

No. 20-1357 (L)

STATE OF CALIFORNIA, by and through Attorney General Rob Bonta
and the California Air Resources Board, et al.,
Petitioners,

v.

MICHAEL REGAN, in his official capacity as Administrator of the
United States Environmental Protection Agency, et al.,
Respondents,

AMERICAN PETROLEUM INSTITUTE et al.,
Intervenors for Respondents.

MOTION OF ALL PETITIONERS FOR VOLUNTARY DISMISSAL

In September 2020, petitioners in these consolidated cases (Cases No. 20-1357, -1359, and -1363) sought this Court’s review of a rule of the U.S. Environmental Protection Agency (EPA) published as “Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review,” 85 Fed. Reg. 57,018 (Sept. 14, 2020) (Rule). As EPA recently notified the Court, the President has now signed and enacted into law a joint resolution of Congress that disapproved the Rule pursuant to the Congressional Review Act. Notice of Congressional Action, ECF No. 1904775 (July 1, 2021). Because the agency action under review “is now without force or effect and cannot be re-promulgated,” *id.* at 2, all petitioners move under Federal Rule of Appellate Procedure 42(b) to voluntarily dismiss their cases, with each party to bear its own costs.

Federal Respondents consent to this motion, as does Intervenor for Respondent American Petroleum Institute. Counsel for the remaining Intervenor for Respondents did not respond to the undersigned's request for positions on this motion sent on July 26, 2021.

Dated: July 29, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on July 29, 2021, I filed a true and correct copy of the foregoing Motion of All Petitioners for Voluntary Dismissal in the U.S. Court of Appeals for the District of Columbia Circuit using the CM/ECF system. All parties to these consolidated cases are represented by counsel registered with the CM/ECF system and will be served by that system.

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CERTIFICATE OF COMPLIANCE

I certify that the foregoing motion contains 172 words and was prepared in 14-point Equity A font using Microsoft Word 365 (July 2021 ed.). The motion complies with the typeface, typestyle, and type-volume requirements of Federal Rule of Appellate Procedure 27(d).

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