

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE  
COUNCIL, INC., et al.,

Plaintiffs,

v.

RICK PERRY, et al.,

Defendants.

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PEOPLE OF THE STATE OF  
CALIFORNIA, et al.,

Plaintiffs,

v.

RICK PERRY, et al.,

Defendants.

**Lead Case**

Case No. 17-cv-03404-VC

**ORDER GRANTING MOTION TO  
INTERVENE; ORDER GRANTING  
REQUEST TO CONSOLIDATE CASES**

Re: Dkt. No. 23, 34, 36

***Consolidated with***

Case No. 17-cv-03406-VC

Re: Dkt. No. 44, 50, 54

The Air-Conditioning, Heating, and Refrigeration Institute's Motions to Intervene in *Natural Resources Defense Council, Inc. v. Perry*, 17-cv-03404-VC, and *California v. Perry*, 17-cv-03406-VC are granted. If necessary, the Court may at a later date limit the scope of the Institute's participation in the litigation. See *Forest Conservation Council v. U.S. Forest Serv.*, 66 F.3d 1489, 1495-96 (9th Cir. 1995), *abrogated on other grounds by Wilderness Soc'y v. U.S. Forest Serv.*, 630 F.3d 1173 (9th Cir. 2011) (en banc); *United States v. Blue Lake Power*, 215 F. Supp. 3d 838, 844 (N.D. Cal. 2016).

The parties' stipulated request to consolidate the cases is granted. The plaintiffs are ordered to file a consolidated complaint within 14 days of this order, and the defendants'

consolidated answer is due 14 days after the consolidated complaint is filed. Accordingly, the Institute's administrative motion to file a substitute proposed answer, 17-cv-3404-VC, Dkt. No. 36, is denied.

All parties shall attend the Case Management Conference scheduled for September 26, 2017 at 1:30 p.m. in Courtroom 4.

**IT IS SO ORDERED.**

Dated: August 25, 2017



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VINCE CHHABRIA  
United States District Judge