

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

STATE OF WEST VIRGINIA, et al.,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, et al.,

Respondent.

No. 15-1363 and  
consolidated cases

**MOTION TO SUBSTITUTE PARTY**

Petitioner State of Oklahoma, pursuant to Federal Rule of Appellate Procedure 43(c)(2), respectfully requests this Court enter an order of substitution replacing E. Scott Pruitt with Michael J. Hunter as the Attorney General of Oklahoma. On February 17, the United States Senate confirmed Mr. Pruitt to be the Administrator of the United States Environmental Protection Agency.<sup>1</sup> Mr. Pruitt was sworn in as Administrator that same day and subsequently resigned as Attorney General for the State of Oklahoma.<sup>2</sup> On February 20, Oklahoma Governor Mary Fallin appointed Mr. Hunter to succeed Mr. Pruitt as the State's Attorney General.<sup>3</sup> General Hunter immediately assumed that role.

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<sup>1</sup> News Release, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, *Scott Pruitt Confirmed and Sworn in as EPA Administrator* (Feb. 17, 2017), available at <https://www.epa.gov/newsreleases/scott-pruitt-confirmed-and-sworn-epa-administrator>.

<sup>2</sup> *Id.*

<sup>3</sup> Dale Denwalt, *Fallin picks Mike Hunter to succeed Pruitt*, THE OKLAHOMAN (Feb. 20, 2017), available at <http://newsok.com/article/5538760>.

Date: February 21, 2017

Respectfully submitted,

/s/ P. Clayton Eubanks

P. Clayton Eubanks

*Deputy Solicitor General*

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**CERTIFICATE OF SERVICE**

I certify that on February 21, 2017, I caused the foregoing Motion to Substitute Party to be filed with this Court and served on all parties via the Court's CM/ECF filing system.

/s/ P. Clayton Eubanks  
P. Clayton Eubanks