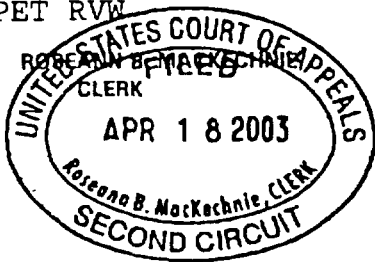


UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT AGENCY: NRC
UNITED STATES COURT OF APPEALS AGENCY # DD-02-06
40 FOLEY SQUARE
NEW YORK 10007

PET RVW



Re: Riverkeeper, Inc. v. Collins
Docket No. 03-4313

AGENCY APPEALS SCHEDULING ORDER #1
ADDRESS INQUIRIES TO (212) 857-8544

Noting that Karl Coplan, counsel for the petitioner(s), Riverkeeper, Inc., has filed a petition for review, on 2/11/03, and being advised as to the progress of the proceedings,

IT IS HEREBY ORDERED the certified list of material comprising the record or the record with a certified list (FRAP 17(b)), be filed on or before May 16, 2003

IT IS FURTHER ORDERED that the brief of petitioner(s) and the joint appendix be filed on or before May 23, 2003.

IT IS FURTHER ORDERED that the brief(s) of the respondent(s) be filed on or before June 23, 2003.

IT IS FURTHER ORDERED that 10 copies of each brief shall be filed with the Clerk.

IT IS FURTHER ORDERED that the argument of the appeal shall be heard no earlier than the week of Aug. 4, 2003. All counsel should immediately advise the Clerk by letter of the dates thereafter that they are unavailable for oral argument. The time and place of oral argument shall be separately noticed by the Clerk to counsel.

IT IS FURTHER ORDERED that if the petitioner(s) fail(s) to file a brief and a joint appendix within the time directed by this order, the proceeding may be dismissed forthwith without further notice and without a motion therefor.

IT IS FURTHER ORDERED in the event of default by the agency in filing the record or certified list, or in default by the respondent in filing its brief within the time directed, or upon default of any party regarding any other provision of this order, such party shall be subject to such sanctions as the court may deem appropriate.

ROSEANN B. MACKECHNIE, Clerk

By: Frank J. Scardilli
Frank J. Scardilli
Staff Counsel

Dated: _____