

## UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen  
United States Courthouse  
Room 2722 - 219 S. Dearborn Street  
Chicago, Illinois 60604



Office of the Clerk  
Phone: (312) 435-5850  
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## ORDER

September 5, 2025

*Before*

AMY J. ST. EVE, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

|  |   |
|--|---|
| No. 25-1239  | STATE OF WISCONSIN,<br>Petitioner<br><br>v.<br><br>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY<br>and LEE ZELDIN, Administrator, United States Environmental<br>Protection Agency,<br>Respondents |
| <b>Originating Case Information:</b>   |   |
| Agency Case No: EPA-R05-OAR-2024-0546<br>Environmental Protection Administration |   |

The following are before the court:

1. **THE STATE OF WISCONSIN'S MOTION TO STAY THE FINAL RULE**, filed on August 15, 2025, by counsel for the petitioner.
2. **RESPONDENTS' RESPONSE TO MOTION TO STAY**, filed on September 3, 2025, by counsel for the respondents.
3. **RESPONDENTS' STATUS REPORT**, filed on September 3, 2025, by counsel for the respondents.

**IT IS ORDERED** that the motion to stay the final rule is **GRANTED**. The EPA's Final Rule reclassifying the Milwaukee, Kenosha and Sheboygan areas to Serious nonattainment for the 2015 Ozone NAAQS is **STAYED** pending resolution of this appeal.

**IT IS FURTHER ORDERED** that the request to continue holding the appeal in abeyance is **GRANTED** to the extent that respondents shall file a status report by October 6, 2025.