

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SOUTHEASTERN LEGAL  
FOUNDATION, INC., et al.,

Plaintiffs,

v.

UNITED STATES  
ENVIRONMENTAL  
PROTECTION AGENCY, et al.,

Defendants.

CIVIL ACTION FILE

NUMBER 1:15-cv-2488-TCB

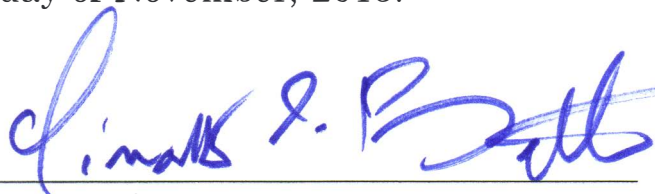
**ORDER**

On July 30, 2015, the Court granted the parties' motion to stay all proceedings in this action pending a ruling from the Judicial Panel on Multidistrict Litigation ("JPML") on Defendants' motion to transfer and consolidate [5]. The JPML subsequently denied the motion, and on October 20, certain Defendants moved to continue the stay pending a ruling from the Sixth Circuit Court of Appeals on the question of its jurisdiction under 33 U.S.C. § 1369(b)(1) to review challenges to the Clean Water Rule [7]. The Court granted the motion [8].

Plaintiffs now move to reopen the case [9] for the limited purpose of ruling on their motion for reconsideration [10]. In the motion for reconsideration, Plaintiffs point out that the same question that is pending before the Sixth Circuit is also pending before the Eleventh Circuit, and they ask the Court to limit the scope of the stay so that it will be lifted when *either* circuit issues its decision.

For good cause shown, the Court grants Plaintiffs' motion for reconsideration [10]. The stay currently in effect pursuant to the October 21, 2015 Order [8] is hereby modified to require the parties to file a status report within ten days of a ruling from either the Sixth Circuit or the Eleventh Circuit, whichever comes first, regarding subject-matter jurisdiction. As modifying the scope of the stay does not require that the case be reopened, the motion to reopen the case [9] is denied as moot.

IT IS SO ORDERED this 6th day of November, 2015.

A handwritten signature in blue ink, appearing to read "Timothy C. Batten, Sr.", is written over a horizontal line.

Timothy C. Batten, Sr.  
United States District Judge