

FILED

UNITED STATES COURT OF APPEALS

JAN 25 2016

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NATURAL RESOURCES DEFENSE
COUNCIL,

Petitioner,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Respondent,

DOW AGROSCIENCES LLC,

Respondent-Intervenor.

Nos. 14-73353, 15-71213

ORDER

CENTER FOR FOOD SAFETY; et al.,

Petitioners,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY and GINA MCCARTHY, in her
official capacity as Administrator,

Respondents,

DOW AGROSCIENCES LLC,

Respondent-Intervenor.

Nos. 14-73359, 15-71207

Before: GOODWIN, TALLMAN, and NGUYEN, Circuit Judges.

The motion of Dow Agrosciences LLC to strike the Natural Resources Defense Council's December 17, 2015 reply is denied.

The Environmental Protection Agency's unopposed motion for remand is granted.

The motion for voluntary vacatur of the registration of Enlist Duo is denied without prejudice to the rights of either party to litigate that question before the agency.

REMANDED.