

No. 19-5055

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UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

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STATE OF OKLAHOMA *ex rel.* MIKE HUNTER, in his official capacity as  
ATTORNEY GENERAL OF OKLAHOMA, & CHAMBER OF COMMERCE OF THE UNITED  
STATES OF AMERICA, NATIONAL FEDERATION OF INDEPENDENT BUSINESS,  
TULSA REGIONAL CHAMBER, PORTLAND CEMENT ASSOCIATION, and  
STATE CHAMBER OF OKLAHOMA

*Plaintiffs-Appellants,*

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, UNITED STATES ARMY  
CORPS OF ENGINEERS, ANDREW WHEELER, in his official capacity as Administrator  
of the UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, and RICKY JAMES, in  
his official capacity as ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS,

*Defendants -Appellees.*

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On appeal from the United States District Court  
for the Northern District of Oklahoma (Eagan, J.)  
15-CV-0381-CVE-FHM (BASE FILE)  
15-CV-0386-CVE-FHM (consolidated)

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**APPELLANTS' UNOPPOSED JOINT MOTION**  
**FOR VOLUNTARY DISMISSAL**

Pursuant to Fed. R. of App. P. 42(b), Appellants move the Court to dismiss the  
appeal docketed as No. 19-5055. Each party shall bear its own costs. Counsel for all  
Appellees indicated they do not oppose this motion and will not file a response.

Respectfully Submitted,

*/s/ Mithun Mansinghani*

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**Mithun Mansinghani**, *Solicitor General*  
**Andy N. Ferguson**, *Staff Attorney*

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*Counsel for the State of Oklahoma*

*/s/ J. Michael Connolly*

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Federation of Independent Business,  
Tulsa Regional Chamber, Portland Cement  
Association, and State Chamber of Oklahoma*

**ECF CERTIFICATION**

Counsel certifies that all required privacy redactions have been made as required by Tenth Circuit Rule 25.5 and the ECF Manual and that this filing was scanned with Symantec Endpoint Protection antivirus using the latest version (14.2), most recently updated on December 23, 2019.

/s/ Mithun Mansinghani  
Mithun Mansinghani

**CERTIFICATE OF COMPLIANCE**

Counsel certifies that, pursuant to Fed. R. App. P. 32(g)(1), this document complies with the word limit of Fed. R. App. P. 27(d)(2)(A) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 42 words. Additionally, this document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the typestyle requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in Garamond 14pt.

/s/ Mithun Mansinghani  
Mithun Mansinghani

**CERTIFICATE OF SERVICE**

Undersigned counsel certifies that on the 23rd day of December 2019, a true and correct copy of the foregoing Unopposed Joint Motion was filed with this Court and served on all parties via the Court's CM/ECF filing system. All case participants are registered as CM/ECF users and will be served by the CM/ECF system.

*/s/ Mithun Mansinghani*

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**Mithun Mansinghani**, *Solicitor General*  
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