

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

THE STATE OF OHIO, et al.,

Plaintiffs,

v.

Case No. 2:15-cv-2467

CHIEF JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Norah McCann King

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, et al.,

Defendants.

**ORDER**

On February 22, 2016, a panel of the United States Court of Appeals for the Sixth Circuit ruled that the Sixth Circuit has exclusive jurisdiction to review challenges to the Clean Water Rule, 80 Fed. Reg. 37,054 (June 29, 2015). (*See* ECF No. 48-1.) Citing the Sixth Circuit's February 22 decision, Defendants have moved to dismiss the action currently pending before this Court. (*See* ECF No. 50.)

The February 22 decision is binding on this Court. The mandate has not yet been issued by the Sixth Circuit. And in light of the Sixth Circuit's recent order to shorten the deadline by which the parties must file petitions for en banc review, the mandate for this case might not issue for some time. *See* Fed. R. App. P. 41(d)(1). Accordingly, the Court **STAYS** all proceedings in this case until the mandate from the Sixth Circuit finally issues.

**IT IS SO ORDERED.**

DATE

3-21-2016

  
EDMUND A. SARGUS, JR.  
CHIEF UNITED STATES DISTRICT JUDGE