

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-1133

September Term 2009

NRC-74FR10811

Filed On: November 30, 2009

State of Nevada,

Petitioner

v.

Nuclear Regulatory Commission,

Respondent

Nuclear Energy Institute, Inc.,
Intervenor

ORDER

Upon consideration of the joint motion to govern future proceedings, it is

ORDERED that the motion be granted and the following briefing schedule will apply in this case:

Petitioner's Brief	January 27, 2010
Respondent's Brief	June 28, 2010
Intervenor for Respondent's Brief	July 19, 2010
Petitioner's Reply Brief	September 17, 2010
Deferred Appendix	October 8, 2010
Final Briefs	October 22, 2010

The Clerk is directed to schedule this case for argument on the same day, and before the same panel, as No. 08-1327, Nevada v. EPA. The parties will be informed by separate order of the date of oral argument and the composition of the merits panel.

All issues and arguments must be raised by petition in the opening brief. The court ordinarily will not consider issues and arguments raised for the first time in the

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reply brief.

The court reminds the parties that

In cases involving direct review in this court of administrative actions, the brief of the appellant or petitioner must set forth the basis for the claim of standing. . . . When the appellant's or petitioner's standing is not apparent from the administrative record, the brief must include arguments and evidence establishing the claim of standing.

See D.C. Cir. Rule 28(a)(7).

Parties are strongly encouraged to hand deliver the paper copies of their briefs to the Clerk's office on the date due. Filing by mail may delay the processing of the brief. Additionally, counsel are reminded that if filing by mail, they must use a class of mail that is at least as expeditious as first-class mail. See Fed. R. App. P. 25(a). All briefs and appendices must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Cheri Carter
Deputy Clerk