

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

DONALD van der VAART, in his official capacity as Secretary of the North Carolina Department of Environmental Quality; and the NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY,

Plaintiffs,

v.

GINA McCARTHY, in her official capacity as the Administrator of the United States Environmental Protection Agency; and the UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,

Defendants.

Case No. 5:16-cv-138-D

ORDER

Upon consideration of the Parties' Status Report and Joint Stipulation to Continue to Hold this Case in Abeyance, and for good cause shown, it is HEREBY:

ORDERED that this matter be held in abeyance until November 16, 2016. If the parties have not lodged with the Court a proposed consent decree that contains the terms of a proposed settlement of this action on or before November 16, 2016, the parties will submit a joint status report to advise the Court of their progress in resolving this case without further litigation.

DATED this 12 day of October, 2016.



James C. Dever, III
United States District Judge