

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

MURRAY ENERGY CORPORATION, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 5:14-CV-00039
)	Judge Bailey
GINA McCARTHY, Administrator,)	
UNITED STATES ENVIRONMENTAL)	
PROTECTION AGENCY, acting in her)	
Official Capacity,)	
)	
Defendants.)	

NOTICE OF WITHDRAWAL OF MOTION TO MODIFY TRIAL DATE

Murray Energy Corporation, et al. (“Murray Energy”) (collectively “Plaintiffs”) respectfully withdraw their pending motion to modify the trial date.

Pursuant to this Court’s December 23, 2015 Order (Doc. 172), trial is set for July 19, 2016. On January 22, 2016, Plaintiffs moved to modify the trial date, which motion was unopposed by Defendant. Mr. Murray has been able to resolve the conflict which prohibited his attendance at trial. Plaintiffs, therefore, respectfully withdraw their motion to modify the trial date.

DATED: February 1, 2016

Respectfully Submitted,

/s/ Jacob A. Manning

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CERTIFICATE OF SERVICE

I, Jacob A. Manning, hereby certify that I electronically filed the foregoing with the Clerk of the court using the CM/ECF system, which will cause a copy to be served upon counsel of record.

/s/ Jacob A. Manning

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