

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

HONEYWELL INTERNATIONAL	)	
INC.,	)	
	)	
Appellant,	)	Unopposed Motion for
	)	Extension of Time
v.	)	
	)	Case No. 10-1022
U.S. NUCLEAR REGULATORY	)	
COMMISSION AND THE UNITED	)	
STATES OF AMERICA	)	
	)	
Appellees.	)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME**

Pursuant to Circuit Rules 26(b) and 27(h), Appellant Honeywell International Inc. (“Honeywell”) respectfully requests an extension of time to file its revised opening brief. The brief was initially filed on June 4, 2010. On June 9, 2010, the Court requested that the parties address in their briefs whether the court has jurisdiction over the December 11, 2009 decision of the U.S. Nuclear Regulatory Commission. On June 9, 2010, the Clerk set a schedule for Honeywell to submit a revised brief and adjusted the due dates for subsequently filings accordingly. Honeywell’s revised brief is currently due on June 18, 2010. Honeywell requests an extension of seven (7) days, to June 25, 2010. This is Honeywell’s first request for an extension. Honeywell contacted counsel for the Nuclear Regulatory Commission, who consents to this motion.

As described in the attached affidavit, Honeywell seeks this extension in light of counsels' prior professional commitments, including previously-scheduled out-of-town travel during the entirety of the week of June 14, 2010. A one-week extension will allow counsel to be in the office and ensure that the brief is properly filed. If the extension is granted, Honeywell requests that the Court order the following new deadlines in the case:

Petitioner's Revised Brief and Appendix	June 25, 2010
Respondents' Brief	August 9, 2010
Petitioner's Reply Brief	August 23, 2010

Respectfully submitted,

/s/ Tyson Smith  
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*Attorneys for Honeywell International  
Inc.*

June 11, 2010

**DECLARATION OF TYSON R. SMITH IN SUPPORT  
OF APPELLANT HONEYWELL INTERNATIONAL INC.'S  
UNOPPOSED MOTION FOR EXTENSION OF TIME**

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I, Tyson R. Smith, do hereby swear as follows:

1. I am counsel for the Appellant, Honeywell International Inc., in the above-captioned appeal.
2. I contacted counsel for the NRC, who indicated that the NRC consents to the motion.
3. Honeywell seeks a 7-day extension of time in order to ensure that the revised brief is properly filed with this court. Counsels for the Honeywell have prior professional commitments, including previously-scheduled out-of-town travel during the entirety of the week of June 14, 2010, where counsel will have limited access to phones or internet.

Under penalty of perjury, I declare that the forgoing is true and correct.

Dated: June 11, 2010

/s/ Tyson Smith  
Tyson R. Smith

**CERTIFICATE OF SERVICE**

I hereby certify that I have on this 11th day of June 2010 served a copy of the foregoing "UNOPPOSED MOTION FOR EXTENSION OF TIME" by electronic mail and by first-class mail, postage prepaid, on the following individuals at the following addresses:

Robert Rader  
Office of General Counsel  
U.S. Nuclear Regulatory Commission  
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E-mail: [Robert.Rader@nrc.gov](mailto:Robert.Rader@nrc.gov)

/s/ Tyson Smith  
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*Attorney for Honeywell International  
Inc.*