

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

STATE OF NEW YORK; STATE OF COLORADO;
STATE OF MINNESOTA; STATE OF CALIFORNIA;
STATE OF CONNECTICUT; STATE OF
DELAWARE; DISTRICT OF COLUMBIA; STATE
OF HAWAII; STATE OF ILLINOIS; STATE OF
MAINE; STATE OF MARYLAND; STATE OF
MICHIGAN; STATE OF NEVADA; STATE OF NEW
MEXICO; STATE OF NORTH CAROLINA; JOSHUA
DAVID SHAPIRO, Governor of Pennsylvania, in his
official capacity as Governor of the Commonwealth of
Pennsylvania; STATE OF WASHINGTON; STATE
OF WISCONSIN; ANDY BESHEAR, Office of the
Governor, in his official capacity as Governor of the
Commonwealth of Kentucky; STATE OF OREGON;
STATE OF MASSACHUSETTS, named as
Commonwealth of Massachusetts,

Plaintiffs - Appellees,

v.

UNITED STATES DEPARTMENT OF ENERGY;
CHRIS WRIGHT, in his official capacity as Secretary
of the U.S. Department of Energy,

Defendants - Appellants.

No. 26-214

STIPULATION TO VOLUNTARY DISMISSAL OF APPEAL

Pursuant to Federal Rule of Appellate Procedure 42(b)(1), the parties stipulate to voluntary dismissal of this appeal, with each party to bear its own costs and court fees on appeal.

Respectfully submitted,

LETITIA JAMES
Attorney General
State of New York

By: s/ Grace Zhou
GRACE ZHOU
Office of the New York Attorney
General
28 Liberty Street
New York, NY 10005
(212) 416-6160
grace.zhou@ag.ny.gov

PHILIP J. WEISER
Attorney General
State of Colorado
1300 Broadway, 10th Fl.
Denver, CO 80203

KEITH ELLISON
Attorney General
State of Minnesota
445 Minnesota Street, Ste. 1800
St. Paul, MN 55101

ROB BONTA
Attorney General
State of California
1300 I St.
Sacramento, CA 95814

AUGUST E. FLENTJE
s/ Jennifer L. Utrecht
JENNIFER L. UTRECHT
USDOJ Civil Division,
Appellate Staff
950 Pennsylvania Ave NW
Washington, DC 20530
(202) 353-9039
jennifer.l.utrecht@usdoj.gov

Counsel for Defendants-
Appellants

MARCH 2026

WILLIAM TONG

Attorney General

State of Connecticut

165 Capitol Avenue

Hartford, CT 06106

KATHLEEN JENNINGS

Attorney General

State of Delaware

820 N. French Street, 5th Floor

Wilmington, DE 19807

BRIAN L. SCHWALB

Attorney General

District of Columbia

400 6th Street NW, Suite 8100

Washington, DC 20001

ANNE E. LOPEZ

Attorney General

State of Hawai'i

425 Queen Street

Honolulu, HI 96813

KWAME RAOUL

Attorney General

State of Illinois

115 S LaSalle St.

35th Floor

Chicago, IL 60603

AARON M. FREY

Attorney General

State of Maine

6 State House Station

Augusta, ME 04333

ANTHONY G. BROWN

Attorney General

State of Maryland

200 Saint Paul Place

Baltimore, MD 21202

DANA NESSEL

Attorney General

State of Michigan

525 W. Ottawa Street

Lansing, MI 48909

AARON D. FORD

Attorney General

State of Nevada

100 N. Carson St.

Carson City, NV 89701

RAÚL TORREZ

Attorney General

State of New Mexico

408 Galisteo Street

Santa Fe, NM 87501

JEFF JACKSON

Attorney General

State of North Carolina

114 W. Edenton St.

Raleigh, NC 27603

JOSH SHAPIRO

*In his official Capacity as Governor of
the Commonwealth of Pennsylvania*
Pennsylvania Office of the Governor
30 N. Third St., Suite 200
Harrisburg, PA 17101

NICHOLAS W. BROWN

*Attorney General
State of Washington*
7141 Cleanwater Drive SW
Olympia, WA 98504

JOSH KAUL

*Attorney General
State of Wisconsin*
17 West Main St.
Madison, WI 53703

ANDY BESHEAR

*In his official capacity as Governor of
the Commonwealth of Kentucky*
501 High Street, 2nd Floor
Frankfort, KY 40601

DAN RAYFIELD

*Attorney General
State of Oregon*
1162 Court St. N.E.
Salem, OR 97301

ANDREA JOY CAMPBELL

*Attorney General
Commonwealth of Massachusetts*
One Ashburton Place, 20th Floor

Boston, MA 02108

Attorney for Plaintiffs-Appellees

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), I hereby certify that this stipulation complies with Federal Rule of Appellate Procedure 27(d) because it was prepared with Century Schoolbook 14-point, a proportionally spaced font, and contains 30 words, according to the count of Microsoft Word.

DATED: April 2, 2026.

/s/ Jennifer L. Utrecht
JENNIFER L. UTRECHT

Attorney for Defendants-Appellants

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2026, I filed the foregoing stipulation with the Court via CM/ECF. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system:

/s/ Jennifer L. Utrecht
JENNIFER L. UTRECHT