

TODD KIM  
Assistant Attorney General

LUCY E. BROWN (HI Bar #10946)  
DAVID D. MITCHELL (IL Bar #6302250)  
United States Department of Justice  
Environment & Natural Resources Division  
Environmental Defense Section  
P.O. Box 7611  
Washington, DC 20044  
Telephone: (202) 514-0165 (Mitchell)  
Fax: (202) 514-8865  
lucy.e.brown@usdoj.gov  
david.mitchell@usdoj.gov

*Counsel for Defendants*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

GREENACTION FOR HEALTH AND  
ENVIRONMENTAL JUSTICE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE  
NAVY et al.,

Defendants.

Case No. 3:24-cv-3899-VC

**FEDERAL DEFENDANTS' NOTICE  
OF MOTION AND MOTION TO  
DISMISS PLAINTIFF'S FIRST  
AMENDED COMPLAINT**

Date: January 23, 2025

Time: 10:00 a.m.

Location: Courtroom 4 – 17th Floor

Judge: Hon. Vince Chhabria

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, on January 23, 2025, at 10:00 a.m., or as soon thereafter as the matter may be heard before the Honorable Vince Chhabria, Courtroom 4 – 17th Floor, United States District Court for the Northern District of California, San Francisco Courthouse, located at 450 Golden Gate Avenue, San Francisco, California 94102, Defendants Department of the Navy and United States Environmental Protection Agency will and hereby do move this Court for an order dismissing all claims alleged by Plaintiff Greenaction for Health and Environmental Justice.

Federal Defendants' Motion to Dismiss is based upon this Notice, the accompanying Memorandum of Points and Authorities, the Declaration of Danielle Janda, the Declaration of David Mitchell, the Federal Defendants' Request for Judicial Notice (ECF No. 20), the pleadings and other papers on file in this action, and such other evidence as may be presented at or prior to the hearing on this matter.

DATED: November 1, 2024

Respectfully submitted,

TODD KIM  
Assistant Attorney General  
Environment & Natural Resources Division  
United States Department of Justice

*/s/ David Mitchell*

---

LUCY E. BROWN  
DAVID D. MITCHELL  
Environmental Defense Section

*Counsel for Defendants*