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 Plaintiffs and Counsel Listed on Signature Page)*

**UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

ALLIANCE OF NURSES FOR HEALTHY
 ENVIRONMENTS, AMERICAN LUNG
 ASSOCIATION, AMERICAN PUBLIC
 HEALTH ASSOCIATION, AMERICAN
 THORACIC SOCIETY, CENTER FOR
 BIOLOGICAL DIVERSITY, CITIZENS
 FOR PENNSYLVANIA'S FUTURE,
 CLEAN AIR COUNCIL, CLEANAIRE NC,
 CONSERVATION LAW FOUNDATION,
 ENVIRONMENTAL DEFENSE FUND,
 GEORGIA INTERFAITH POWER &
 LIGHT, MICHIGAN ENVIRONMENTAL
 COUNCIL, NATURAL RESOURCES
 DEFENSE COUNCIL, NORTHEAST OHIO
 COMMUNITY RESILIENCE CENTRE,
 RIO GRANDE INTERNATIONAL STUDY
 CENTER, SAVANNAH RIVERKEEPER,
 and SIERRA CLUB,

Plaintiffs,

v.

LEE M. ZELDIN, Administrator, United
 States Environmental Protection Agency, in
 his official capacity,

Defendant.

Civil Action No. 4:26-cv-03118-HSG

**PLAINTIFFS' STATEMENT OF
 RECENT DECISION IN SUPPORT OF
 THEIR OPPOSITION TO
 DEFENDANT'S MOTION FOR
 ABEYANCE AND IN SUPPORT OF
 THEIR MOTION FOR SUMMARY
 JUDGMENT**

1 Pursuant to Northern District of California Civil Local Rule 7-3(d)(2), Plaintiffs Alliance
2 of Nurses for Healthy Environments, American Lung Association, American Public Health
3 Association, American Thoracic Society, Center for Biological Diversity, Citizens for
4 Pennsylvania’s Future, Clean Air Council, CleanAIRE NC, Conservation Law Foundation,
5 Environmental Defense Fund, Georgia Interfaith Power & Light, Michigan Environmental
6 Council, Natural Resources Defense Council, Northeast Ohio Community Resilience Centre, Rio
7 Grande International Study Center, Savannah Riverkeeper, and Sierra Club (collectively,
8 “Plaintiffs”), submit this Statement of Recent Decision in connection with Defendant’s Motion
9 for Abeyance (Dkt. No. 31) and Plaintiffs’ Motion for Summary Judgment (Dkt. No. 16).

10 Attached as Exhibit A is a copy of the D.C. Circuit’s recent decision *Kentucky v. EPA*, ---
11 F.4th ---, 2026 WL 1839715 (D.C. Cir. June 26, 2026).

Dated: June 30, 2026

Respectfully submitted,

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¹ Pursuant to Civil L.R. 5-1(i)(3), I attest that all other signatories have concurred in the filing of this document.

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