

Case Nos. 15-3751, et al.

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

**FILED**  
Sep 22, 2016  
DEBORAH S. HUNT, Clerk

In re: UNITED STATES DEPARTMENT )  
OF DEFENSE AND UNITED STATES )  
ENVIRONMENTAL PROTECTION )  
AGENCY FINAL RULE: CLEAN WATER )  
RULE: DEFINITION OF "WATERS OF )  
THE UNITED STATES," 80 Fed. Reg. )  
37,054 (June 29, 2015), )

ORDER HOLDING  
BRIEFING SCHEDULE  
IN ABEYANCE

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MURRAY ENERGY CORPORATION, et al., )

Petitioners, )

v. )

UNITED STATES DEPARTMENT OF )  
DEFENSE, DEPARTMENT OF THE ARMY )  
CORPS OF ENGINEERS; and UNITED )  
STATES ENVIRONMENTAL )  
PROTECTION AGENCY, et al., )

Respondents. )

**BEFORE: KEITH, McKEAGUE and GRIFFIN, Circuit Judges.**

The Business and Municipal Petitioners having moved the court to hold the established briefing schedule in abeyance pending the court's ruling on outstanding motions to complete the administrative record; and

The State Petitioners having likewise moved the court to modify the briefing schedule; and

Case No. 15-3751, et al.

*In re: Dep't of Defense and EPA Clean Water Rule*

The court having duly considered the motions and finding good cause for the relief requested;

**NOW THEREFORE**, both motions are hereby **GRANTED**; and

**FURTHER**, the briefing schedule established in Case Management Order No. 2 is **HELD IN ABEYANCE**, pending the court's ruling on the outstanding motions to complete the administrative record; and

**FURTHER**, a modified briefing schedule shall be established after issuance of the ruling on the motions to complete the record.

**ENTERED BY ORDER OF THE COURT**



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**Deborah S. Hunt, Clerk**