

FILED: April 7, 2009

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1355 (L)
(3:05-cv-00784)
(3:06-cv-00438)

OHIO VALLEY ENVIRONMENTAL COALITION; COAL RIVER MOUNTAIN
WATCH; WEST VIRGINIA HIGHLANDS CONSERVANCY

Plaintiffs - Appellees

and

COAL MAC, INCORPORATED

Movant

v.

ARCOMA COAL COMPANY; ELK RUN COAL COMPANY; ALEX ENERGY,
INCORPORATED; INDEPENDENCE COAL COMPANY, INCORPORATED

Intervenors/Defendants - Appellants

and

MINGO LOGAN COAL COMPANY

Intervenor/Defendant

and

UNITED STATES ARMY CORPS OF ENGINEERS; LIEUTENANT GENERAL
ROBERT L. VAN ANTWERP, Commander and Chief of Engineers,
U. S. Army Corps of Engineers; COLONEL DANA R. HURST,
District Engineer, United States Army Corps of Engineers,

Huntington District; WEST VIRGINIA COAL ASSOCIATION

Defendants

NATIONAL MINING ASSOCIATION; KENTUCKY COAL ASSOCIATION; COAL OPERATORS AND ASSOCIATES, INC.; ILLINOIS COAL ASSOCIATION; COLORADO MINING ASSOCIATION; ALASKA MINERS ASSOCIATION; VIRGINIA COAL ASSOCIATION; IDAHO MINING ASSOCIATION; ALABAMA COAL ASSOCIATION; PENNSYLVANIA COAL ASSOCIATION; OHIO COAL ASSOCIATION; INDIANA COAL COUNCIL, INC.; UTILITY WATER ACT GROUP; WEST VIRGINIA DEPARTMENT OF COMMERCE; AND WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION,

Amici Curiae Supporting Appellant

O R D E R

The Court grants the motion for extension and extends the time for filing Federal Appellants' response to the petition for rehearing and rehearing en banc until 4/28/09.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk