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DIVISION OF SOCIAL JUSTICE
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August 28, 2020

VIA CM/ECF

Honorable Reggie B. Walton
United States District Court
for the District of Columbia
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Re: *New York et al. v. EPA*, Case No. 18-cv-0773 (D.D.C.)

Dear Judge Walton,

As discussed at the status conference held today, the parties in the above-referenced matter request that the Court suspend the summary judgment briefing schedule established in the Court's June 18, 2020 Order (ECF No. 83). Pursuant to that Order, plaintiffs' and the intervenor-plaintiff's combined reply in support of their motion and opposition to any cross-motion is due on or before September 4, 2020, and defendant EPA's reply in support of any cross-motion for summary judgment is due on or before October 2, 2020. In light of EPA's finalization of the rulemaking referenced in EPA's August 17, 2020 Status Report (ECF No. 92), and expected publication of that final rule in the Federal Register in the next several weeks, the parties agree that the pending summary judgment motion briefing schedule should be suspended. The Court's minute entry for proceedings held today setting a status conference for October 15, 2020 did not specifically address this request and the parties would appreciate a minute order making that explicit.

Very truly yours,

FOR THE STATE OF NEW YORK

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