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us	IN CLERK'S OFFICE DISTRICT COURT E.D.N.Y

★ SEP 2 5 2012 ★

JUDGMEN'BROOKLYN OFFICE

11-CV- 2599 (NGG)

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

THE STATE OF NEW YORK,

Plaintiff,

-against-

THE UNITED STATES ARMY CORPS OF ENGINEERS; COLONEL CHRISTOPHER LARSEN, in his official capacity as Division Engineer, North Atlantic Division of the United States Army Corps of Engineer; THE UNITED STATES FISH AND WILDLIFE SERVICE; ROWAN W. GOULD, in his official capacity as Acting Director of the United States Fish and Wildlife Service; THE UNITED STATES NATIONAL PARK SERVICE; JONATHAN B. JARVIS, in his official capacity as Director of the United States National Park Service: THE UNITED STATES DEPARTMENT OF THE INTERIOR; KENNETH SALAZAR, in his official capacity as Secretary of the United States Department of the Interior: THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; LISA JACKSON, in her official capacity as Administrator of the United States Environmental Protection Agency; THE DELAWARE RIVER BASIN, and CAROL COLLIER, in her official capacity as Executive Director of the Delaware River Basin.

Defendants,

-and-

AMERICAN PETROLEUM INSTITUTE; INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA; and US OIL & GAS ASSOCIATION.

Putative Defendant-Intervenors

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DAMASCUS CITIZENS FOR SUSTAINABILITY,	-A
INC.,	11-CV- 3857 (NGG)

Plaintiff,

-against-

THE UNITED STATES ARMY CORPS OF ENGINEERS; COLONEL CHRISTOPHER LARSEN, in his official capacity as Division Engineer, North Atlantic Division of the United States Army Corps of Engineers: THE UNITED STATES FISH AND WILDLIFE SERVICE; ROWAN W. GOULD, in his official capacity as Acting Director of the United States Fish and Wildlife Service; THE UNITED STATES NATIONAL PARK SERVICE; JONATHAN B. JARVIS, in his official capacity as Director of the United States National Park Service; THE UNITED STATES DEPARTMENT OF THE INTERIOR: KENNETH SALAZAR, in his official capacity as Secretary of the United States Department of the Interior; THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; LISA JACKSON, in her official capacity as Administrator of the United States Environmental Protection Agency; THE DELAWARE RIVER BASIN; and CAROL COLLIER, in her official capacity as Executive Director of the Delaware River Basin,

Defendants,

AMERICAN PETROLEUM INSTITUTE, INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA; and US OIL & GAS ASSOCIATION,

Putative Defendant-Intervenors.	
X	

DELAWARE RIVERKEEPER NETWORK; THE
DELAWARE RIVERKEEPER; RIVERKEEPER, INC.;
THE HUDSON RIVERKEEPER; and NATIONAL
11-CV-3780 (NGG)
PARKS CONSERVATION ASSOCIATION,

Plaintiffs,

-against-

THE UNITED STATES ARMY CORPS OF ENGINEERS; COLONEL CHRISTOPHER LARSEN, in his official capacity as Division Engineer, North Atlantic Division of the United States Army Corps of Engineers; THE DELAWARE RIVER BASIN COMMISSION; and CAROL COLLIER, in her official capacity as Executive Director of the Delaware River Basin Commission.

Defendants,

-and-

AMERICAN PETROLEUM INSTITUTE; INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA; and US OIL & GAS ASSOCIATION,

Putative Defendant-Intervenors,

A Memorandum and Order of Honorable Nicholas G. Garaufis, United States

District Judge, having been filed on September 24, 2012, granting Defendants' motion to dismiss

for lack of subject matter jurisdiction without prejudice as to all three Complaints; and denying

as most the remaining pending motions; it is

JUDGMENT 11-CV-2599 (NGG)

ORDERED and ADJUDGED that Defendants' motion to dismiss for lack of subject matter jurisdiction is granted and the complaints are dismissed without prejudice.

Dated: Brooklyn, New York September 24, 2012 Douglas C. Palmer Clerk of Court s/Michele Gapinski

by:

Michele Gapinski Chief Deputy for Court Operations