

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

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**No. 18-5322****September Term, 2018****1:17-cv-01822-RJL****Filed On:** February 15, 2019

Bold Alliance, et al.,

Appellants

v.

Federal Energy Regulatory Commission, et  
al.,

Appellees

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

**ORDER**

Upon consideration of the motion to hold in abeyance; and the motion to dismiss, the response thereto, and the reply, it is

**ORDERED** that the motion to dismiss be referred to the merits panel to which this case is assigned. The parties are directed to address in their briefs the issues presented in the motion to dismiss rather than incorporate those arguments by reference. Appellants are further directed to address the issue of why this case should not be dismissed as to appellant Margaret Buford, see Cobell v. Jewell, 802 F.3d 12, 23 (D.C. Cir. 2015) (“[T]he death of a party generally moots any claim for injunctive relief . . .”), and any appellants who have settled their claims, see Village of Kaktovik v. Watt, 689 F.2d 222, 231 (D.C. Cir. 1981) (“A live and enforceable settlement simply cannot coexist with a party’s efforts to acquire a court determination of the very issues the settlement was supposed to resolve without litigation.”). Appellants are further directed to identify any such appellants who have settled their claims. It is

**FURTHER ORDERED** that the motion to hold in abeyance be granted and this case be held in abeyance pending further order of the court. The parties are directed to file motions to govern further proceedings within 30 days of the disposition of No. 18-1216, Bold Alliance v. FERC, or No. 18-1313, Bold Alliance v. FERC, whichever occurs later.

**Per Curiam**