United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 16-1108 **September Term, 2016**

NRC-CLI-15-15
NRC-CLI-15-07

Filed On: October 7, 2016 [1640010]

Sustainable Energy and Economic Development Coalition, et al.,

Petitioners

v.

U.S. Nuclear Regulatory Commission and United States of America,

Respondents

Nuclear Innovation North America LLC,
Intervenor

ORDER

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

ORDERED that the following briefing schedule will apply in this case:

Certified Index to the Record	January 30, 2017
Petitioners' Brief	March 10, 2017
Respondents' Brief	April 28, 2017
Intervenor for Respondents' Brief	May 5, 2017
Petitioners' Reply Brief	May 19, 2017
Deferred Appendix	May 26, 2017
Final Briefs	June 9, 2017

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

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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).

To enhance the clarity of their briefs, the parties are cautioned to limit the use of abbreviations, including acronyms. While acronyms may be used for entities and statutes with widely recognized initials, briefs should not contain acronyms that are not widely known. See D.C. Circuit Handbook of Practice and Procedures 41 (2016); Notice Regarding Use of Acronyms (D.C. Cir. Jan. 26, 2010).

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 could delay the processing of the brief. Additionally, parties 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, or state that the case is being submitted without oral argument. See D.C. Cir. Rule 28(a)(8).

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Rebecca L. Thompson
Deputy Clerk

United States Court of Appeals
District of Columbia Circuit
Washington, D.C. 20001-2866

Mark J. Langer
Clerk

General Information
(202) 216-7000

NOTICE TO COUNSEL:

SCHEDULING ORAL ARGUMENT

The court has entered an order setting a briefing schedule in a case in which you are counsel of record. Once a briefing order has been entered, the case may be set for oral argument. Typically, the argument date will be a minimum of 45 days after briefing is completed.

You will be notified by separate order of the date and time of oral argument. Once a case has been calendared, the Clerk's Office cannot change the argument date, and the court will not ordinarily reschedule it. Any request to reschedule must be made by motion, which will be presented to a panel of the court for disposition. The court disfavors motions to postpone oral argument and will grant such a motion only upon a showing of "extraordinary cause." See D.C. Cir. Rule 34(g).

If you are the arguing counsel and you know you will be unavailable to appear for oral argument on a date in the future, so advise the Clerk's Office by letter, filed electronically, with a copy to opposing counsel. The notification should be filed as soon as possible and updated if a potential scheduling conflict later arises or if there is any change in availability. To the extent possible, the Clerk's Office will endeavor to schedule oral argument to avoid conflicts that have been brought to the court's attention in advance.

Counsel must notify the Clerk as soon as settlement negotiations begin, when settlement of the case becomes likely, and when settlement is reached. This notice allows for more efficient allocation of judicial resources. Additionally, counsel should promptly notify the Clerk if settlement negotiations are terminated. Notice must be given in an appropriate motion or by letter to the Clerk at the earliest possible moment.