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11 *Counsel for Plaintiffs*

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 ISAI BALTEZAR & JULIE CHO,

15 *Plaintiffs,*

16 vs.

17 MIGUEL CARDONA, *in his official capacity*
18 *as Secretary of Education,* & UNITED
19 STATES DEPARTMENT OF EDUCATION,

20 *Defendants.*

Case No. 20-cv-00455-EJD

21 **PLAINTIFFS' STATEMENT OF RECENT**
22 **DECISION**

Date: March 24, 2022

Time: 9:00 am

Place: Courtroom 4, 5th Floor

Judge: Hon. Edward J. Davila

23 **STATEMENT OF RECENT DECISION**

24 Pursuant to Local Civil Rule 7-3(d), Plaintiffs file this Statement of Recent Decision
25 regarding a recent Order of the U.S. District Court for the Northern District of California. *See In*
26 *re Clean Water Act Rulemaking*, No. C 20-04636 WHA, 2021 WL 5792968 (N.D. Cal. Dec. 7,
27 2021) (attached hereto as Exhibit 1). An October 2021 ruling in the *In re Clean Water Act*
28 litigation was cited by both parties on the pending question of whether this Court should grant a

1 voluntary remand of the 2019 Repeal and, if so, whether such remand should be coupled with
2 vacatur. *See* Dkt. 50 at 2, 4, 11 (Plaintiffs); Dkt. 56 at 3, 5, 6, 10, 12, 13 (Defendants); *see also*
3 Dkt. 55-1 at 4, 5, 6 (proposed amicus). The attached Order and opinion denied a request to stay
4 that October 2021 ruling, pending appeal.

5 A hearing on the pending motion is scheduled for March 24, 2022.

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7 Respectfully submitted,

8 Glenn Rothner (SBN 67353)
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14 By: /s/ Daniel A. Zibel
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Date: December 8, 2021

Counsel for Plaintiffs