

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

THE STATE OF OHIO, *et al.*,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, *et al.*,

Defendants.

Case No. 2:15-cv-02467

Judge Sargus

Magistrate Judge King

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**UNOPPOSED MOTION BY MICHIGAN ATTORNEY GENERAL DANA  
NESSEL, ON BEHALF OF THE PEOPLE OF THE STATE OF MICHIGAN,  
TO WITHDRAW AS PLAINTIFF**

DAVE YOST  
Ohio Attorney General

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\*Trial Counsel (for all Plaintiffs)  
Assistant Attorney General  
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*Counsel for Plaintiff State of Ohio*

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S. Peter Manning  
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*Counsel for Plaintiff State of Michigan*

Dated: March 13, 2019

Pursuant to Fed. R. Civ. P. 7(b) and Local Civil Rule 7.2, Plaintiff Attorney General Dana Nessel<sup>1</sup>, on behalf of the People of the State of Michigan, respectfully moves the Court for permission to withdraw as a plaintiff in this matter. This voluntary withdrawal is appropriate because it will not materially prejudice the rights of the other parties.

Pursuant to Local Civil Rule 7.3, counsel for Attorney General Nessel sought consent of all parties, including all interested parties, via email on January 18, 2019. Consent was provided via email by Plaintiff State of Tennessee on January 18, 2019, and Intervenor-Defendants Natural Resources Defense Council and National Wildlife Federation on January 22, 2019. Both Plaintiff State of Ohio and the federal Defendants indicated via email that they do not oppose the motion on January 28, 2019.

Respectfully submitted,

DAVE YOST  
Ohio Attorney General

*/s/ Lawrence Helkowski*

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<sup>1</sup> Attorney General Nessel took office on January 1, 2019. Pursuant to Fed. R. Civ. P. 25(d), Attorney General Nessel now steps into the shoes of former Attorney General Bill Schuette as a Plaintiff in this matter.

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**CERTIFICATE OF SERVICE (E-FILE)**

I hereby certify that on March 13, 2019, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record.

DAVE YOST  
Ohio Attorney General

*/s/ Lawrence Helkowski*

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