

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

CENTER FOR BIOLOGICAL DIVERSITY et al.,)

Plaintiffs)

v.)

LISA P. JACKSON, in her official capacity)
as Administrator, United States)
Environmental Protection Agency,)

and)

ENVIRONMENTAL PROTECTION AGENCY,)

Defendants.)

Civ. Action No. 10-2007 (EGS)

[PROPOSED] ORDER GRANTING PARTIAL MOTION TO DISMISS

Upon consideration of the Partial Motion to Dismiss by Defendants Lisa P. Jackson and the United States Environmental Protection Agency (collectively, “EPA”), and the materials submitted in support of that Motion, the Court has determined that EPA’s Partial Motion to Dismiss should be, and hereby is, GRANTED with respect to Plaintiffs’ claim seeking an order compelling EPA to commence a rulemaking for regulation of lead shot and bullets under 15 U.S.C. § 2605.

Dated: _____, 2011

Emmet G. Sullivan
United States District Judge