

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 15-1381****September Term, 2016****EPA-80FR64510  
EPA-81FR27442****Filed On:** April 28, 2017

State of North Dakota,

Petitioner

v.

Environmental Protection Agency,

Respondent  
-----State of New Mexico, et al.,  
Intervenors  
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Consolidated with 15-1396, 15-1397, 15-1399,  
15-1434, 15-1438, 15-1448, 15-1456, 15-1458,  
15-1463, 15-1468, 15-1469, 15-1481, 15-1482,  
15-1484, 16-1218, 16-1220, 16-1221, 16-1227

**BEFORE:** Henderson, Srinivasan, and Pillard, Circuit Judges

**ORDER**

Upon consideration of respondent's motion to hold cases in abeyance, the response in support, the oppositions to the motion, and the reply, it is

**ORDERED** that the motion to hold the cases in abeyance be granted to the extent that these consolidated cases be held in abeyance for 60 days from the date of this order. EPA is directed to file status reports at 30-day intervals beginning 30 days from the date of this order. It is

**FURTHER ORDERED** that the parties file supplemental briefs addressing whether these consolidated cases should be remanded to the agency rather than held in abeyance. The supplemental briefs are due at 4:00 p.m. on May 15, 2017, and may not exceed 3,900 words if produced using a computer or 15 pages if typewritten or handwritten. To the extent possible, the parties are to file jointly. The court looks with extreme disfavor upon duplicative submissions. The parties are to hand-deliver paper copies of their submission to the court by the time and date due.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Michael C. McGrail  
Deputy Clerk