

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

WHEELABRATOR :  
BALTIMORE, L.P., et al., :  
 :  
 Plaintiffs, : Civil Action No. GLR-19-1264  
v. :  
 :  
 MAYOR AND CITY COUNCIL :  
 OF BALTIMORE, :  
 :  
 Defendant. :

**ORDER**

For the reasons stated in the foregoing Memorandum Opinion, it is this 27th day of March, 2020, by the United States District Court for the District of Maryland, hereby:

ORDERED that Defendant Mayor and City Council of Baltimore's (the "City") Motion to Dismiss (ECF No. 30) is DENIED as to Counts 1 through 5 and GRANTED as to Counts 6 through 11;

IT IS FURTHER ORDERED that Counts 6 through 11 are DISMISSED without prejudice;

IT IS FURTHER ORDERED that Plaintiff TMS Hauling, LLC is DISMISSED as a Plaintiff;

IT IS FURTHER ORDERED that Plaintiffs' Motion for Partial Summary Judgment is GRANTED (ECF No. 35);

IT IS FURTHER ORDERED that judgment is ENTERED in favor of Plaintiffs as to Counts 1 through 5;

IT IS FURTHER ORDERED that the City's Cross-Motion for Partial Summary Judgment (ECF No. 39) is DENIED;

IT IS FURTHER ORDERED that the Motion for Leave to File Brief Amicus Curiae by the Local Government Coalition for Renewable Energy (ECF No. 36) is DENIED;

IT IS FURTHER ORDERED that the Motion for Leave to File Brief Amicus Curiae of the Energy Justice Network (ECF No. 40) is DENIED; and

IT IS FURTHER ORDERED that the Clerk shall CLOSE this case.

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/s/  
George L. Russell, III  
United States District Judge