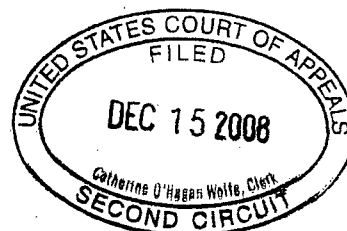


United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 15<sup>th</sup> day of December, two thousand eight,

Present:

Hon. Pierre N. Leval,  
Hon. José A. Cabranes,  
Hon. Peter W. Hall,  
*Circuit Judges.*



Richard L. Brodsky, *et al.*,

*Petitioners,*

v.

08-1454-ag

United States Nuclear Regulatory Commission,

*Respondent,*

Entergy Nuclear Operations, Inc.,

*Intervenor.*

Petitioners, through counsel, move pursuant to Federal Rules of Appellate Procedure 16 and 17 to supplement the administrative record filed by the Respondent. Upon due consideration, the motion is forwarded for decision to the panel which will consider the merits of the appeal. In the meantime, the appeal will proceed on the certified record, and the Clerk of the Court shall forthwith set an expedited briefing and argument schedule. In their briefs, the parties are free to address the need *non* to supplement the record in light of any particular argument that may be advanced on appeal. By entering this order, we express no opinion with respect to the merits of the motion to supplement the record or the issues raised on appeal.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By: 