

United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

August 19, 2016

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 16-60118 State of Texas, et al v. EPA, et al
USDC No. 81 Fed. Reg. 296

Enclosed is an order entered in this case.

Your appeal has been placed in abeyance this date pending settlement proceedings. Once the case has been removed from abeyance, you will receive notification from this court with any additional instructions.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Cindy M. Broadhead, Deputy Clerk
504-310-7707

Mr. Mark H. Allison
Mr. Clinton Frederick Beckner III
Ms. Lisa Bennett
Ms. Kellie Elizabeth Billings-Ray
Mr. William M. Bumpers
Mr. David Aiken Carson
Ms. Devi Chandrasekaran
Mr. Norman William Fichthorn
Mr. Aaron Michael Flynn
Mr. Matthew Gerhart
Mr. Philip Stephen Gidiere III
Ms. Debra J. Jezouit
Mr. Daniel Jude Kelly
Mr. Matthew Lynn Kuryla
Mr. Dustin J. Maghamfar
Ms. Brenda Mallory
Ms. Gina McCarthy
Mr. Derek Raymond McDonald
Mr. David Welles Mitchell
Ms. Stephanie Zapata Moore
Mr. Michael J. Nasi
Mr. Carlos Ricardo Romo
Ms. Elena Kathryn Saxonhouse
Ms. Ann M. Seha

Mr. Joshua Smith
Mr. Aaron Michael Streett
Mr. David Richard Taggart
Mrs. Natalie J. Taylor
Mr. Eugene Marc Trisko
Mr. Mark L. Walters
Ms. Mary Melissa Whittle

P.S. No action is taken on the further request for the Court to set a deadline of November 28, 2016, for filing any petition for rehearing or rehearing en banc of the Court's July 15, 2016 non-dispositive opinion because it is premature.

The deadlines for briefs have been suspended pending the abeyance.

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 16-60118

STATE OF TEXAS; TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; PUBLIC UTILITY COMMISSION OF TEXAS; LUMINANT GENERATION COMPANY, L.L.C.; BIG BROWN POWER COMPANY, L.L.C.; LUMINANT MINING COMPANY, L.L.C.; BIG BROWN LIGNITE COMPANY, L.L.C.; LUMINANT BIG BROWN MINING COMPANY, L.L.C.; SOUTHWESTERN PUBLIC SERVICE COMPANY; UTILITY AIR REGULATORY GROUP; COLETO CREEK POWER, L.P.; NRG TEXAS POWER, L.L.C.; NUCOR CORPORATION,

Petitioners

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; GINA MCCARTHY, in her official capacity as Administrator of the United States Environmental Protection Agency,

Respondents

Petitions for Review of an Order of the
Environmental Protection Agency

O R D E R :

IT IS ORDERED that the joint stipulation of the parties to stay further proceedings in this court for ninety (90) days, to and including November 28, 2016 is GRANTED.

/s/Jennifer Walker Elrod
JENNIFER WALKER ELROD
UNITED STATES CIRCUIT JUDGE