

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

STATE OF NEW JERSEY,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF  
TRANSPORTATION, et al.,

Defendants,

and

METROPOLITAN TRANSPORTATION  
AUTHORITY, et al.,

Defendant-Intervenors.

Before: Leo M. Gordon, Judge

Court No. 2:23-cv-03885

**ORDER**

This matter is before the court on the motion filed by Environmental Defense Fund, et al., for leave to file an amicus curiae brief in support of Defendants' cross-motion for summary judgment. In the absence of any opposition thereto, and the court having considered all papers and proceedings herein, the court concludes that the Environmental Defense Fund, et al., have shown the requisite interest in the matters at issue in this action, that the Environmental Defense Fund's amicus curiae brief will aid the Court, and that the matters asserted therein are relevant to the outcome of Defendants' motion. Given these considerations, the Environmental Defense Fund, et al., have demonstrated good cause. Accordingly, it is hereby

Court No. 2:23-cv-03885

Page 2

**ORDERED** that the motion by Environmental Defense Fund, et al., for leave to file an amicus curiae brief in support of Defendants' cross-motion for summary judgment (ECF No. 78) is granted; and it is further

**ORDERED** that the Clerk's Office shall deem the proposed amicus curiae brief submitted with the motion, ECF No. 78-1, filed as of the date of entry of this Order.

/s/ Leo M. Gordon  
Leo M. Gordon, Judge  
U.S. Court of International Trade  
(sitting by designation in the District of New Jersey)

Dated: February 9, 2024  
Newark, New Jersey