
**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

STATE OF WEST VIRGINIA, *et al.*,

Petitioners,

v.

No. 15-1363

(and consolidated cases)

U.S. ENVIRONMENTAL
PROTECTION AGENCY, *et al.*

Respondents.

MOTION TO WITHDRAW AS AMICUS CURIAE

Pursuant to Fed. R. App. P. 27, the State of Nevada hereby moves to withdraw as *amicus curiae* in this matter. Nevada joined this appeal as *amicus curiae* together with Consumers' Research, in a brief filed on April 22, 2016 (Doc. 1610125). This voluntary withdrawal is appropriate because there is no direct claim made against Nevada in this matter and Nevada's withdrawal will not materially prejudice the rights of the other parties.

In this motion, Nevada does not speak for Consumers' Research, co-signer of the brief mentioned above. Consumers' Research continues to participate as *amicus*, and its endorsement of the positions taken in the brief remain unaffected. This motion does not withdraw the brief; it merely withdraws Nevada's participation as *amicus curiae*.

Nevada requests that all parties bear their own costs.

Dated: May 15, 2019.

Respectfully submitted,

AARON D. FORD
Attorney General

By: /s/ Heidi Parry Stern
Heidi Parry Stern
Solicitor General
Counsel for the State of Nevada

CERTIFICATE AS TO PARTIES AND AMICI CURIAE

Pursuant to D.C. Circuit Rule 28(a)(1)(A), all parties, intervenors, and amici are, to the best of my knowledge, listed in the Opening Brief of Petitioners on Core Legal Issues, filed on February 19, 2016, with the exception of amici curiae State of Nevada and the following amici curiae in support of Petitioners:

- Amici curiae Scientists in Support of Petitioners, listed at pages *i-iii*, of Brief of Amici Curiae Scientists in Support of Petitioners Supporting Reversal [Doc.# 1600166];
- Amici curiae Former State Public Utility Commissioners, listed at pages 1-2 of Brief of Amici Curiae Former State Public Utility Commissioners [Doc. # 1600328];
- Amici curiae 60Plus Association, Federalism in Action, Hispanic Leadership Fund, Independent Women’s Forum, National Taxpayers Union, and Taxpayers Protection Alliance;
- Amicus curiae Landmark Legal Foundation.

Dated: May 15, 2019.

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Attorney General

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**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT,
TYPEFACE REQUIREMENTS, AND TYPE-STYLE REQUIREMENTS**

1. This document complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because, including the title and excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 131 words.

2. This document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in 14-point Times New Roman.

Dated: May 15, 2019.

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CERTIFICATE OF SERVICE

U.S. Court of Appeals Docket Number: 15-1363

I hereby certify that on May 15, 2019, I caused a true and correct copy of the foregoing *Motion to Withdraw as Amicus Curiae* to be served electronically through the Court's CM/ECF system on all ECF-registered counsel.

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