

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT

MAR 29 2007

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ORAL ARGUMENT SCHEDULED FOR APRIL 24, 2007

Nos. 05-1419, 05-1420, 06-1087 (consolidated)

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

OHNGO GAUDADEH DEVIA, and
STATE OF UTAH,

Petitioners,

v.

NUCLEAR REGULATORY COMMISSION and UNITED STATES OF AMERICA,

Respondents.

PRIVATE FUEL STORAGE, L.L.C. and SKULL VALLEY BAND OF GOSHUTE INDIANS,

Intervenors.

On Petition for Review of an Order of the
United States Nuclear Regulatory Commission

PETITIONER OGD'S MOTION FOR LEAVE TO FILE FINAL BRIEFS OUT OF TIME

Paul C. EchoHawk, Esq.
EchoHawk Law Offices
151 N. 4th Avenue, Suite A
P.O. Box 6119
Pocatello, Idaho 83205-6119
Telephone: (208) 478-1624
Facsimile: (208) 478-1670

*Attorneys for Petitioner
Ohngo Gaudadeh Devia*

Dated: March 29, 2007

Pursuant to Rule 26(b) of the Federal Rules of Appellate Procedure, Petitioner Ohngo Gaudadeh Devia (OGD) hereby requests that the Court enlarge the time for OGD to file its Final Brief and Final Reply Brief through and including March 29, 2007, and for good cause states as follows:

1. The parties' Final Briefs were due on March 15, 2007. OGD failed to timely file its Final Briefs. OGD's failure to file its Final Briefs was due to inadvertently misinterpreting the Final Brief as an opportunity for further or additional argument. OGD will lodge its Final Briefs contemporaneously with this Motion.

2. Fed. R. App. Proc. 26(b) states that "[f]or good cause, the court may extend the time prescribed by these rules or by its order to perform any act, or may permit an act to be done after that time expires. . . ." *Id.*

3. OGD has otherwise complied with all scheduling orders in this case and respectfully requests the Court to grant OGD's request to enlarge the time for filing OGD's Final Briefs. The other parties are not prejudiced by grant of this request since the content of OGD's briefs has been previously provided to the parties with clear citations to relevant portions of the record and legal authorities. Accordingly, OGD requests the Court to enter an order granting OGD's Motion for Leave to File Final Briefs Out of Time and extending the time for OGD to file its Final Briefs to and including March 29, 2007.

Respectfully submitted,



Paul C. EchoHawk
EchoHawk Law Offices
P.O. Box 6119
Pocatello, Idaho 83205-6119
(208) 478-1624

Attorneys for Petitioner Ohngo Gaudadeh Devia

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this 29th day of March 2007, I filed with the Clerk's Office of the United States Court of Appeals for the district of Columbia Circuit, via hand-delivery, the required copies of the foregoing, and further certify that I served by first class U.S. mail copies of the same to the following:

Grace H. Kim, Senior Attorney
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Mail Stop OGC – MS 15 D21
Washington, D.C. 20555
Telephone: (301) 415-1600

Michael T. Gray
U.S. Department of Justice
Environment & Natural Resources Division
P.O. Box 23795
Washington, D.C. 20026-3795
Telephone: (202) 514-2748

*Counsel for Respondent
Nuclear Regulatory Commission*

*Counsel for Respondent
United States of America*

Jay E. Silberg
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, N.W.
Washington, DC 20037-1122
Telephone: (202) 663-8000

Tim Vollmann
Law Office of Tim Vollman
3301-R Coors Road, NW, Suite 302
Albuquerque, New Mexico 87120
Telephone: (505) 792-9168

*Counsel for Intervenor
Private Fuel Storage, L.L.C.*

*Counsel for Intervenor
Skull Valley Band of Goshute Indians*

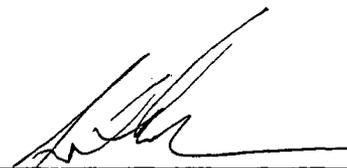
Marta A. Adams
Martin G. Malsch
Egan, Fitzpatrick, Malsch & Cynkar
8300 Boone Boulevard, Suite 340
Vienna, Virginia 22182
Telephone: (703) 891-4050

Roy T. Englert, Jr.
Robbins, Russell, Englert, Orseck & Untereiner
1801 K Street, NW
Suite 411
Washington, D.C. 20006
Telephone: (202) 775-4500

*Counsel for Amicus Curiae for Petitioner
State of Nevada*

*Counsel for Petitioner
State of Utah*

Michael A. Bauser, Esq.
Nuclear Energy Institute, inc.
1776 I Street, N.W., Suite 400
Washington, D.C. 20006-3708



THE LEX GROUP^{DC}
1750 K Street, NW, Suite 475
Washington, DC 20006