IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

RETHINK35, TEXAS PUBLIC § INTEREST RESEARCH GROUP, AND § ENVIRONMENT TEXAS, *Plaintiffs*, § v. § TEXAS DEPARTMENT OF § TRANSPORTATION; AND MARC D. § WILLIAMS, IN HIS OFFICIAL § CAPACITY AS EXECUTIVE DIRECTOR § OF THE TEXAS DEPARTMENT OF § TRANSPORTATION, § *Defendants.* §

CIVIL ACTION NO. 1:22-cv-00620-DAE

STIPULATION OF DISMISSAL [FRCP 41(A)]

TO THE HONORABLE DAVID A. EZRA:

Plaintiffs Rethink35, Texas Public Interest Research Group, and Environment Texas and Defendants Texas Department of Transportation; and Marc Williams, in his Official Capacity as Executive Director of the Texas Department of Transportation hereby stipulate under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) that this action be dismissed with prejudice as to all claims, causes of action, and parties, with each party bearing that party's own attorney's fees and costs.

Dated June 16, 2023

Respectfully submitted,

IRVINE & CONNER PLLC

by: <u>/s/ Charles Irvine</u> CHARLES IRVINE Attorney in Charge Texas Bar No. 24055716 charles@irvineconner.com 4709 Austin St. Houston, Texas 77004 713.533.1704

ATTORNEY FOR PLAINTIFFS RETHINK35, TEXAS PUBLIC INTEREST RESEARCH GROUP, AND ENVIRONMENT TEXAS

TEXAS DEPARTMENT OF TRANSPORTATION AND MARC WILLIAMS

by: /s/ Lisa McClain Mitchell

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the foregoing

document was served on all counsel of record in this Cause by filing it via the Court's ECF system on

the 16th day of June, 2023.

/s/ Charles Irvine_____

Charles Irvine