

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

RURAL EMPOWERMENT ASSOCIATION  
FOR COMMUNITY HELP *et al.*,

*Plaintiffs,*

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY *et al.*,

*Defendants.*

Civil Action No. 18-2260 (TJK)

**ORDER**

Upon consideration of the record in this case, including the Amended Complaint, ECF No. 29, Defendants' Motion to Dismiss, ECF No. 30, and the legal memoranda and other papers submitted by the parties, as well as the applicable law, and for reasons to be stated on the record, it is hereby **ORDERED** that Defendants' motion, ECF No. 30, is **GRANTED IN PART** and **DENIED IN PART**. It is further **ORDERED** that Counts I and III of Plaintiffs' Amended Complaint, ECF No. 29, are **DISMISSED** without prejudice.

**SO ORDERED.**

/s/ Timothy J. Kelly  
TIMOTHY J. KELLY  
United States District Judge

Date: May 15, 2020