

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

NAACP and NAACP MISSISSIPPI STATE
CONFERENCE,

Plaintiffs,

V.

X.AI and MZX TECH LLC,

Defendants.

Case No. 3:26-cv-00074-DMB-JMV

**REPLY IN SUPPORT OF THE UNITED STATES’
MOTION FOR ENTRY OF WRITTEN ORDER NO LATER THAN SEPTEMBER 10 ON
THE UNITED STATES’ AMENDED MOTION TO INTERVENE AND DISMISS**

The United States, acting on behalf of Environmental Protection Agency Administrator Lee M. Zeldin (together, “United States”), filed one motion moving this Court for one form of relief: entry of a written order by September 10 on the United States’ Amended Motion for Intervention and Dismissal. Dkt. No. 117, 118. The motion is unopposed. Dkt. No. 121 at 2 (“Plaintiffs took no position”); Dkt. No. 117 at 1 (“Defendants consent”). Thus, the United States “advise[d] the court whether there is opposition to the motion” in compliance with this Court’s rules. L. Uni. Civ. R. 7(b)(10).

Although the United States did not move for a stay of proceedings (indeed, the United States’ motion did not mention a “stay,” *see* Dkt. No. 117), the United States’ memorandum in support of its motion argued that a stay is appropriate in the event the United States is denied intervention, Dkt. No. 118 at 5. That argument was not a motion, and Plaintiffs do not contend that the United States formally moved for a stay (it has not), *see* Dkt. No. 121 at 1-3 (making no allegation that the “*request*” to stay proceedings was a motion (emphasis added)). The United States understands that this Court *intends* to deny the Amended Motion for Intervention and Dismissal, but that amended motion has not yet been denied. *See* Dkt. No. 117 at 1. If September 10 passes without entry of a written order on the amended motion, the United States will treat that as a denial, as is necessary to protect its interests. And in the event this Court denies the amended motion (formally or constructively), the United States reserves the right to formally move for a stay of proceedings pending appeal as warranted at that time.

For these reasons, the United States’ motion for entry of a written order by September 10 in unopposed and should be granted.

Respectfully submitted,

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