

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

TRUCK TRAILER
MANUFACTURERS ASS'N, INC.,

Petitioner,

v.

U.S. ENVIRONMENTAL
PROTECTION AGENCY; SCOTT
PRUITT, in his official capacity
as Administrator, U.S. Environmental
Protection Agency; NATIONAL
HIGHWAY TRAFFIC SAFETY
ADMINISTRATION; and JACK
DANIELSON, in his official capacity as
Acting Deputy Administrator, National
Highway Traffic Safety Administration,

Respondents, and

CALIFORNIA AIR RESOURCES
BOARD, et al,

Intervenors.

No. 16-1430 (consolidated with
No. 16-1447)

**Respondents' Motion for One-Week Extension of Deadline to Respond to
Petitioner's Motion for Stay**

Pursuant to Federal Rule of Appellate Procedure 26(b) and Circuit Rule 27(h), Respondents U.S. Environmental Protection Agency et al. submit this motion for a one-week extension to respond to Petitioner Truck Trailer Manufacturers Association's (Trailer Petitioner's) motion to stay the trailer-emission portion of the action "Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2," 81 Fed. Reg. 73,478 (Oct. 25, 2016). Counsel for Respondents has conferred with counsel for the parties: Trailer Petitioner opposes this motion and is likely to file a response, subject to review of this filing; Environmental Intervenors¹ consent to this motion; and State Intervenors² do not intend to oppose this motion, subject to review of this filing.

Trailer Petitioner filed its stay motion on September 25, 2017. Under Federal Rule of Appellate Procedure 27(a)(3)(A), Respondents have 10 days, until October 5, to respond. Before it can be filed, the response must be reviewed and approved by management at the relevant government agencies, including the

¹ Environmental Intervenors are Center for Biological Diversity, Environmental Defense Fund, Natural Resources Defense Council, Sierra Club, and the Union of Concerned Scientists.

² State Intervenors are the California Air Resources Board, State of Connecticut, State of Iowa, State of Massachusetts, State of Oregon, State of Rhode Island, State of Vermont, and State of Washington.

Department of Justice, and a modest one-week extension would allow Respondents to complete that process.

Respondents therefore request that the Court extend the deadline for responding to Trailer Petitioner's stay motion by one week, to October 12.

Dated: September 28, 2017

Respectfully submitted,

JEFFREY H. WOOD
Acting Assistant Attorney General

/s/ Sue Chen

SUE CHEN
U.S. Department of Justice
Environment & Natural Resources
Division
Environmental Defense Section
P.O. Box 7611
Washington, D.C. 20044
Tel: (202) 305-0283
Sue.Chen@usdoj.gov

CHAD A. READLER
Acting Assistant Attorney General

DOUGLAS N. LETTER
H. THOMAS BYRON III
U.S. Department of Justice
Civil Division, Appellate Staff
950 Pennsylvania Avenue, N.W.
Room 7529
Washington, D.C. 20530
Tel: (202) 616-5367
H.Thomas.Byron@usdoj.gov

Counsel for Respondents

Certificate of Compliance

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

I further certify that this filing complies with the type-volume limitations of Fed. R. App. P. 27(d)(2)(A), because it contains 254 words, excluding the parts of the filing exempted under Fed. R. App. P. 32(f), according to the count of Microsoft Word.

 /s/ Sue Chen

SUE CHEN

Certificate of Service

I certify that on September 28, 2017, I filed the foregoing with the Court's CMS/ECF system, which will send notice to each party.

 /s/ Sue Chen

SUE CHEN