**UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF COLUMBIA**

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|---|---|---|
| XP VEHICLES, INC., *et al.*, | ) | |
| Plaintiffs, | ) | |
| v. | ) | Civil Action No. 13-cv-0037 (KBJ) |
| DEPARTMENT OF ENERGY, *et al.*, | ) | |
| Defendants. | ) | |

**ORDER**

For reasons stated in the memorandum opinion issued in conjunction with this Order, it is hereby

**ORDERED** that the [27] Motion to Dismiss filed by Individual Capacity Defendants Steven Chu and Lachlan Seward is **GRANTED**, and the [28] Motion to Dismiss filed by Official Capacity Defendants U.S. Department of Energy and Ernest J. Moniz is **GRANTED IN PART AND DENIED IN PART**. It is

**FURTHER ORDERED** that Defendants U.S. Department of Energy and Ernest Moniz shall file an answer to Count VI and VII of the [26] Amended Complaint by **August 13, 2015**.

DATE: July 14, 2015

Ketanji Brown Jackson
KETANJI BROWN JACKSON
United States District Judge