



3. On November 4, 2024, the Court granted REH's motion and stayed all proceedings pending further order of the Court. Doc. No. 2083534. The Court also required the parties to file status reports every ninety days, beginning on February 3, 2025. *Id.*

4. On February 3, 2025, the parties filed a joint status report and, in light of the change in administration, requested that the next status report be due in 120 days. Doc. No. 2098177. The Court granted this request on February 13, 2025. Doc. No. 2100609.

5. On June 4, 2025, the parties jointly requested that this Court continue the abeyance for 90 days to provide EPA with additional time to evaluate the action under review in this case and to determine what action, if any, is necessary. Doc. No. 2119153. This Court granted the parties' request on June 5, 2025 and directed the parties to file a status report on September 3, 2025. Doc. No. 2119396.

6. The undersigned counsel has been advised that EPA has now developed a new approach for reviewing small refinery exemptions and that EPA's current intention is to issue decisions on the small refinery exemption petitions before it, as well as those that are in litigation, including the exemption petition underlying the denial in this case.

7. EPA will update the Court on any effect the anticipated new decisions may have on the present litigation.

Date: August 19, 2025

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*/s/ Jeffrey Hughes*

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 19, 2025, I electronically filed the foregoing in all of the above-referenced cases using the Court's CM/ECF system. The participants in these cases are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

/s/ Jeffrey Hughes  
Jeffrey Hughes