

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: ENVIRONMENTAL PROTECTION AGENCY
AND DEPARTMENT OF DEFENSE, FINAL RULE:
CLEAN WATER RULE: DEFINITION OF "WATERS OF THE UNITED
STATES", 80 FED.REG. 37,054, PUBLISHED ON JUNE 29, 2015.

MCP No. 135

(SEE ATTACHED SCHEDULE)

CONSOLIDATION ORDER

The U.S. Environmental Protection Agency and Department of Defense, through the Department of the Army published an Final Order dated June 29, 2015. On July 27, 2015, the Panel received, pursuant to 28 U.S.C. § 2112(a)(3), a notice of multicircuit petitions for review of that order. The notice included petitions for review pending in eight circuit courts of appeal as follows: Second Circuit Court, Fifth Circuit Court, Sixth Circuit Court, Eighth Circuit Court, Ninth Circuit Court, Tenth Circuit Court, Eleventh Circuit Court and District of Columbia Circuit Court.

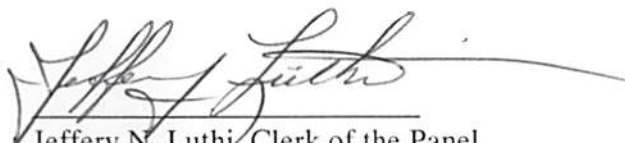
The Panel has randomly selected the United States Court of Appeals for the Sixth Circuit in which to consolidate these petitions for review.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 2112(a)(3), the petitions on the attached schedule are consolidated in the Sixth Circuit and that this circuit is designated as the circuit in which the record is to be filed pursuant to Rules 16 and 17 of the Federal Rules of Appellate Procedure.

FOR THE PANEL:



Dana L. Stewart, Operations Support Specialist
Random Selector



Jeffery N. Luthi, Clerk of the Panel
Witness

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SCHEDULE OF PETITIONS

CIRCUIT NO.

CASE CAPTION

Second Circuit, No. 15-2313	Natural Resources Defense Council v. EPA
Fifth Circuit, No. 15-60492	Texas, et al. v. EPA
Fifth Circuit, No. 15-60509	Utility Water Act Group v. EPA
Sixth Circuit, No. 15-3751	Murray Energy Corp. v. EPA
Eighth Circuit, No. 15-2552	North Dakota, et al. v. EPA
Ninth Circuit, No. 15-72226	Waterkeeper Alliance, Inc., et al v. EPA
Ninth Circuit, No. 15-72227	Ruget Soundkeeper Alliance, et al v. EPA
Tenth Circuit, No. 15-9551	Oklahoma v. EPA
Tenth Circuit, No. 15-9552	Chamber of Commerce of the United States, et al v. EPA
Eleventh Circuit, No. 15-13102	Southeastern Legal Foundation, et al. v. EPA
Eleventh Circuit, No. 15-13252	Georgia, et al. v. EPA
DC Circuit, No. 15-1234	National Wildlife Federation v. EPA