

ORAL ARGUMENT NOT YET SCHEDULED**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

OHIO NUCLEAR-FREE NETWORK)
 and BEYOND NUCLEAR,)
)
 Petitioners,)
)
 v.)
)
 UNITED STATES NUCLEAR)
 REGULATORY COMMISSION and)
 UNITED STATES OF AMERICA,)
)
 Respondents,)
)
 AMERICAN CENTRIFUGE)
 OPERATING, LLC,)
)
 Intervenor.)

Case No. 21-1162

**UNOPPOSED MOTION FOR EXTENSION OF TIME
AND REVISION OF BRIEFING SCHEDULE**

Pursuant to Fed. R. App. P. 27 and Circuit Rule 28(e), the U.S. Nuclear Regulatory Commission and United States of America (together, “Respondents”) file this unopposed motion requesting that the Court extend the current schedule for the filing of briefs and the deferred appendix in this proceeding. A proposed revised briefing schedule is included below. Respondents have consulted with counsel for Petitioners and the Intervenor prior to filing this motion, and all parties consent to this request and the proposed revised briefing schedule.

In support of this motion, for which good cause exists, Respondents state as follows:

1. On March 7, 2022, this Court granted Petitioners' unopposed motion for an extension of time to submit their brief and the parties' joint motion to utilize a deferred appendix, and established the briefing schedule for this proceeding. Per the Court's March 7 Order, both Respondents' and Intervenors' Briefs are due on April 13, 2022; Petitioners' Reply Brief is due on May 4, 2022; the Deferred Appendix is due May 11, 2022; and Final Briefs are due May 25, 2022.

2. Respondents' current deadline of April 13, 2022, poses challenges for each agency due to competing personal and professional obligations for respective counsel. Respondents seek a two-week extension of the current deadline, as shown in the proposed briefing schedule below.

3. Respondents also request that the Court extend the deadline for the Intervenor to file its brief, due one week after Respondents' brief, which will better enable the avoidance of repetitive or duplicative discussion of issues. Counsel for the Intervenor consents to this extension request.

4. Respondents request the corresponding extension of the remaining deadlines in the Court's March 7 Order by three weeks. Counsel for Petitioners consent to this extension request.

5. As such, Respondents request a revised briefing schedule, unopposed by any of the parties, as follows:

Respondents' Brief:	April 27, 2022
Intervenor for Respondent's Brief:	May 4, 2022
Petitioners' Reply Brief:	May 25, 2022
Deferred Appendix:	June 1, 2022
Final Briefs:	June 15, 2022

Respectfully submitted,

/s/ Justin D. Heminger
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March 30, 2022

**CERTIFICATE OF COMPLIANCE WITH
FEDERAL RULE OF APPELLATE PROCEDURE 27(D)**

I certify that this filing complies with the requirements of Fed. R. App. P. 27(d)(1)(E) because it has been prepared in 14-point Times New Roman, a proportionally spaced font.

I certify that this filing complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 347 words, excluding the parts exempted under Fed. R. App. P. 32(f), according to the count of Microsoft Word.

/s/ Eric V. Michel
ERIC V. MICHEL

Counsel for Respondent U.S.
Nuclear Regulatory Commission