September 3, 2020

## By ECF

The Honorable Colleen McMahon United States District Court for the Southern District of New York United States Courthouse 500 Pearl Street, Room 2550 New York, NY 10007

Re: Status report in *New York v. EPA* (S.D.N.Y. 20-CV-3714) (CM) (rel. 20-CV-3058)

Dear Chief Judge McMahon:

Pursuant to the Court's July 9, 2020 order in this case (Dkt. No. 33), the parties submit this joint report on the status of this matter. Counsel for the Environmental Protection Agency informed counsel for the State Plaintiffs on September 1 that the policy at issue in the case was in fact terminated on August 31, 2020. In light of that development and as previously stated in the parties' joint letter to the Court dated July 9, 2020 (Dkt. No. 32), the States intend to voluntarily dismiss their complaint without prejudice on or before September 9, 2020.

Thank you for your consideration of this matter.

Respectfully submitted,

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<sup>&</sup>lt;sup>1</sup> Counsel for the State of New York represents that the other plaintiff States consent to this filing.