

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
THURGOOD MARSHALL U.S. COURT HOUSE
40 FOLEY SQUARE, NEW YORK, N.Y. 10007

Dennis Jacobs
CHIEF JUDGE

Catherine O'Hagan Wolfe
CLERK OF COURT

Date: 9/16/09 Docket 08-3903-ag
Short Title: The State of New York v. United States Nuclear Reg
Agency Number: PRM-51-10 Agency: Nuclear Regulatory Commission

NOTICE OF HEARING DATE

Date of Hearing: Friday, October 23, 2009

Time Allotted for Oral Argument: The State of New York, et al, (12 mins.), U.S. Nuclear Regulatory, et al (7 mins.), Entergy Nuclear Operations, et al (5 mins.)

The above referenced appeal is scheduled for oral argument on the day indicated in the **Ceremonial Courtroom (9th Floor)**, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Manhattan, New York City.

Court convenes promptly at 2:00 p.m. Counsel and non-incarcerated pro se litigants must be present for argument unless earlier excused. Motions to adjourn argument must be promptly made and will be granted for grave reason only.

Counsel and non-incarcerated pro se litigants presenting oral argument must register with the courtroom deputy no later than 1:30 p.m.. Please be advised that, due to the technical difficulties, we are unable to provide offsite Video Argument until further notice. It is hoped that we will again be able to offer this convenience in the future.

Counsel and non-incarcerated pro se litigants may seek the Court's permission to waive oral argument by submitting a letter request to the Office of Clerk (attention Calendar Deputy) not later than five days before the hearing week.

Report all settlements to the Calendar Deputy as soon as effected. Ordinarily, and subject to the ruling of the presiding judge, motions or stipulations to withdraw with prejudice will be granted without appearance by counsel, but motions or stipulations to withdraw without prejudice filed within three business days of the argument will be considered at the time of argument, with counsel present and prepared to argue the merits.

CATHERINE O'HAGAN WOLFE, Clerk

Complete Items below and return copy of entire form to the Clerk's Office

Name of the Attorney/Pro Se Presenting argument:

Firm Name (IF APPLICABLE):

Current Telephone Number:

The above named Attorney Represents:

() APPELLANT-PETITIONER

() INTERVENOR

() APPELLEE-RESPONDENT

() AMICUS CURIAE

Date: _____ Signature: _____

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

THURGOOD MARSHALL U.S. COURT HOUSE
40 FOLEY SQUARE, NEW YORK, N.Y. 10007

Dennis Jacobs
CHIEF JUDGE

Catherine O'Hagan Wolfe
CLERK OF COURT

NOTICE TO THE BAR

Offsite Video Argument. Please be advised that, due to the technical difficulties, we are unable to provide offsite Video Argument until further notice.

It is hoped that we will again be able to offer this convenience in the future.

Audio Tape of Argument. An audio tape of an argument may be purchased for \$26 per tape by written request to the Clerk. The request should include the case name, the docket number and the date of oral argument. Tapes will be delivered by first class mail unless the request instructs to hold for pick-up or requests Federal Express Service, in which case a Federal Express account number and envelope must be provided.

Court Reporters. Parties may arrange - at their own expense - for an official court reporter to transcribe argument from a copy of the hearing tape or to attend and transcribe the hearing directly. A party must first obtain written consent from opposing counsel - or move the Court for permission - to have the court reporter attend and transcribe the hearing and must provide the calendar clerk written notice, including the name, address and telephone number of the attending reporter and, if applicable, the reporting firm at least one week prior to the hearing date.

An original and three (3) copies of the transcript **must** be submitted to the Clerk for approval by the panel that heard the case; transcripts will not be officially filed until approved.

Interpreter Services for the Hearing Impaired. Counsel requiring sign interpreters or other hearing aids must submit a written request to the Calendar Team at least two weeks before oral argument.