

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 1 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

OAKLAND BULK & OVERSIZED
TERMINAL, LLC,

Plaintiff-Appellee,

v.

CITY OF OAKLAND,

Defendant-Appellant,

and

SIERRA CLUB and SAN FRANCISCO
BAYKEEPER,

Intervenor-Defendants.

No. 18-16105

D.C. No. 3:16-cv-07014-VC
Northern District of California,
San Francisco

ORDER

OAKLAND BULK & OVERSIZED
TERMINAL, LLC,

Plaintiff-Appellee,

v.

CITY OF OAKLAND,

Defendant,

and

SIERRA CLUB and SAN FRANCISCO
BAYKEEPER,

Intervenor-Defendants-
Appellants.

No. 18-16141

D.C. No. 3:16-cv-07014-VC

Appellants San Francisco Baykeeper and Sierra Club's motion (Docket Entry No. 4 in No. 18-16141) to consolidate Nos. 18-16105 and 18-16141 is granted. Nos. 18-16105 and 18-16141 are consolidated.

Appellee's motion (Docket Entry No. 19 in No. 18-16105) to require joint briefing or reduce brief length is denied.

Appellant City of Oakland's request (Docket Entry No. 26 in No. 18-16105) for leave to file a sur-reply is denied as unnecessary.

The following briefing schedule shall govern these consolidated appeals: the opening briefs are due September 27, 2018; the appellee's consolidated answering brief is due October 29, 2018; and the optional reply briefs are due within 21 days after service of the consolidated answering brief.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Kara Slack
Deputy Clerk
Ninth Circuit Rule 27-7