

| Citation  | Description   | Status  |
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| <i>Ohio v. U.S. Army Corps of Eng'rs (In re EPA and Dep't of Def. Final Rule)</i> , 6 <sup>th</sup> Cir., No. 15-03799, 7/24/15 | U.S. Judicial Panel for Multidistrict Litigation (No. 135) consolidated in the Sixth Circuit petitions challenging the EPA/corps rule clarifying CWA jurisdiction over waters and wetlands. | Nationwide stay of the rule granted. Parties briefing motion to dismiss for lack of appeals court jurisdiction. Sixth Circuit will rule after oral arguments on Dec. 8 in Cincinnati, Ohio. |
| <i>Georgia v. McCarthy</i> , 11 <sup>th</sup> Cir., No. 15-14035, 9/10/15   | Appeal of Southern District of Georgia ruling that the court of appeals has exclusive jurisdiction over challenges to the rule.   | Briefing on the appeal is ongoing in the Eleventh Circuit. Oral arguments tentatively scheduled for week of Feb. 22.  |
| Am. Expl. & Mining Ass'n v. EPA, D.C. Cir., No. 15-01411, 11/9/15   | Prospecting, exploration and mining group asks the court to declare the rule violates the APA and Regulatory Flexibility Act and set it aside.  | D.C. Circuit has set a briefing schedule for statement of issues and procedural motions.  |
| <i>Wash. Cattlemen's Ass'n v. EPA</i> , 6 <sup>th</sup> Cir., No. 15-04188, 10/30/15  | Cattlemen's group representing Washington, California, and New Mexico, and wool growers in Arizona and New Mexico challenged the jurisdiction rule in the Eighth Circuit.                   | Case transferred to the Sixth Circuit; it has not set a briefing schedule.  |
| <i>Se. Stormwater Ass'n Inc. v. EPA</i> , 6 <sup>th</sup> Cir., No. 15-04159, 10/26/15  | Southeast and Florida stormwater associations join Florida Rural Water Association and Florida League of Cities petition Sixth Circuit to review the rule.                                  | Sixth Circuit has not set a briefing schedule.  |
| Ariz. Mining Ass'n v. EPA, 9 <sup>th</sup> Cir., 15-73378, 11/4/15  | The state's mining, farming, livestock industries join the state chamber of commerce in challenging the rule, saying it will impose "staggering" burdens in compliance costs.               | Ninth Circuit has neither transferred to the Sixth Circuit nor set a briefing schedule.   |
| <i>North Dakota v. EPA</i> , D.N.D., No. 15-00059, 6/29/15  | District of North Dakota granted motion for preliminary injunction, preventing rule from taking effect in 13 states.  | Justice Department seeks stay of proceedings until the Sixth Circuit rules on whether exclusive jurisdiction of rule review lies with appellate courts.                                     |
| <i>Ariz. Mining Ass'n. v. EPA</i> , D. Ariz., No. 15-01752, 9/1/15  | Southwestern mining and farming interests ask the District of Arizona to declare rule is unlawful and enjoin agencies from enforcing it.  | District of Arizona stayed the case until Sixth Circuit issues its decision on jurisdiction.  |
| <i>Waterkeeper All. v. EPA</i> , N.D. Cal., No. 15-03927, 8/27/15   | Environmental groups allege agencies did not comply with NEPA, and rule improperly excludes groundwater, waste treatment systems.   | Northern District of California stayed the case until Sixth Circuit issues its decision on jurisdiction.  |
| <i>Nat. Res. Def. Council v. EPA</i> , D.D.C., No. 15-01324, 8/14/15  | Environmental groups allege the rule improperly excludes waste treatment systems and waters traditionally regulated by the agencies.  | District of the District of Columbia stayed until Dec. 1.   |
| <i>Se. Legal Found. V. EPA</i> , N.D. Ga., No. 15-02488, 7/13/15  | Georgia industry groups ask court to declare the rule is unlawful and enjoin the agencies from enforcing it.  | Parties to file status report within 10 days of Sixth Circuit's decision on subject matter jurisdiction.  |

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| <i>Wash. Cattlemen's Ass'n v. EPA</i> , D. Minn., No. 15-03058, 7/15/15    | Complaint related to court of appeals challenge filed by cattlemen and wool growers in the court of appeals; allege rule exceeds constitutional authority, violates CWA, APA. | District of Minnesota to rule on agencies' motion to stay pending Sixth Circuit's decision on subject matter jurisdiction. |
| <i>Ohio v. EPA</i> , S.D. Ohio, No. 15-02467, 6/29/15.                     | Ohio, Michigan and Tennessee ask the court to vacate the rule and enjoin the agencies from enforcing it.  | Agencies moved to stay pending the Sixth Circuit's ruling on jurisdiction; parties are briefing the motion.                |
| <i>Oklahoma v. EPA</i> , N.D. Okla., No. 15-00381, 7/8/15                  | Oklahoma asks the court to declare the rule unconstitutional and void and enjoin the agencies from enforcing it.  | Northern District of Oklahoma will rule on agencies' motion to stay pending Sixth Circuit's ruling on jurisdiction.        |
| <i>U.S. Chamber of Commerce v. EPA</i> , N.D. Okla., No. 15-00386, 7/10/15 | Chamber of Commerce asks the court to declare the rule is unlawful, vacate it and enjoin the agencies from enforcing it.  | Northern District of Oklahoma will rule on agencies' motion to stay pending Sixth Circuit's ruling on jurisdiction.        |
| <i>Texas v. EPA</i> , S.D. Tex., No. 15-00162, 6/29/15                     | Texas, Louisiana and Mississippi ask the Southern District of Texas to declare the rule is unlawful and vacate it.  | Court will hear arguments on Dec. 4 on agencies' motion to stay pending Sixth Circuit decision on jurisdiction.            |
| <i>Am. Farm Bureau Fed'n v. EPA</i> , S.D. Tex., No. 15-00165, 7/2/15      | Industry groups ask Southern District of Texas to declare the rule is unlawful, vacate it and enjoin the agencies from enforcing it.  | Court will hear arguments on Dec. 4 on agencies' motion to stay pending Sixth Circuit decision on jurisdiction.            |
| <i>Ass'n of Am. R.Rs. v. EPA</i> , S.D. Tex., No. 15-00266, 9/22/15        | Railroad groups ask Southern District of Texas to declare the rule is unlawful, vacate it and enjoin the agencies from enforcing it.  | Court will hear arguments on Dec. 4 on agencies' motion to stay pending Sixth Circuit decision on jurisdiction.            |
| <i>Puget Soundkeeper All. v. EPA</i> , W.D. Wash, No. 15-01342, 8/20/15    | Environmental groups allege the rule improperly excludes waste treatment systems and as well as farming, ranching and silviculture activities.                                | Western District of Washington granted the agencies' motion to stay pending Sixth Circuit decision on jurisdiction.        |

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