

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

SOUTH CAROLINA COASTAL
CONSERVATION LEAGUE, et al.,

Plaintiffs,

v.

JANE NISHIDA,¹ as Acting Administrator of
the U.S. Environmental Protection Agency,
et al.,

Defendants,

and

AMERICAN FARM BUREAU
FEDERATION, et al.,

Intervenor-Defendants.

Case No. 2:20-cv-01687-BHH

**ORDER STAYING PROCEEDINGS
AND DENYING MOTIONS WITHOUT
PREJUDICE TO BE REFILED AT
CONCLUSION OF STAY**

Upon careful consideration of the Agencies' motion for a 60-day stay in the above-captioned case, it is ordered that all deadlines and proceedings in this matter are stayed for 60 days. The Court will reschedule a hearing date regarding the Parties' cross-motions for summary judgment at an appropriate time after the conclusion of the stay.

In addition, the Court finds it necessary for the management of deadlines on its docket to dismiss the pending cross-motions for summary judgement (ECF Nos. 58 & 70) *without prejudice*, to be refiled at such time as the Agencies' litigating position is determined. The Parties' have leave to refile their summary judgment motions, whether verbatim or in amended form as appropriate, at the conclusion of the stay. If desired, the

¹ EPA Acting Administrator Jane Nishida is automatically substituted for Andrew Wheeler pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.

Parties' may incorporate prior attachments into their refiled motions without refiling such attachments. However, if the Parties wish to refile some or all attachments, or to file new attachments, they are free to do so.

IT IS SO ORDERED.

/s/Bruce Howe Hendricks
United States District Judge

March 1, 2021
Charleston, South Carolina