

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

WILDEARTH GUARDIANS,
SIERRA CLUB,
CENTER FOR BIOLOGICAL DIVERSITY,
and,
HIGH COUNTRY CONSERVATION ADVOCATES,

Plaintiffs,

v.

ARCH COAL INC.,
MOUNTAIN COAL COMPANY,

Defendants.

NOTICE OF RELATED CASE

Pursuant to D.C.Colo.LCivR 3.2, Plaintiffs submit this Notice of Related Case. The above-captioned case is related to *WildEarth Guardians v Bernhardt*, Civ. No 1:19-cv-01920-RBJ, as they both involve the same plaintiffs, the West Elk coal mine and its expansion, and air pollution from the mine, including methane emissions. In *WildEarth Guardians v Bernhardt*, the court ordered the challenged agency decision remanded to the federal agency so it can, as part of its mine approval, consider a flaring option for controlling the mine's emissions of methane and other volatile organic compounds and assess how the mine's methane emissions contribute to climate change. The present case involves permitting of those air emissions under the Clean Air Act.

///

///

///

Respectfully submitted,

Dated this 12th day of May, 2020

/s/ Neil Levine

Neil Levine (CO Bar No. 29083)

Public Justice

4404 Alcott Street

Denver, Colorado 80211

(303) 455-0604

nlevine@publicjustice.net

David Nicholas (MA Bar No. 553996)

20 Whitney Road

Newton, Massachusetts 02460

(617) 964-1548

dnicholas100@gmail.com

Attorneys for Plaintiffs