

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHEASTERN DIVISION

States of North Dakota, Alaska,  
Arizona, Arkansas, Colorado, Idaho,  
Missouri, Montana, Nebraska, Nevada,  
South Dakota, and Wyoming; New  
Mexico Environment Department; and  
New Mexico State Engineer,

Plaintiffs,

vs.

U.S. Environmental Protection Agency,  
Regina McCarthy in her official  
capacity as Administrator of the U.S.  
Environmental Protection Agency, U.S.  
Army Corps of Engineers, Jo Ellen  
Darcy in her official capacity as  
Assistant Secretary of the Army (Civil  
Works),

Defendants.

Civil No. 3:15-cv-59

**ORDER SETTING BRIEFING  
SCHEDULE**

Plaintiffs have filed a notice of supplemental authority attaching Defendants' CWR Litigation Statement.<sup>1</sup> There appears to be a dispute between the parties as to the breadth of the court's order granting the motion for a preliminary injunction. Each side may file a brief addressing the issue of whether the injunction applies nationally or in a limited geographic area no later than **5:00 PM on Tuesday, September 1, 2015.**

**IT IS SO ORDERED.**

Dated this 28th day of August, 2015.

/s/ Ralph R. Erickson  
Ralph R. Erickson, Chief District Judge  
District of North Dakota

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<sup>1</sup> Doc. #73.