

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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| ENVIRONMENTAL INTEGRITY PROJECT et al., |) | |
| |) | |
| <i>Plaintiffs,</i> |) | |
| |) | |
| v. |) | Civil Action No. 1:15-cv-00017-RMC |
| |) | |
| UNITED STATES ENVIRONMENTAL PROTECTION AGENCY |) | JOINT MOTION TO STAY PROCEEDINGS |
| |) | |
| and |) | |
| |) | |
| GINA McCARTHY, in her official capacity as Administrator, United States Environmental Protection Agency, |) | |
| |) | |
| <i>Defendants.</i> |) | |

Plaintiffs Environmental Integrity Project et al. (“Plaintiffs”) and Defendants United States Environmental Protection Agency and Gina McCarthy, in her official capacity as Administrator of the United States Environmental Protection Agency (collectively “EPA”), jointly move the Court to stay all proceedings in this case until November 13, 2015. In support of this motion, the parties state as follows:

1. Plaintiffs filed a Complaint for Declaratory and Injunctive Relief against EPA on January 7, 2015, alleging that EPA has unreasonably delayed issuing a final response to Plaintiffs’ October 24, 2012, petition, which requested that EPA conduct a rulemaking pursuant to its authority under the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. § 11023(b). *See* ECF No. 1.

2. On February 6, 2015, Plaintiffs filed a First Amended Complaint for Declaratory and Injunctive Relief asserting the same claim for relief but adding a named plaintiff to the proceedings. *See* ECF No. 8.

3. On March 9, 2015, the parties filed a Joint Motion to Extend Deadline to Answer First Amended Complaint, to Accommodate Ongoing Settlement Discussions. *See* ECF No. 11. The parties filed the joint motion to extend in order to engage in settlement discussions to resolve the case. On that same day, the Court filed a Minute Order granting the joint motion and extending the deadline for EPA's response to the First Amended Complaint to April 24, 2015. *See* ECF No. 12.

4. Over the past month and a half, the parties have engaged in regular discussions to determine whether the issues in this case can be resolved without further litigation. EPA now anticipates that it will respond to Plaintiffs' petition by October 30, 2015. Staying this matter pending EPA's anticipated action on Plaintiffs' petition would conserve the resources of the parties and the Court by avoiding potentially needless litigation. In consideration of EPA's anticipated response to the petition by October 30, 2015, Plaintiffs join and support this Joint Motion.

WHEREFORE, Plaintiffs and Defendants jointly move this Court to stay all proceedings in this case, including the deadline for EPA's response to the First Amended Complaint, until November 13, 2015, at which point the parties will file appropriate pleadings or motions to govern further proceedings.

Respectfully submitted this 24th day of April, 2015.

/s/ Adam Kron

ADAM KRON (D.C. Bar No. 992135)
Environmental Integrity Project
1000 Vermont Avenue NW, Suite 1100
Washington, DC 20005
(202) 263-4451
(202) 296-8822 (fax)
akron@environmentalintegrity.org

Attorney for Plaintiffs

JOHN C. CRUDEN
Assistant Attorney General
Environment and Natural Resources
Division

/s/ T. Monique Peoples

T. MONIQUE PEOPLES
D.C. Bar No. 973762
Environmental Defense Section
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044
Telephone: (202) 514-9365
Facsimile: (202) 514-8865
monique.peoples@usdoj.gov
Street address:
601 D Street, N.W., Suite 8000
Washington, D.C. 20004

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Joint Motion Stay Proceedings and a Proposed Order granting the Joint Motion were served by electronic filing through the Court's CM\ECF system upon all counsel of record this 24th day of April 2015.

/s/ Adam Kron
Adam Kron