

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ADAM STEELE, et al.,)	
)	Case No. 1:14-cv-1523
Plaintiff,)	
)	
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
_____)	

UNITED STATES’ NOTICE OF SUPPLEMENTAL AUTHORITY

On March 11, 2016, in *Desert Sunlight 250, LLC v. Jacob J. Lew*, No. 15-cv-01051 (CRC) (D.D.C.), Judge Cooper granted the United States’ motion to dismiss for lack of subject matter jurisdiction. In that case, plaintiffs had filed or intended to file applications for grants under Section 1603 of the American Recovery and Reinvestment Act of 2009. Plaintiffs sought “a writ of mandamus and declaratory and injunctive relief under the Mandamus Act, the Declaratory Judgment Act, and the Administrative Procedure Act (‘APA’) to enforce Section 1603’s 60-day payment deadline with respect to multiple grant applications that they have filed (or intend to file) with the Treasury Department.” (Op. at 2.) The Court held it did not have subject matter jurisdiction under the APA because the Court of Federal Claims had exclusive jurisdiction under the Tucker Act over plaintiffs’ Section 1603 claims. (*See id.* at 5-12.)

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This decision is applicable to the currently pending motion for reconsideration, because it addresses the intersection between APA and Tucker Act jurisdiction. A copy of the decision is attached hereto.

Dated: March 15, 2016

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing UNITED STATES' NOTICE OF SUPPLEMENTAL AUTHORITY was filed with the Court's ECF system on March 15, 2016, which system serves electronically all filed documents on the same day of filing to all counsel of record including upon:

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