

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

AMERICAN PETROLEUM INSTITUTE,
CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA, and
NATIONAL FOREIGN TRADE COUNCIL,

Plaintiffs,

v.

SECURITIES AND EXCHANGE
COMMISSION,

Defendant.

Civil Action No. 12-cv-1668-(JDB)

[PROPOSED] ORDER

On May 10, 2013, the parties filed cross-motions for summary judgment. In consideration of the arguments presented in each party's papers and at oral argument, it is hereby

ORDERED that Plaintiffs' Motion for Summary Judgment is **GRANTED**, and Defendant's Cross-Motion for Summary Judgment is **DENIED**, and it is further

ORDERED that the final rule promulgated by the United States Securities and Exchange Commission on September 12, 2012, and set forth at 77 Fed. Reg. 56,365 (Sept. 12, 2012), is hereby **VACATED**.

ENTERED this ____ day of _____, 2013.

JOHN D. BATES
United States District Judge