

FILED: December 7, 2018

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-2090
(CP15-554-000)
(CP15-554-001)
(CP15-555-000)

DEFENDERS OF WILDLIFE; SIERRA CLUB; VIRGINIA WILDERNESS
COMMITTEE

Petitioners

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; UNITED STATES
FISH AND WILDLIFE SERVICE, an agency of the U.S. Department of the
Interior; JIM KURTH, in his official capacity as Acting Director; PAUL PHIFER,
in his official capacity as Assistant Regional Director, Ecological Services,
Responsible Official

Respondents

ATLANTIC COAST PIPELINE LLC

Intervenor

O R D E R

Upon consideration of the submissions relative to petitioners' motion to stay, the court grants the motion and stays implementation of the Fish and Wildlife Service's 2018 Biological Opinion and Incidental Take Statement pending review by the court.

Entered at the direction of Chief Judge Gregory with the concurrence of Judge Wynn and Judge Thacker.

For the Court

/s/ Patricia S. Connor, Clerk