

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

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Filed: January 25, 2017

Re: Case No. 15-3751/15-3799/15-3817/15-3820/15-3822/15-3823/15-3831/15-3837/15-3839/15-3850/15-3853/15-3858/15-3885/15-3887/15-3948/15-4159/15-4162/15-4188/15-4211/15-4234/15-4305/15-4404, *In re: Murray Energy Corporation v. EPA, et al*
Originating Case No. : EPA-HQ-OW-2011-0880

Dear Counsel,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Amy E. Gigliotti
Case Manager
Direct Dial No. 513-564-7012

cc: Ms. Loren L. AliKhan
Mr. Benjamin D. Battles
Mr. Philip Bein
Ms. Lorelei M Bensel
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Mr. P. Clayton Eubanks
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Mr. Mohammad O Jazil
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Mr. James Kaste
Ms. Lara Katz
Mr. Scott Allen Keller
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Mr. Michael B. Kimberly
Ms. Lisa Ann Kirschner
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Mr. Steven J. Lechner
Ms. L. Rachel Lerman
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Mr. Benjamin S. Lippard
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Ms. Jessica O'Donnell
Ms. Margaret I. Olson
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Mr. Erik E. Petersen
Ms. Lee Ann Rabe
Mr. Peter T. Reed
Mr. Craig W. Richards
Mr. Gregory C. Ridgley
Mr. John Quentin Melcher Riegel
Ms. Kirsten S. P. Rigney
Mr. Lowell Mark Rothschild
Mr. Richard Abbott Samp
Mr. James N. Saul
Mr. Matthias L. Sayer
Mr. Seth Schofield
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Ms. Linda B. Secord
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Mr. Brooks Meredith Smith
Mr. James Emory Smith Jr.
Ms. Jennifer Ann Sorenson
Mr. Wayne K. Stenehjem
Ms. Stephanie Tai
Ms. Alicia E. Thesing
Mr. Misha Tseytlin
Mr. Andrew Turner
Mr. Lawrence VanDyke
Ms. Jennifer L. Verleger
Mr. Ryan Walsh
Ms. Catherine Wannamaker
Ms. Sarah Hawkins Warren
Ms. Susannah Weaver
Mr. Justin T. Wong
Ms. Mary Jo Woods
Mr. Frederick Richard Yarger
Ms. Tamara Zakim

Enclosure

Case Nos. 15-3751/15-3799/15-3817/15-3820/15-3822/15-3823/15-3831/15-3837/15-3839/15-3850/15-3853/15-3858/15-3885/15-3887/15-3948/15-4159/15-4162/15-4188/15-4211/15-4234/15-4305/15-4404

**UNITED STATES COURT OF APPEALS
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ORDER

In re: ENVIRONMENTAL PROTECTION AGENCY AND DEPARTMENT OF DEFENSE,
FINAL RULE: CLEAN WATER RULE: DEFINITION OF "WATERS OF THE UNITED
STATES" 80 FED.REG.37,054, PUBLISHED ON JUNE 29, 2015. (MCP NO. 135)

MURRAY ENERGY CORPORATION, et al

Petitioners

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; GINA MCCARTHY;
UNITED STATES ARMY CORPS OF ENGINEERS; JOHN MCHUGH; JO-ELLEN DARCY

Respondents

BEFORE: KEITH, MCKEAGUE and GRIFFIN, Circuit Judges

Upon review and consideration, the motion to hold the briefing in abeyance is **GRANTED**.

Briefing will be held in abeyance pending the Supreme Court decision in *National Association of Manufacturers v. U.S. Department of Defense*, No. 16-299 (S. Ct.), or further order of this court.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk



Issued: January 25, 2017
