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## BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

In re Brook Mining Co., LLC coal mine Permit – PT0841	) )	EQC Docket No. 20-4802
	)	

## BROOK MINING CO. LLC'S MOTION FOR SUMMARY JUDGMENT

COMES NOW, Brook Mining Co., LLC, (Brook) by and through its attorneys Patrick J. Crank, Abbigail C. Forwood, and Jim D. Seward of the firm Crank Legal Group, P.C., and hereby requests that the Environmental Quality Council (EQC) enter an order for summary judgment pursuant to Rule 56 of the Wyoming Rules of Civil Procedure for the reason that no genuine issues as to any material fact exists, and Brook is entitled to judgment as a matter of law. This Motion is supported by *Respondent Brook Mining, LLC, Brief in Support of Motion for Summary Judgment* and the affidavits and exhibits attached thereto, and *Rule 56.1 Statement in Support of Respondent Brook Mining, LLC's Brief in Support of Motion for Summary Judgment*,

all of which have been filed contemporaneously herewith and are incorporated as if fully set forth. For these reasons, Brook would respectfully request:

- 1) That summary judgment be granted in Brook's favor;
- 2) That the EQC award Brook such other relief as the EQC deems just and proper.

Respectfully submitted this

day of October, 2020.

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Abbigail C. Forwood, 7-4814

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## **CERTIFICATE OF SERVICE**

This is to certify that on the day foregoing <b>BROOK MINING CO. LLC'S MOTIO</b> upon the following:	of October, 2020, a true and correct copy of the <i>ON FOR SUMMARY JUDGMENT</i> was served
Shannon Anderson Powder River Basin Resource Council	U.S. Mail
934 N. Main Street	[ ] Fed Ex [ X ] EQC's electronic docket system
Sheridan, WY 82801 sanderson@powderriverbasin.org	[ ] Hand Delivered
Wyoming EQC - Original	[x] U.S. Mail
2300 Capitol Ave.	[ ] Fed Ex
Hathaway Building 1 <sup>st</sup> , Room 136 Cheyenne, WY 82002	[ ] Email [ ] Hand Delivered
Matt VanWormer	[ ] U.S. Mail
Senior Assistant Attorney General	[ ] Fed Ex
Wyoming Attorney General's Office	[ X ] EQC's electronic docket system
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