

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

SIERRA CLUB,

Plaintiff-Intervenor,

v.

AMEREN MISSOURI,

Defendant.

Civil Action No. 4:11-cv-00077-RWS

**JOINT NOTICE OF LODGING PROPOSED STIPULATED ORDER**

PLEASE TAKE NOTICE that the United States of America (“United States”), together with the Sierra Club and Ameren Missouri, hereby jointly lodge with the Court the attached proposed Stipulated Order. The proposed Stipulated Order resolves all remaining claims for relief by Plaintiffs following the Eighth Circuit’s remand in this matter, including but not limited to the remediation Plaintiffs sought in the United States’ Motion for Mitigation Relief Pursuant to the Eighth Circuit’s Remand for Further Proceedings (ECF Nos. 1266, 1267). The proposed Stipulated Order supersedes all parties’ mitigation proposals that had been previously submitted to the Court. (*See* ECF Nos. 1266, 1267, 1286-1, 1287, 1300-1, 1301-1). Each party has agreed to bear its own fees, costs, and expenses.

In accordance with 28 C.F.R. § 50.7, the United States shall publish a notice in the Federal Register that this proposed Stipulated Order has been lodged with this Court. For a period of 30 days from the date of such publication, the public will have an opportunity to submit comments relating to the proposed Stipulated Order. After the close of the public comment period, the United States

will evaluate any comments received and will move for entry of the proposed Stipulated Order, unless the comments disclose facts or considerations which indicate that the proposed Stipulated Order is inappropriate, improper, or inadequate. *See* 28 C.F.R. § 50.7. Unless the United States has notified Ameren Missouri and Sierra Club in writing that it no longer supports entry of the proposed Stipulated Order, and so long as the Order entered is unchanged from the attached proposed Stipulated Order, Ameren and the Sierra Club consent to entry of the proposed Stipulated Order without further notice, and agree not to withdraw from or oppose entry of the proposed Stipulated Order, and further agree not to challenge any provision of the proposed Stipulated Order.

Accordingly, the parties jointly request that this Court take no action on the proposed Stipulated Order until the United States notifies the Court that it supports entry of the proposed Stipulated Order after expiration of the public comment period. In addition, the parties respectfully request that the Court vacate the evidentiary hearing scheduled for November 21, 2024.

Dated: November 6, 2024

Jointly submitted,

TODD KIM  
Assistant Attorney General  
Environment and Natural Resources Division  
United States Department of Justice

/s/Elias L. Quinn

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*Attorneys for Plaintiff-Intervenor Sierra Club*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 6, 2024, I filed the foregoing and all associated attachments with the Clerk of Court using the CM/ECF system, and served an electronic copy on counsel for Ameren Missouri and Sierra Club via e-mail.

/s/ Elias L. Quinn  
ELIAS L. QUINN