

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-1371

September Term, 2012

EPA-75FR54970
EPA-78FR10006

Filed On: June 11, 2013

Natural Resources Defense Council,

Petitioner

v.

Environmental Protection Agency and Lisa
Perez Jackson, in her official capacity as
Administrator, U.S. Environmental Protection
Agency,

Respondents

CEMEX, Inc., et al.,
Intervenors

Consolidated with 10-1378, 13-1112

BEFORE: Henderson, Rogers, and Tatel, Circuit Judges

ORDER

Upon consideration of the motion for stay of rule pending judicial review or expedited review, the oppositions thereto, and the reply; the motions to establish briefing schedule, the oppositions thereto, and the replies; and the motion to file one reply of no more than 16 pages, it is

ORDERED that the motion to file a reply of 16 pages be granted. It is

FURTHER ORDERED that the request for a stay be denied. Petitioners have not satisfied the stringent requirements for a stay pending court review. See Nken v. Holder, 556 U.S. 418, 434 (2009); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2011). It is

FURTHER ORDERED that the request for expedited consideration be granted. See D.C. Circuit Handbook of Practice and Internal Procedures 33 (2011). It is

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FURTHER ORDERED that the following briefing schedule apply in these consolidated cases:

Brief for Respondents	July 22, 2013
Brief for Intervenors in Support of Respondents	August 5, 2013
Reply Brief	August 12, 2013
Deferred Appendix	August 19, 2013
Final Briefs	August 23, 2013

The Clerk is directed to calendar this case for argument on an appropriate date after the completion of briefing. The parties will be notified by separate order of the oral argument date and the composition of the merits panel. 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 directed to hand deliver the paper copies of their briefs to the Clerk's office on the date due. 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).

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Timothy A. Ralls
Deputy Clerk