

ENTERED

February 13, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

STATE OF TEXAS, *et al.*,

§

Plaintiffs,

§

§

VS.

§

3:23-cv-17

§

§

UNITED STATES ENVIRONMENTAL
PROTECTION, *et al.*,

§

§

§

Defendants.

AMERICAN FARM BUREAU
FEDERATION, *et al.*,

§

§

§

Plaintiffs,

§

§

VS.

§

3:23-cv-20

§

§

UNITED STATES ENVIRONMENTAL
PROTECTION, *et al.*,

§

§

Defendants.

ORDER


Before the court is the federal defendants’ unopposed motion to consolidate the two above-styled cases, Civil Action No. 3:23-cv-17 and Civil Action No. 3:23-cv-20; their unopposed motion for extension of time to respond to the plaintiffs’ preliminary-injunction motions; and their unopposed motion for leave to exceed the court’s standard page limits. Dkt.

23. Because the two actions are before the same court, challenge the same federal action, involve the same defendants, address common legal issues, and raise common claims, the court finds that consolidation is appropriate. Fed. R. Civ. P. 42; *see also Miller v. U.S. Postal Serv.*, 729 F.2d 1033, 1036 (5th Cir. 1984).

Accordingly, the court consolidates Civil Action No. 3:23-cv-17, *State of Texas, et al. v. United States Environmental Protection Agency, et al.*, with Civil Action No. 3:23-cv-20, *American Farm Bureau Federation et al. v. United States Environmental Protection Agency, et al.*, resulting in one lawsuit under Civil Action No. 3:23-cv-17.

Additionally, the federal defendants may file a consolidated response—not to exceed 40 pages—to the plaintiffs’ two applications for preliminary injunction on or before March 2, 2023. The *Texas* and *Farm Bureau* plaintiffs may file separate replies, each not to exceed 10 pages, or jointly file a consolidated reply, not to exceed 20 pages, on or before March 10, 2023.

Signed on Galveston Island this 13th day of February, 2023.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE