

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CENTER FOR BIOLOGICAL DIVERSITY, WATERKEEPER  
ALLIANCE, INC., and RIVERKEEPER, INC.,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL PROTECTION  
AGENCY and ANDREW WHEELER, in his official capacity as  
Administrator of the United States Environmental Protection  
Agency,

Defendants.

No. 20 Civ. 6572 (JSR)

**NOTICE OF CROSS-MOTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Opposition to Plaintiffs' Motion for Summary Judgment and in Support of Defendants' Cross-Motion for Summary Judgment, Defendants' Response and Counter-Statement of Material Facts Pursuant to Local Civil Rule 56.1(b), the Declaration of Susan Parker Bodine, and the Declaration of Randolph L. Hill, Defendants the United States Environmental Protection Agency and Andrew Wheeler, by their attorney, Audrey Strauss, Acting United States Attorney for the Southern District of New York, hereby move this Court for an order granting summary judgment to Defendants pursuant to Rule 56 of the Federal Rules of Civil Procedure.

Dated: November 20, 2020  
New York, New York

Respectfully Submitted,

AUDREY STRAUSS  
Acting United States Attorney  
Southern District of New York

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