

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-1230**September Term, 2019**

EPA-84FR51310
NHTS-84FR51310

Filed On: May 20, 2020

Union of Concerned Scientists, et al.,

Petitioners

v.

National Highway Traffic Safety Administration,

Respondent

Automotive Regulatory Council, Inc., et al.,
Intervenors

Consolidated with 19-1239, 19-1241, 19-1242,
19-1243, 19-1245, 19-1246, 19-1249

BEFORE: Henderson and Wilkins, Circuit Judges

ORDER

Upon consideration of the joint briefing proposal, the supplements thereto, and the responses in opposition to the second supplement; and the motion to complete the administrative record, the response thereto, and the reply, it is

ORDERED that the motion to complete the administrative record be referred to the merits panel to which these consolidated cases are assigned. The parties are directed to address in their briefs the issues presented in the motion rather than incorporate those arguments by reference. It is

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

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Petitioners' Briefs (up to four briefs, not to exceed 26,000 words in the aggregate)	June 26, 2020
Briefs of Amici Curiae Supporting Petitioners and Amici Curiae Supporting Neither Party, if any (not to exceed 6,500 words)	July 6, 2020
Respondents' Brief (not to exceed 26,000 words)	September 9, 2020
Briefs of Amici Curiae Supporting Respondents, if any (not to exceed 6,500 words)	September 16, 2020
Briefs of Intervenors for Respondent (up to two briefs, not to exceed 18,200 words in the aggregate)	September 22, 2020
Petitioners' Reply Briefs (up to four briefs, not to exceed 13,000 words in the aggregate)	October 13, 2020
Deferred Appendix	October 20, 2020
Final Briefs	October 27, 2020

The parties will be informed later of the date of oral argument and the composition of the merits panel.

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

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

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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 urged 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 Internal Procedures 43 (2019); Notice Regarding Use of Acronyms (D.C. Cir. Jan. 26, 2010).

Parties may hand deliver the paper copies of their briefs to the Clerk's office on the date due, if feasible. See Standing Order – In re: Paper Copies of Electronic Filings in Light of the COVID-19 Pandemic (D.C. Cir. April 1, 2020). Filing by mail may delay the processing of the brief. Additionally, counsel 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. See D.C. Cir. Rule 28(a)(8).

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/
Manuel J. Castro
Deputy Clerk