

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

STATE OF NORTH DAKOTA, *et al.*,)
)
 Plaintiffs,)
)
 v.)
)
 UNITED STATES ENVIRONMENTAL)
 PROTECTION AGENCY, *et al.*,)
)
 Defendants.)
 _____)

Case No. 3:15-cv-00059-RRE-ARS

**FEDERAL DEFENDANTS’ MOTION TO DISSOLVE
PRELIMINARY INJUNCTION AND DISMISS AMENDED COMPLAINT**

On February 22, 2016, the United States Court of Appeals for the Sixth Circuit issued a decision denying motions to dismiss petitions for review of the Clean Water Rule that have been consolidated before the Sixth Circuit pursuant to 28 U.S.C. § 2112(a). In light of that decision, and as further explained in the accompanying memorandum in support of this motion, the Federal Defendants hereby move to dissolve the preliminary injunction and to dismiss the amended complaint pursuant to Federal Rules of Civil Procedure 12(h) and 60(b)(6).

Dated: March 3, 2016

Respectfully submitted,

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/s/ Martha C. Mann
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CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2016, I caused a true and correct copy of the foregoing to be served via the court's CM/ECF system on all registered counsel.

/s/ Martha C. Mann
United States Department of Justice