

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

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WESTERN ORGANIZATION OF
RESOURCE COUNCILS,

Plaintiff,

vs.

JENNIFER GRANHOLM, in her
official capacity as Secretary of
Energy; UNITED STATES
DEPARTMENT OF ENERGY,

Defendants.

Case No. 4:20-cv-98-BMM

**NOTICE OF VOLUNTARY
DISMISSAL PURSUANT TO FED.
R. CIV. P. 41(a)(1)(A)(ii)**

Plaintiff Western Organization of Resource Councils and Defendants Jennifer Granholm and the U.S. Department of Energy (Department), by and through undersigned counsel, hereby give notice that this action is voluntarily dismissed with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

On November 20, 2021, the Department notified the previous chairman of the National Coal Council (NCC), Randall Atkins, that the Department would allow the NCC's charter to lapse, and that the Department would propose a revised charter for a federal advisory committee on matters relating to coal policy. *See* Doc. 43-1 (Nov. 20, 2021 Letter from Jennifer Wilcox to Randall Atkins).

On February 16, 2022, the Department finalized the charter for a new National Advisory Committee on Coal and transmitted the final charter to Congress. *See* Doc. 48-2 (2022 Charter).

Having reviewed the Department's plans for the new National Advisory Committee on Coal, Plaintiffs voluntarily dismiss this action with prejudice, with each side to bear its own costs and fees.

Dated: May 19, 2022

Respectfully submitted,

/s/ Shiloh Hernandez

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