

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

MEMPHIS COMMUNITY AGAINST)
POLLUTION, INC., PROTECT OUR)
AQUIFER, and SIERRA CLUB)

Plaintiffs,)

v.)

UNITED STATES ARMY CORPS)
OF ENGINEERS, an agency of the United States)
Department of Defense, and LT. GEN. SCOTT)
SPELLMON, in his official capacity)
as Chief of Engineers and Commanding)
General of the U.S. Army Corps of Engineers,)

Defendants.)

Case No. 2:21-cv-02201-JTF-atc

NOTICE OF VOLUNTARY DIMSISAL WITHOUT PREJUDICE PURSUANT
TO FED. R. CIV. P. 41(a)(1)(A)(i)

PLEASE TAKE NOTICE that Plaintiffs by and through their undersigned counsel hereby voluntarily dismiss their claims without prejudice against Defendants pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). Defendants have not served an answer to Plaintiffs' Complaint nor moved for summary judgment. In July 2021, Byhalia Pipeline LLC abandoned its proposed Byhalia Connection Pipeline and the Army Corps of Engineers' approvals at issue in the litigation. *See* ECF No. 28.

DATE: August 13, 2021

/s/ J. Patrick Hunter

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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of August, 2021, a true and correct copy of the foregoing NOTICE OF VOLUNTARY DIMSISAL WITHOUT PREJUDICE PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i) was served via the court's electronic filing system on the following persons:

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/s/ J. Patrick Hunter

J. Patrick Hunter