

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

FEDERAL ENERGY REGULATORY :  
COMMISSION :

Plaintiff, :

v. :

POWHATAN ENERGY FUND LLC, :  
HOULIAN "ALAN" CHEN, :  
HEEP FUND, INC., and :  
CU FUND, INC. :

Defendants. :

Case No. 3:15-CV-00452-MHL

**JOINT NOTICE OF PROCEDURAL STATUS**

Defendant Powhatan Energy Fund LLC, on behalf of all defendants and FERC, after conferring with all parties, submits this Joint Notice of Procedural Status pursuant to the Court's September 24, 2018 Order (ECF No. 108).

On October 4, 2018, Defendants filed a Joint Petition for Permission to Appeal District Court Order Pursuant to 29 U.S.C. § 1292(b) in the Fourth Circuit, Case No. 18-353. FERC is permitted to answer Defendants' Joint Petition within 10 days. Fed. R. App. 5(b)(2).

The parties jointly request that the Court continue the stay of this action pending resolution of the appeal by the Fourth Circuit.

Dated: October 9, 2018

/s/ Jonathan T. Lucier  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 9, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

/s/ Jonathan T. Lucier  
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