

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

NATURAL RESOURCES DEFENSE COUNCIL,

Petitioner,

SAFER CHEMICALS HEALTHY FAMILIES,

Intervenor,

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY,

Respondent,

AMERICAN CHEMISTRY COUNCIL,

NATIONAL ASSOCIATION OF MANUFACTURERS,

Intervenors.

Case No. 18-25

**RESPONSE TO PETITIONER’S MOTION TO VOLUNTARILY DISMISS
PETITION FOR REVIEW PURSUANT TO FEDERAL RULE OF
APPELLATE PROCEDURE 42(b)**

Respondent-Intervenors American Chemistry Council (“ACC”) and National Association of Manufacturers (“NAM”) do not oppose Petitioner’s August 27, 2018 motion under Federal Rule of Appellate Procedure 42(b) to voluntarily dismiss with prejudice the instant petition for review. ACC and NAM also agree that each party shall bear its own costs and fees in the above-captioned matter.

Dated: August 28, 2018

Respectfully Submitted,

/s/ Kathryn E. Szmuszkovicz

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Second Circuit by using the appellate CM/ECF system on August 28, 2018.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

/s/ Daniel M. Krainin
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