ORAL ARGUMENT HELD ON SEPTEMBER 27, 2016

IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

STATE OF WEST VIRGINIA, et al.,

Petitioners,

v.

No. 15-1363 and consolidated cases

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, *et al.*,

Respondents.

MOTION TO WITHDRAW AS PETITIONER

Now comes Petitioner State of New Jersey and hereby moves to withdraw as a petitioner in this matter. This voluntary withdrawal is appropriate as there is no direct claim made against New Jersey in this matter, and this withdrawal will not materially prejudice the rights of the other parties. New Jersey requests that all parties bear their own costs. Date: January 30, 2018

Respectfully submitted,

GURBIR S. GREWAL Attorney General of New Jersey

/s/ Robert J. Kinney

Robert J. Kinney Deputy Attorney General

David C. Apy Assistant Attorney General

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Counsel for Petitioner State of New Jersey

CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT, TYPEFACE REQUIREMENTS, AND TYPE-STYLE REQUIREMENTS

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27(d)(2(A) because, excluding the parts of the document exempted by Fed. R.

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Dated: January 30, 2018

<u>/s/ Robert J. Kinney</u> Robert J. Kinney Deputy Attorney General

Counsel for Petitioner State of New Jersey

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of January, 2018, I caused a true and correct copy of the foregoing Motion to Withdraw as Petitioner to be served electronically through the Court's CM/ECF system on all ECF-registered counsel.

Dated: January 30, 2018

/s/ Robert J. Kinney Robert J. Kinney Deputy Attorney General

Counsel for Petitioner State of New Jersey