

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

APR 23 2020

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

CENTER FOR COMMUNITY ACTION
AND ENVIRONMENTAL JUSTICE; et al.,

Petitioners,

v.

FEDERAL AVIATION
ADMINISTRATION; et al.,

Respondents,

SAN BERNARDINO INTERNATIONAL
AIRPORT AUTHORITY; EASTGATE
BLDG 1, LLC,

Intervenors-Pending.

No. 20-70272

Fed. Aviation Admin.

ORDER

STATE OF CALIFORNIA, by and through
Xavier Becerra, in his official capacity as
Attorney General,

Petitioner,

v.

FEDERAL AVIATION
ADMINISTRATION; et al.,

Respondents.

No. 20-70464

Before: MURGUIA, OWENS, and BENNETT, Circuit Judges.

The motions of the San Bernardino International Airport Authority and Eastgate Bldg 1, LLC for leave to intervene (Docket Entry Nos. 16 and 18) are granted.

The motion to dismiss (Docket Entry No. 17) is granted in part and denied in part. To the extent the motion requests the dismissal of San Bernardino International Airport, Inc. and Hillwood Enterprises, L.P. as respondents, the motion is granted. These petitions are dismissed as to San Bernardino International Airport, Inc. and Hillwood Enterprises, L.P. The remaining requests for relief in the motion to dismiss are denied without prejudice to renewing the arguments in the parties' briefs.

Petitioners' motions to stay the challenged agency orders and for injunctive relief pending these consolidated petitions (Docket Entry Nos. 30 and 31) are denied.

Petitioners' opening briefs are due June 22, 2020; respondents' answering brief is due July 22, 2020; respondent-intervenors' briefs are due August 5, 2020; and petitioners' optional reply briefs are due within 28 days after service of respondents' answering brief. All parties on a side are encouraged to join in a single brief to the greatest extent practicable. *See* Fed. R. App. P. 28(i); 9th Cir. R. 32-2(b) & advisory committee note.