

No. 18-73400

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IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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**Center for Biological Diversity, Defenders of Wildlife, Friends of the Earth,  
Greenpeace USA, and Pacific Environment,**

Petitioners,

v.

**David Bernhardt, Secretary of the Interior; Bureau of Ocean Energy  
Management; and U.S. Fish and Wildlife Service;**

Respondents,

and

**Hilcorp Alaska LLC,**

Intervenor.

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**Respondents' Motion for Extension of the Briefing Schedule**

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The United States of America hereby moves to extend the briefing schedule in this case by 36 days.

1. The petitioners filed their opening brief on April 15, 2019. By the Court's order of February 6, 2019, the respondent United States' answering brief is currently due May 16, 2019. The intervenor's brief is then due May 30, 2019, and the optional reply brief is due within 21 days after service of the intervenor's brief (June 28).

2. The undersigned counsel for the United States, Mr. Maysonett, submits that a 36-day extension of time is necessary to adequately prepare the United States' answering brief. This brief must be prepared well before it is due to the Court because it must be reviewed and approved by others within the United States Department of Justice, including the Assistant Attorney General for the Environment & Natural Resources Division, as well as by the United State Department of the Interior. Mr. Maysonett submits that the preparation of this brief, together with the review and approval process, cannot be accomplished without additional time due to: (1) the time required to prepare a response to petitioners' motion for the consideration of extra-record evidence in this case, to which the United States' opposition is due on May 17, 2019; (2) Mr. Maysonett's commitments in other cases, including the briefing of a motion to dismiss before this Court in a challenge related to the Keystone XL oil pipeline, *Northern Plains Resource Council v. Shannon*, Nos. 18-36069, 19-35036, 19-35064, 19-35099 (9th Cir.); and (3) personal obligations during the week of May 27 that will require Mr. Maysonett's absence.

3. There has been one previous extension of the briefing schedule due to the government shutdown. Granting this extension will not require oral argument to be rescheduled because the Court has not scheduled oral argument in this case.

4. The undersigned has conferred with counsel for the other parties on this extension. Petitioners oppose the relief sought by this motion; the Intervenor does not.

For these reasons, the United States respectfully asks this Court to extend the briefing schedule in this case by 36 days, such that respondent’s answering brief is due June 21, 2019; the intervenor’s brief is due July 8, 2019; and the optional reply brief is due within 21 days after service of the intervenor’s brief (July 29), as set forth in this table:

	<b>Current deadline</b>	<b>Proposed deadline</b>
Respondents’ answering brief	May 16	June 21
Intervenors’ brief	May 30	July 8
Petitioners’ reply brief	+ 21 days (June 28)	+ 21 days (July 29)

Respectfully submitted,

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 Assistant Attorney General  
 ERIC GRANT  
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*/s/ James A. Maysonett*

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May 8, 2019  
90-13-8-15632

## CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(g)(1), I hereby certify that:

(1) This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) and 9th Cir. R. 27-1 because, according to Microsoft Word, this motion contains 425 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f).

(2) This motion complies with the typeface and type-style requirements of Fed. R. App. P. 27(d)(1)(E), 32(a)(5)-(6), and 9th Cir. R. 27-1, because this motion has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point font size and Calisto MT type style.

*/s/ James A. Maysonett*

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JAMES A. MAYSONETT