

FILED

UNITED STATES COURT OF APPEALS

MAR 23 2021

FOR THE NINTH CIRCUIT

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

LIGHTHOUSE RESOURCES, INC.;
LIGHTHOUSE PRODUCTS, LLC; LHR
INFRASTRUCTURE, LLC; LHR COAL,
LLC; MILLENNIUM BULK
TERMINALS-LONGVIEW, LLC,

Plaintiffs-Appellants,

BNSF RAILWAY COMPANY,

Intervenor-Plaintiff-
Appellant,

v.

JAY ROBERT INSLEE, in his official
capacity as Governor of the State of
Washington; MAIA D. BELLON, in her
official capacity as Director of the
Washington Department of Ecology;
HILARY S. FRANZ, in her official
capacity as Commissioner of Public Lands,

Defendants-Appellees,

WASHINGTON ENVIRONMENTAL
COUNCIL; COLUMBIA
RIVERKEEPER; FRIENDS OF THE
COLUMBIA GORGE; CLIMATE
SOLUTIONS; SIERRA CLUB,

Intervenor-Defendants-
Appellees.

No. 19-35415

D.C. No. 3:18-cv-05005-RJB
Western District of Washington,
Tacoma

ORDER

Before: GRABER and W. FLETCHER, Circuit Judges, and KOBAYASHI,*
District Judge.

Appellees' unopposed joint motion to dismiss this appeal [Dkt. 88] is
GRANTED.

The appeal is **DISMISSED.**

* The Honorable Leslie E. Kobayashi, United States District Judge for
the District of Hawaii, sitting by designation.