

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: ENVIRONMENTAL PROTECTION AGENCY,
METHYLENE CHLORIDE; REGULATION UNDER
TOXIC SUBSTANCES CONTROL ACT (TSCA), 89 FED.
REG. 39254, PUBLISHED ON MAY 8, 2024**

MCP No. 186

(SEE ATTACHED SCHEDULE)

CONSOLIDATION ORDER

The United States Environmental Protection Agency published a Final Rule in the Federal Register on May 8, 2024, which was deemed issued and promulgated for purposes of judicial review on May 22, 2024. On June 7, 2024 the Panel received, pursuant to 28 U.S.C. § 2112(a)(3), a notice of multicircuit petitions for review of that order. The notice included petitions for review pending in two circuit courts of appeal as follows: Fifth Circuit and Ninth Circuit.


The Panel has randomly selected the United States Court of Appeals for the Fifth Circuit in which to consolidate these petitions for review.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 2112(a)(3), the petitions on the attached schedule are consolidated in the United States Court of Appeals for the Fifth Circuit, and that this circuit is designated as the circuit in which the record is to be filed pursuant to Rules 16 and 17 of the Federal Rules of Appellate Procedure.

FOR THE PANEL:



Chelsea Thomas, Case Administrator
Random Selector



Timothy Fitzgerald, Case Administrator
Witness

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SCHEDULE OF PETITIONS

CIRCUIT NO.

CASE CAPTION

Fifth Circuit, No. 24-60256

East Fork Enterprises, Inc., et al. v. U.S. EPA, et al.

Ninth Circuit, No. 24-3350

Sierra Club v. U.S. EPA, et al.