

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-1251**September Term, 2021****EPA-86FR55116****EPA-86FR55841****Filed On: February 22, 2022**

Heating, Air-Conditioning, & Refrigeration
Distributors International, et al.,

Petitioners

v.

Environmental Protection Agency and
Michael S. Regan, in his official capacity as
Administrator of the U.S. Environmental
Protection Agency,

Respondents

Consolidated with 21-1252, 21-1253

BEFORE: Henderson, Tatel, and Pillard, Circuit Judges

ORDER

Upon consideration of the unopposed motion for entry of a protective order; the motion to sever; and the motion for expedited consideration, the opposition thereto, and the reply, it is

ORDERED that the motion for entry of a protective order be granted, and the protective order attached hereto be entered. It is

FURTHER ORDERED that the motion to sever be granted. The challenge in No. 21-1253 to Phasedown of Hydrofluorocarbons: Notice of 2022 Allowance Allocations for Production and Consumption of Regulated Substances Under the American Innovation and Manufacturing Act of 2020, 86 Fed. Reg. 55,841 (Oct. 7, 2021) shall be severed from Nos. 21-1251, et al., and assigned a new docket, No. 22-1025, RMS of Georgia, LLC v. EPA. The parties in No. 22-1025 are directed to submit motions to govern further proceedings in the new case within 14 days of the date of this order. It is

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-1251**September Term, 2021**

FURTHER ORDERED that the following briefing schedule will apply in the remaining consolidated cases:

Petitioners' Brief:	April 1, 2022
Respondents' Brief:	June 6, 2022
Petitioners' Reply Brief	July 8, 2022
Deferred Appendix:	July 15, 2022
Final Briefs:	July 22, 2022

If petitioners seek to file separate briefs in these consolidated cases, they are directed to submit proposed briefing formats within 10 days of the date of this order. The parties are strongly urged to submit a joint proposal and are reminded that the court looks with extreme disfavor on repetitious submissions and will, where appropriate, require a joint brief of aligned parties with total words not to exceed the standard allotment for a single brief. Whether the parties are aligned or have disparate interests, they must provide *detailed* justifications for any request to file separate briefs or to exceed in the aggregate the standard word allotment. Requests to exceed the standard word allotment must specify the word allotment necessary for each issue.

The parties will be informed later of the date of oral argument and the composition of the merits panel.

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).

Petitioners should raise all issues and arguments in the opening brief. The court ordinarily will not consider issues and arguments raised for the first time in the reply brief.

To enhance the clarity of their briefs, the parties are urged to limit the use of

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-1251**September Term, 2021**

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 (2021); 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. 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/
Scott H. Atchue
Deputy Clerk