

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15-1363

September Term, 2015

EPA-80FR64662

Filed On: January 28, 2016

State of West Virginia, et al.,
Petitioners

v.

Environmental Protection Agency and Regina
A. McCarthy, Administrator, United States
Environmental Protection Agency,
Respondents

American Wind Energy Association, et al.,
Intervenors

Consolidated with 15-1364, 15-1365,
15-1366, 15-1367, 15-1368, 15-1370,
15-1371, 15-1372, 15-1373, 15-1374,
15-1375, 15-1376, 15-1377, 15-1378,
15-1379, 15-1380, 15-1382, 15-1383,
15-1386, 15-1393, 15-1398, 15-1409,
15-1410, 15-1413, 15-1418, 15-1422,
15-1432, 15-1442, 15-1451, 15-1459,
15-1464, 15-1470, 15-1472, 15-1474,
15-1475, 15-1477, 15-1483, 15-1488

BEFORE: Henderson, Rogers, and Srinivasan, Circuit Judges

ORDER

Upon consideration of the proposed briefing formats and schedules, and the motion by amici curiae to exceed word limits, it is

ORDERED that the following briefing format and schedule will apply in these consolidated cases:

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15-1363**September Term, 2015**

Briefs for Petitioners (no more than two briefs, not to exceed a combined total of 42,000 words)	February 19, 2016
Joint Brief for Intervenors in Support of Petitioners (not to exceed 10,000 words)	February 23, 2016
Brief(s) for Amici Curiae in Support of Petitioners (each brief not to exceed the word limit set forth in Fed. R. App. P. 29(d))	February 23, 2016
Brief for Respondent (not to exceed 42,000 words)	March 28, 2016
Briefs for Intervenors in Support of Respondent (no more than four briefs, not to exceed a combined total of 20,000 words)	March 29, 2016
Brief(s) for Amici Curiae in Support of Respondent (each brief not to exceed the word limit set forth in Fed. R. App. P. 29(d))	April 1, 2016
Reply Briefs for Petitioners (no more than two briefs, not to exceed a combined total of 21,000 words)	April 15, 2016
Joint Reply Brief for Intervenors in Support of Petitioners (not to exceed 5,000 words)	April 15, 2016
Deferred Appendix	April 18, 2016
Final Briefs	April 22, 2016

United States Court of Appeals
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The court reminds the parties that

In cases involving direct review in this court of administrative actions, the brief of the appellant or petitioner must set forth the basis for the claim of standing. . . . When the appellant's or petitioner's standing is not apparent from the administrative record, the brief must include arguments and evidence establishing the claim of standing.

See D.C. Cir. Rule 28(a)(7).

All issues and arguments must be raised by petitioners in the opening brief. The court ordinarily will not consider issues and arguments raised for the first time in the reply brief.

To enhance the clarity of their briefs, the parties are urged to limit the use of abbreviations, including acronyms. While acronyms may be used for entities and statutes with widely recognized initials, briefs should not contain acronyms that are not widely known. See D.C. Circuit Handbook of Practice and Internal Procedures 41 (2015); Notice Regarding Use of Acronyms (D.C. Cir. Jan. 26, 2010).

In addition to electronic filing, the parties are directed to hand deliver the paper copies of their briefs to the Clerk's office by the date due. All briefs and appendices must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

Because the briefing schedule is keyed to the date of oral argument, no requests for extension of time limits will be granted.

A separate order will issue regarding allocation of oral argument time.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk/LD