection of the properties at issue in the two above-cited cases, consistent with the FRCP 34 Requests for Entry Upon Land previously served in the cases docketed at 17-0006 and 90-229 (the “Inspections”).
2. The Defendants and Plaintiff agree that the Inspections will occur on October 16 and 17, 2017.
3. The Plaintiff agrees that it will not, absent a request by Defendants, use any information or data gathered or obtained during the Inspections for purposes of an “Approved Jurisdictional Determination” or a “Jurisdictional Determination” by the U.S. Army Corps of Engineers as defined in 33 C.F.R. § 331.2; provided, however, that nothing in this Stipulation shall in any way affect the United States’ ability to use information or data gathered or obtained during the Inspections to support the United States’ claims or defenses in the two above-cited cases.

4. The Parties agree that this stipulation resolves the pending dispute regarding the Inspections and, therefore, will jointly request that the district court in Civil Action No. 90-229 cancel the hearing set for October 4, 2017.

Respectfully submitted,

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Respectfully submitted,

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