

1 Jeremy C. Lieb (WSB #47219)  
Erik Grafe (AK Bar #0804010) (*pro hac vice*)  
2 EARTHJUSTICE  
441 W 5th Avenue, Suite 301  
3 Anchorage, AK 99501  
T: 907.277.2500  
4 F: 907.277.1390  
E: jlieb@earthjustice.org  
5 egrafe@earthjustice.org

6 Kristen L. Boyles (WSB #23806)  
EARTHJUSTICE  
7 705 Second Avenue, Suite 203  
Seattle, WA 98104  
8 T: 206.343.7340  
F: 206.343.1526  
9 E: kboyles@earthjustice.org

10 *Attorneys for Citizens for Clean Air, a project of*  
11 *Alaska Community Action on Toxics, and Sierra Club*

12 UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
13 AT SEATTLE

14 CITIZENS FOR CLEAN AIR, a project of )  
ALASKA COMMUNITY ACTION ON TOXICS, )  
and SIERRA CLUB, )

15 Plaintiffs, )

16 v. )

17 ANDREW WHEELER, in his official capacity as )  
18 Administrator of the United States Environmental )  
Protection Agency, and CHRIS HLADICK, in his )  
19 official capacity as Regional Administrator of the )  
United States Environmental Protection Agency )  
20 Region 10, )

21 Defendants. )

22 STATE OF ALASKA )

23 Defendant-Intervenor. )

Case No. 2:18-cv-01803-TSZ

) STATUS REPORT, JOINT  
) STIPULATED MOTION AND  
) ORDER TO HOLD BRIEFING  
) SCHEDULE IN ABEYANCE

1 The parties make this filing pursuant to the Court's July 16, 2019, order. Dkt. 28 at 5.  
2 Plaintiffs, EPA, and the State of Alaska are engaging in discussions to resolve Plaintiffs' challenge  
3 through settlement. The parties intend to file a proposed settlement soon. To allow the settlement  
4 conversations to continue, the parties jointly request that the briefing schedule entered by the  
5 Court's July 16, 2019, order, Dkt. 28 at 5, be amended as follows:

6 Plaintiffs' Motion for Summary Judgment – August 30, 2019 (noted on the court's motion  
7 calendar for October 18, 2019)

8 Defendants' Response and Cross Motion for Summary Judgment – September 20, 2019

9 Plaintiffs' Reply/Response – October 4, 2019

10 Defendants' Reply/Response – October 18, 2019

11 This extension is needed to allow for the parties to finalize a potential settlement agreement.

12 Presented this 2nd day of August, by:

13 s/ Jeremy C. Lieb

Jeremy C. Lieb (WSB #47219)  
14 Erik Grafe (AK Bar #0804010) (*pro hac vice*)  
EARTHJUSTICE  
15 441 W 5th Avenue, Suite 301  
Anchorage, AK 99501  
16 T: 907.277.2500  
F: 907.277.1390  
17 E: jlieb@earthjustice.org  
egrafe@earthjustice.org

18 s/ Kristen L. Boyles

Kristen L. Boyles (WSB #23806)  
19 EARTHJUSTICE  
20 705 Second Avenue, Suite 203  
Seattle, WA 98104  
21 T: 206.343.7340  
F: 206.343.1526  
22 E: kboyles@earthjustice.org

23 *Attorneys for Citizens for Clean Air, a project of Alaska Community*  
24 *Action on Toxics, and Sierra Club*

1 s/ Sheila Baynes

2 Sheila Baynes (MT Bar #37722843)  
3 U.S. Department of Justice  
4 Environmental & Natural Resources Division  
5 Environmental Defense Section  
6 P.O. Box 7611  
7 Washington, DC 20044  
8 T: 202.514.2617  
9 F: 202.514.8865  
10 E: sheila.baynes@usdoj.gov

11 *Counsel for Defendants*

12 s/ Emma Pokon

13 Emma Pokon (Alaska Bar No. 1011112)  
14 ALASKA DEPARTMENT OF LAW,  
15 Office of the Attorney General  
16 1031 W. 4th Avenue, Suite 200  
17 Anchorage, AK 99501  
18 Tel: (907) 269-5100  
19 Email: emma.pokon@alaska.gov

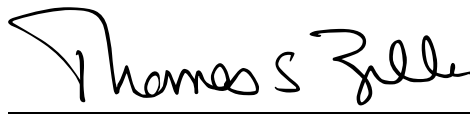
20 s/ Anthony J. Gaspich

21 Anthony J. Gaspich, WSBA No. 19300  
22 GASPICH LAW OFFICE PLLC  
23 1000 Second Avenue, Suite 3330  
24 Seattle, WA 98104  
25 Tele (206) 956-4204  
26 Email: tony@gaspichwilliams.com

*Attorneys for Defendant-Intervenor  
State of Alaska*

It is so ordered.

Dated this 7th day of August, 2019.



Thomas S. Zilly  
United States District Judge