

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
Wheeling**

**MURRAY ENERGY CORPORATION,  
MURRAY AMERICAN ENERGY, INC.,  
THE AMERICAN COAL COMPANY,  
AMERICAN ENERGY CORPORATION,  
THE HARRISON COUNTY COAL COMPANY,  
KENAMERICAN RESOURCES, INC., THE  
MARION COUNTY COAL COMPANY, THE  
MARSHALL COUNTY COAL COMPANY,  
THE MONONGALIA COUNTY COAL  
COMPANY, OHIOAMERICAN ENERGY  
INC., THE OHIO COUNTY COAL COMPANY,  
and UTAHAMERICAN ENERGY, INC.,**

Plaintiffs,

v.

**Civil Action No. 5:14-CV-39**  
Judge Bailey

**GINA McCARTHY**, Administrator,  
United States Environmental Protection  
Agency, in her official capacity,

Defendant.

**ORDER DENYING MOTION TO CLARIFY**

Pending before this Court is United States' Motion to Clarify the Court's September 16, 2014 Order [Doc. 50], filed October 9, 2014. The plaintiffs filed their Memorandum in Opposition to Defendant's Motion to Clarify [Doc. 51] on October 14, 2014, and the defendant filed its Reply [Doc. 52] on October 17, 2014.

In its Motion, the defendant seeks clarification of this Court's decision denying the defendant's Motion to Dismiss [Doc. 40], entered September 16, 2014.

This Court is of the opinion that its September 16, 2014, Order clearly set forth the

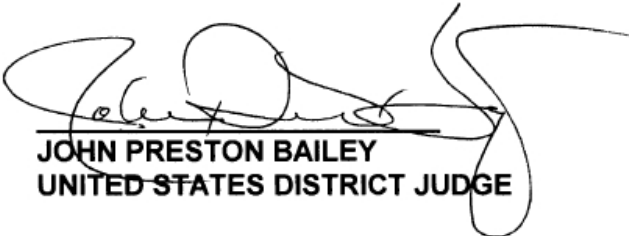
bases for the ruling and that no further explanation is necessary.

Accordingly, the United States' Motion to Clarify the Court's September 16, 2014 Order [Doc. 50], filed October 9, 2014 is **DENIED**.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

**DATED:** October 24, 2014.



**JOHN PRESTON BAILEY**  
**UNITED STATES DISTRICT JUDGE**