

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-1325**September Term 2010****EPA-74FR56260****Filed On: February 3, 2011** [1291550]

American Chemistry Council,

Petitioner

v.

Environmental Protection Agency,

Respondent

City of New York, et al.,
Intervenors
-----Consolidated with 09-1326, 09-1328,
09-1329, 09-1331, 09-1332, 09-1333,
09-1334**ORDER**

Upon consideration of the motions for leave to intervene filed by:

Commonwealth of Pennsylvania Department of Environmental Protection, State of Washington, State of Illinois, State of Maryland, State of Vermont, State of Rhode Island, State of California, State of Delaware, State of Oregon, City of New York, Commonwealth of Massachusetts

Utility Air Regulatory Group

Environmental Defense Fund

Natural Resources Defense Council, Sierra Club,

it is **ORDERED** that the motions be granted.

Circuit Rules 28(d) and 32(a)(2) govern the filing of briefs by intervenors. A schedule for the filing of briefs will be established by future order. That order will automatically provide briefing only for intervenors on the side of respondents. Any

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intervenor(s) intending to participate in support of petitioners must so notify the court, in writing, within 14 days of the date of this order. Such notification must include a statement of the issues to be raised by the intervenor(s). This notification will allow tailoring of the briefing schedule to provide time for a brief as intervenor on the side of petitioners. Failure to submit notification could result in an intervenor being denied leave to file a brief.

Intervenors supporting the same party are reminded that they **must** file a joint brief or certify to the court why a separate brief is necessary. Intervenors' attention is particularly directed to D.C. Circuit Handbook of Practice and Internal Procedures 39 (2010), which describes "unacceptable" grounds for filing separate briefs. Failure to comply with this order may result in the imposition of sanctions. See D.C. Cir. Rule 38.

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/
Lynda M. Flippin
Deputy Clerk