

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 16-1430

September Term, 2019

EPA-81FR73478

Filed On: December 26, 2019

Truck Trailer Manufacturers Association, Inc.,

Petitioner

v.

Environmental Protection Agency, et al.,

Respondents

California Air Resources Board, et al.,
Intervenors

Consolidated with 16-1447

BEFORE: Srinivasan, Katsas, and Rao, Circuit Judges

ORDER

Upon consideration of the motion to lift abeyance and establish briefing schedule, the responses thereto, the reply, and the supplement to the motion, it is

ORDERED, on the court's own motion, that No. 16-1430 be severed from consolidated case No. 16-1447 and that No. 16-1447 continue to be held in abeyance pending further order of the court. The Environmental Protection Agency is directed to file status reports in No. 16-1447 at 90-day intervals beginning 90 days from the date of this order. The parties are directed to file motions to govern further proceedings in No. 16-1447 within 30 days of the conclusion of discussions between the Racing Enthusiasts and Suppliers Coalition and the Environmental Protection Agency. It is

FURTHER ORDERED that the abeyance in No. 16-1430 be lifted. The following briefing schedule will apply:

Petitioner's Brief
(not to exceed 13,000 words)

February 10, 2020

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No. 16-1430

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Respondents' Joint Brief (not to exceed 13,000 words)	March 31, 2020
Public Health and Environmental Organizations Intervenors' Brief (not to exceed 6,500 words)	April 21, 2020
State Intervenors' Brief (not to exceed 6,500 words)	April 21, 2020
Petitioner's Reply Brief (not to exceed 6,500 words)	May 12, 2020
Deferred Joint Appendix	May 19, 2020
Final Briefs	June 2, 2020

The Clerk is directed to schedule oral argument for the first appropriate date following the conclusion of briefing. All issues and arguments must be raised by petitioner in the opening brief. The court ordinarily will not consider issues and arguments raised for the first time in the reply brief. 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 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 are strongly encouraged to hand deliver the paper copies of their briefs to the Clerk's office on the date due. Filing by mail may delay the processing of the brief.

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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/
Laura Chipley
Deputy Clerk