

FILED

UNITED STATES COURT OF APPEALS

DEC 26 2018

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: UNITED STATES OF AMERICA;  
CHRISTY GOLDFUSS; SHAUN  
DONOVAN; JOHN HOLDREN;  
ERNEST MONIZ; U.S. DEPARTMENT  
OF THE INTERIOR; SALLY JEWELL;  
U.S. DEPARTMENT OF  
TRANSPORTATION; ANTHONY  
FOXX; U.S. DEPARTMENT OF  
AGRICULTURE; THOMAS J.  
VILSACK; UNITED STATES  
DEPARTMENT OF COMMERCE;  
PENNY PRITZKER; UNITED STATES  
DEPARTMENT OF DEFENSE;  
ASHTON CARTER; U.S.  
DEPARTMENT OF STATE; JOHN F.  
KERRY; GINA MCCARTHY; OFFICE  
OF THE PRESIDENT OF THE UNITED  
STATES; U.S. ENVIRONMENTAL  
PROTECTION AGENCY; U.S.  
DEPARTMENT OF ENERGY; DONALD  
J. TRUMP, in his official capacity as  
President of the United States,

No. 18-73014

D.C. No. 6:15-cv-01517-AA  
District of Oregon,  
Eugene

ORDER

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UNITED STATES OF AMERICA;  
CHRISTY GOLDFUSS, in her official  
capacity as Director of Council on  
Environmental Quality; SHAUN  
DONOVAN, in his official capacity as  
Director of the Office of Management and  
Budget; JOHN HOLDREN, Dr., in his  
official capacity as Director of the Office  
of Science and Technology Policy;  
ERNEST MONIZ, Dr., in his official

capacity as Secretary of Energy; UNITED STATES DEPARTMENT OF INTERIOR; SALLY JEWELL, in her official capacity as Secretary of Interior; UNITED STATES DEPARTMENT OF TRANSPORTATION; ANTHONY FOXX, in his official capacity as Secretary of Transportation; UNITED STATES DEPARTMENT OF AGRICULTURE; THOMAS J. VILSACK, in his official capacity as Secretary of Agriculture; UNITED STATES DEPARTMENT OF COMMERCE; PENNY PRITZKER, in her official capacity as Secretary of Commerce; UNITED STATES DEPARTMENT OF DEFENSE; ASHTON CARTER, in his official capacity as Secretary of Defense; UNITED STATES DEPARTMENT OF STATE; JOHN F. KERRY, in his official capacity as Secretary of State; GINA MCCARTHY, in her official capacity as Administrator of the EPA; OFFICE OF THE PRESIDENT OF THE UNITED STATES; U.S. ENVIRONMENTAL PROTECTION AGENCY; U.S. DEPARTMENT OF ENERGY; DONALD J. TRUMP,

Petitioners,

v.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON,  
EUGENE,

Respondent,

KELSEY CASCADIA ROSE JULIANA;  
XIUHTEZCATL TONATIUH M., through  
his Guardian Tamara Roske-Martinez;  
ALEXANDER LOZNAK; JACOB  
LEBEL; ZEALAND B., through his  
Guardian Kimberly Pash-Bell; AVERY  
M., through her Guardian Holly McRae;  
SAHARA V., through her Guardian Toa  
Aguilar; KIRAN ISAAC OOMMEN; TIA  
MARIE HATTON; ISAAC V., through his  
Guardian Pamela Vergun; MIKO V.,  
through her Guardian Pamela Vergun;  
HAZEL V., through her Guardian Margo  
Van Ummersen; SOPHIE K., through her  
Guardian Dr. James Hansen; JAIME B.,  
through her Guardian Jamescita Peshlakai;  
JOURNEY Z., through his Guardian Erika  
Schneider; VICTORIA B., through her  
Guardian Daisy Calderon; NATHANIEL  
B., through his Guardian Sharon Baring;  
AJI P., through his Guardian Helaina  
Piper; LEVI D., through his Guardian  
Leigh-Ann Draheim; JAYDEN F., through  
her Guardian Cherri Foytlin; NICHOLAS  
V., through his Guardian Marie Venner;  
EARTH GUARDIANS, a nonprofit  
organization; FUTURE GENERATIONS,  
through their Guardian Dr. James Hansen,

Real Parties in Interest.

KELSEY CASCADIA ROSE JULIANA;  
XIUHTEZCATL TONATIUH M., through

No. 18-80176

his Guardian Tamara Roske-Martinez; ALEXANDER LOZNAK; JACOB LEBEL; ZEALAND B., through his Guardian Kimberly Pash-Bell; AVERY M., through her Guardian Holly McRae; SAHARA V., through her Guardian Toa Aguilar; KIRAN ISAAC OOMMEN; TIA MARIE HATTON; ISAAC V., through his Guardian Pamela Vergun; MIKO V., through her Guardian Pamel Vergun; HAZEL V., through her Guardian Margo Van Ummerson; SOPHIE K., through her Guardian Dr. James Hansen; JAIME B., through her Guardian Jamescita Peshlakai; JOURNEY Z., through his Guardian Erika Schneider; VICTORIA B., through her Guardian Daisy Calderon; NATHANIEL B., through his Guardian Sharon Baring; AJI P., through his Guardian Helaina Piper; LEVI D., through his Guardian Leigh-Ann Draheim; JAYDEN F., through her Guardian Cherri Foytlin; NICHOLAS V., through his Guardian Marie Venner; EARTH GUARDIANS, a nonprofit organization; FUTURE GENERATIONS, through their Guardian Dr. James Hansen,

Plaintiffs-Respondents,

v.

UNITED STATES OF AMERICA; CHRISTY GOLDFUSS, in her capacity as Director of Council on Environmental Quality; SHAUN DONOVAN, in his official capacity as Director of the Office of Management and the Budget; JOHN

D.C. No. 6:15-cv-01517-AA  
District of Oregon,  
Eugene

HOLDREN, Dr., in his official capacity as Director of the Office of Science and Technology Policy; ERNEST MONIZ, Dr., in his official capacity as Secretary of Energy; U.S. DEPARTMENT OF THE INTERIOR; SALLY JEWELL, in her official capacity as Secretary of Interior; U.S. DEPARTMENT OF TRANSPORTATION; ANTHONY FOXX, in his official capacity as Secretary of Transportation; UNITED STATES DEPARTMENT OF AGRICULTURE; THOMAS J. VILSACK, in his official capacity as Secretary of Agriculture; UNITED STATES DEPARTMENT OF COMMERCE; PENNY PRITZKER, in her official capacity as Secretary of Commerce; UNITED STATES DEPARTMENT OF DEFENSE; ASHTON CARTER, in his official capacity as Secretary of Defense; UNITED STATES DEPARTMENT OF STATE; JOHN F. KERRY, in his official capacity as Secretary of State; GINA MCCARTHY, in her official capacity as Administrator of the EPA; OFFICE OF THE PRESIDENT OF THE UNITED STATES; U.S. ENVIRONMENTAL PROTECTION AGENCY; U.S. DEPARTMENT OF ENERGY; DONALD J. TRUMP, in his official capacity as President of the United States,

Defendants-Petitioners.

Before: THOMAS, Chief Judge, and BERZON and FRIEDLAND, Circuit Judges.

The petition for a writ of mandamus is denied as moot. All other pending motions are denied as moot.