

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**DAN EOFF**

**PLAINTIFF/  
COUNTER-DEFENDANT**

**v.**

**No. 4:13-cv-368-DPM**

**ENVIRONMENTAL PROTECTION AGENCY;  
and GINA McCARTHY, in her official capacity  
as Administrator of the EPA**

**DEFENDANTS/  
COUNTER-CLAIMANTS**

**ORDER**

1. The Court congratulates the parties on their settlement in principle. Joint motion, *No. 82*, granted as modified. The parties must file a joint notice by 6 May 2016 outlining the terms of their tentative agreement. Please file this paper under seal. The deal, the Court recognizes, is contingent on approval by various EPA and DOJ officials, public notice and comment, and ultimate acceptance by the Court as a consent decree.

2. Joint status reports due by 1 June 2016 and by 1 August 2016. Joint motion to approve the planned consent decree due by 10 August 2016. The Court will hold a hearing on the proposed consent decree, if a hearing is needed, at 3:00 p.m. on Wednesday 17 August 2016. The Amended Final Scheduling Order, *No. 69*, is suspended. The August 2016 trial is canceled.

Case stayed.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

20 April 2016