

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CENTER FOR BIOLOGICAL DIVERSITY,
et al.,

Plaintiffs,

v.

LT. GEN SCOTT A. SPELLMON, et al.,

Defendants,

AMERICAN GAS ASSOCIATION,
et al.,

Defendant-Intervenor,

STATE OF MONTANA,

Defendant-Intervenor.

Case No: 22-cv-2586-CKK

STIPULATION OF VOLUNTARY DISMISSAL

The Parties hereby agree to voluntarily dismiss this action pursuant to Fed. R. Civ. Pro. 41(a)(1)(A)(ii) and the Court’s Minute Order of April 17, 2026. The U.S. Army Corps of Engineers reissued a new set of nationwide permits on January 8, 2026, which became effective on March 15, 2026. *See* Reissuance and Modifications of Nationwide Permits, 91 Fed. Reg. 768, 859–61 (Jan. 8, 2026). As such, the 2021 version of Nationwide Permit 12 that is the subject of this action has been replaced with a new version. Because the 2021 iteration of NWP 12 is no longer operative, the pending litigation is now moot, and the Court may dismiss this case.

The Parties have conferred and agree to this voluntary dismissal. The Parties further agree that they will bear their own fees and costs associated with this action.

Respectfully submitted this 23rd day of April 2026.

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CERTIFICATE OF SERVICE

I certify that I served the foregoing on all counsel of record via the Court's CM/ECF system.

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