

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

IN RE TRI STATE WATER RIGHTS  
LITIGATION

CASE NO. 3:07-MD-1-PAM

MEMBER CASE: ALL CASES

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**NOTICE OF ORDER REGARDING PETITION FOR REHEARING  
IN THE UNITED STATES COURT OF APPEALS FOR THE  
DISTRICT OF COLUMBIA CIRCUIT**

The State of Georgia and the Atlanta Regional Commission, the Cobb County-Marietta Water Authority, the City of Atlanta, Georgia, DeKalb County, Fulton County, and the City of Gainesville, Georgia (collectively, the “Water Supply Providers”) hereby provide notice that the Joint Petition for Panel Rehearing filed in the United States Court of Appeals for the District of Columbia Circuit requesting rehearing of the panel’s February 5, 2008 decision reversing the United States District Court for the District of Columbia’s approval of a mediated settlement agreement between the Southeastern Federal Power Customers, Inc., the State of Georgia, the United States Army Corps of Engineers, and certain of the Water Supply Providers (the “D.C. Settlement Agreement”) has been denied. The order of the Court is attached hereto as Exhibit A.

Respectfully submitted this 16th day of May, 2008.

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**CERTIFICATE OF SERVICE**

This is to certify that on this 16th day of May, 2008, the foregoing NOTICE OF ORDER REGARDING PETITION FOR REHEARING IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT was filed with the Clerk of the Court using the CM/ECF system, and was served upon counsel of record by all parties to this proceeding by electronic notification.

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**EXHIBIT A**

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 06-5080**

**September Term 2007**

**00cv02975**

**Filed On: May 15, 2008**

Southeastern Federal Power Customers, Inc.,

Appellee

v.

Pete Geren, Secretary of the U.S. Department  
of the Army, et al.,

Appellees

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City of Gainesville, et al.,  
Intervenors  
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Consolidated with 06-5081

**BEFORE:** Rogers and Kavanaugh, Circuit Judges, and Silberman, Senior  
Circuit Judge

**ORDER**

Upon consideration of intervenor-appellees' petition for rehearing filed on March 21, 2008, and the responses thereto, it is

**ORDERED** that the petition be denied.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Michael C. McGrail  
Deputy Clerk