

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-1301

September Term, 2006

Nuclear Information and Resource Service and Public
Citizen,

Petitioners

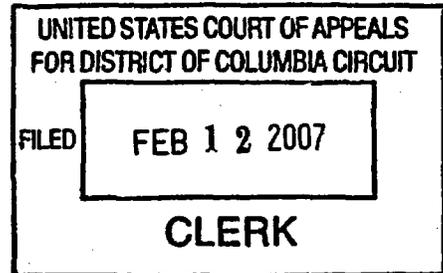
v.

Nuclear Regulatory Commission and United States of
America,

Respondents

Consolidated with 06-1310

Filed On:



ORDER

It is **ORDERED**, on the court's own motion, that a briefing schedule be established as follows:

Petitioner's Brief
Respondent's Brief
Intervenor for Respondent's Brief
Petitioner's Reply Brief
Deferred Appendix
Final Briefs

Mon, Apr 2 2007
Wed, May 2 2007
Thu, May 17 2007
Thu, May 31 2007
Thu, Jun 7 2007
Thu, Jun 21 2007

Petitioner must raise issues and arguments in the opening brief. The Court ordinarily will not consider issues and arguments raised for the first time in the reply brief.

The court reminds the parties that "a petitioner whose standing is not self-evident should establish its standing by the submission of its arguments and any affidavits or other evidence appurtenant thereto at the first appropriate point in the review proceeding. In some cases that will be in response to a motion to dismiss for want of standing; in cases in which no such motion has been made, it will be with the petitioner's opening brief and not ... in reply to the brief of the respondent agency. In either procedural context the petitioner may carry its burden of production by citing any record evidence relevant to its claim of standing and, if necessary, appending to its filing additional affidavits or other evidence sufficient to support its claim. In its opening brief, the petitioner should also include in the 'Jurisdictional Statement' a concise recitation of the basis upon which it claims standing." *Sierra Club v. EPA*, 292 F.3d 895, 900-01 (D.C. Cir. 2002).

FOR THE COURT:
Mark J. Langer, Clerk

BY:

Cheri Carter
Cheri Carter
Deputy Clerk