

FILED

UNITED STATES COURT OF APPEALS

DEC 26 2018

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: UNITED STATES OF AMERICA;
CHRISTY GOLDFUSS; SHAUN
DONOVAN; JOHN HOLDREN;
ERNEST MONIZ; U.S. DEPARTMENT
OF THE INTERIOR; SALLY JEWELL;
U.S. DEPARTMENT OF
TRANSPORTATION; ANTHONY
FOXX; U.S. DEPARTMENT OF
AGRICULTURE; THOMAS J.
VILSACK; UNITED STATES
DEPARTMENT OF COMMERCE;
PENNY PRITZKER; UNITED STATES
DEPARTMENT OF DEFENSE;
ASHTON CARTER; U.S.
DEPARTMENT OF STATE; JOHN F.
KERRY; GINA MCCARTHY; OFFICE
OF THE PRESIDENT OF THE UNITED
STATES; U.S. ENVIRONMENTAL
PROTECTION AGENCY; U.S.
DEPARTMENT OF ENERGY; DONALD
J. TRUMP, in his official capacity as
President of the United States,

No. 18-73014

D.C. No. 6:15-cv-01517-AA
District of Oregon,
Eugene

ORDER

UNITED STATES OF AMERICA;
CHRISTY GOLDFUSS, in her official
capacity as Director of Council on
Environmental Quality; SHAUN
DONOVAN, in his official capacity as
Director of the Office of Management and
Budget; JOHN HOLDREN, Dr., in his
official capacity as Director of the Office
of Science and Technology Policy;
ERNEST MONIZ, Dr., in his official

capacity as Secretary of Energy; UNITED STATES DEPARTMENT OF INTERIOR; SALLY JEWELL, in her official capacity as Secretary of Interior; UNITED STATES DEPARTMENT OF TRANSPORTATION; ANTHONY FOXX, in his official capacity as Secretary of Transportation; UNITED STATES DEPARTMENT OF AGRICULTURE; THOMAS J. VILSACK, in his official capacity as Secretary of Agriculture; UNITED STATES DEPARTMENT OF COMMERCE; PENNY PRITZKER, in her official capacity as Secretary of Commerce; UNITED STATES DEPARTMENT OF DEFENSE; ASHTON CARTER, in his official capacity as Secretary of Defense; UNITED STATES DEPARTMENT OF STATE; JOHN F. KERRY, in his official capacity as Secretary of State; GINA MCCARTHY, in her official capacity as Administrator of the EPA; OFFICE OF THE PRESIDENT OF THE UNITED STATES; U.S. ENVIRONMENTAL PROTECTION AGENCY; U.S. DEPARTMENT OF ENERGY; DONALD J. TRUMP,

Petitioners,

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON,
EUGENE,

Respondent,

KELSEY CASCADIA ROSE JULIANA;
XIUHTEZCATL TONATIUH M., through
his Guardian Tamara Roske-Martinez;
ALEXANDER LOZNAK; JACOB
LEBEL; ZEALAND B., through his
Guardian Kimberly Pash-Bell; AVERY
M., through her Guardian Holly McRae;
SAHARA V., through her Guardian Toa
Aguilar; KIRAN ISAAC OOMMEN; TIA
MARIE HATTON; ISAAC V., through his
Guardian Pamela Vergun; MIKO V.,
through her Guardian Pamela Vergun;
HAZEL V., through her Guardian Margo
Van Ummersen; SOPHIE K., through her
Guardian Dr. James Hansen; JAIME B.,
through her Guardian Jamescita Peshlakai;
JOURNEY Z., through his Guardian Erika
Schneider; VICTORIA B., through her
Guardian Daisy Calderon; NATHANIEL
B., through his Guardian Sharon Baring;
AJI P., through his Guardian Helaina
Piper; LEVI D., through his Guardian
Leigh-Ann Draheim; JAYDEN F., through
her Guardian Cherri Foytlin; NICHOLAS
V., through his Guardian Marie Venner;
EARTH GUARDIANS, a nonprofit
organization; FUTURE GENERATIONS,
through their Guardian Dr. James Hansen,

Real Parties in Interest.

KELSEY CASCADIA ROSE JULIANA;
XIUHTEZCATL TONATIUH M., through

No. 18-80176

his Guardian Tamara Roske-Martinez; ALEXANDER LOZNAK; JACOB LEBEL; ZEALAND B., through his Guardian Kimberly Pash-Bell; AVERY M., through her Guardian Holly McRae; SAHARA V., through her Guardian Toa Aguilar; KIRAN ISAAC OOMMEN; TIA MARIE HATTON; ISAAC V., through his Guardian Pamela Vergun; MIKO V., through her Guardian Pamel Vergun; HAZEL V., through her Guardian Margo Van Ummerson; SOPHIE K., through her Guardian Dr. James Hansen; JAIME B., through her Guardian Jamescita Peshlakai; JOURNEY Z., through his Guardian Erika Schneider; VICTORIA B., through her Guardian Daisy Calderon; NATHANIEL B., through his Guardian Sharon Baring; AJI P., through his Guardian Helaina Piper; LEVI D., through his Guardian Leigh-Ann Draheim; JAYDEN F., through her Guardian Cherri Foytlin; NICHOLAS V., through his Guardian Marie Venner; EARTH GUARDIANS, a nonprofit organization; FUTURE GENERATIONS, through their Guardian Dr. James Hansen,

Plaintiffs-Respondents,

v.

UNITED STATES OF AMERICA; CHRISTY GOLDFUSS, in her capacity as Director of Council on Environmental Quality; SHAUN DONOVAN, in his official capacity as Director of the Office of Management and the Budget; JOHN

D.C. No. 6:15-cv-01517-AA
District of Oregon,
Eugene

HOLDREN, Dr., in his official capacity as Director of the Office of Science and Technology Policy; ERNEST MONIZ, Dr., in his official capacity as Secretary of Energy; U.S. DEPARTMENT OF THE INTERIOR; SALLY JEWELL, in her official capacity as Secretary of Interior; U.S. DEPARTMENT OF TRANSPORTATION; ANTHONY FOXX, in his official capacity as Secretary of Transportation; UNITED STATES DEPARTMENT OF AGRICULTURE; THOMAS J. VILSACK, in his official capacity as Secretary of Agriculture; UNITED STATES DEPARTMENT OF COMMERCE; PENNY PRITZKER, in her official capacity as Secretary of Commerce; UNITED STATES DEPARTMENT OF DEFENSE; ASHTON CARTER, in his official capacity as Secretary of Defense; UNITED STATES DEPARTMENT OF STATE; JOHN F. KERRY, in his official capacity as Secretary of State; GINA MCCARTHY, in her official capacity as Administrator of the EPA; OFFICE OF THE PRESIDENT OF THE UNITED STATES; U.S. ENVIRONMENTAL PROTECTION AGENCY; U.S. DEPARTMENT OF ENERGY; DONALD J. TRUMP, in his official capacity as President of the United States,

Defendants-Petitioners.

Before: THOMAS, Chief Judge, and BERZON and FRIEDLAND, Circuit Judges.

The petition for a writ of mandamus is denied as moot. All other pending motions are denied as moot.