

UNITED STATE COURT OF APPEALS
FOR THE THIRD CIRCUIT

STATE OF NEW JERSEY,)
)
 Petitioner,) Nos. 06-5140,07-
) 1559 and 07-1756
 v.)
)
 UNITED STATE NUCLEAR REGULATORY)
 COMMISSION and the)
)
 UNITED STATES OF AMERICA,)
)
 Respondents.)

UNOPPOSED MOTION OF STATE OF NEW JERSEY
FOR EXTENSION OF TIME TO FILE ITS REPLY BRIEF

State of New Jersey, Petitioner in these consolidated proceedings moves, pursuant to Rule 27 of the Federal Rules of Appellate Procedure and the Additional Scheduling Order issued by this Court on May 11, 2007 ("Additional Scheduling Order"), for a 4-day extension of time to file its Reply Brief. Counsel for all parties have graciously consented to the granting of this motion.

In support of its motion, State of New Jersey states the following:

1. On or about September 4, 2007, Intervener Gloucester County filed an Unopposed Motion for Extension of Time to File Its Reply Brief. In it, Intervener seeks a 4-day extension of time, up

to and including September 14, 2007, to file their reply brief.

2. The Additional Scheduling Order provides that "briefs for all intervening parties are to be filed on or before the deadline established for the parties with whom they are aligned." Additional Scheduling Order at 1. Accordingly, the reply briefs for the State of New Jersey and Gloucester County are currently due on or before September 10, 2007. However, if Gloucester County's Motion is granted, the due date for their brief will be extended to September 14, 2007.

3. The request for an extension is also based on the loss of time from the Labor Day holiday and the Court's original Scheduling Order providing for only 14 days to submit a Reply to two briefs.

4. In order to provide for an orderly schedule of filings by all parties and to provide for a sufficient reply, the State of New Jersey respectfully requests that it be granted an extension of time to file its reply brief to September 14, 2007 so that its brief will be due at the same time as that of the Gloucester County.

Respectfully Submitted

/s/ Andrew Reese
Andrew D. Reese
Deputy Attorney General

CERTIFICATION OF SERVICE

On this day I caused one copy of the Motion for Extension to be mailed by U.S. First Class Mail upon the following counsel of record:

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Dated: September 4, 2007