

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 18 2023

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

SOVEREIGN INUPIAT FOR A LIVING
ARCTIC, et al.;

Plaintiffs - Appellants,

v.

UNITED STATES BUREAU OF LAND
MANAGEMENT, et al.;

Defendants - Appellees,

CONOCOPHILLIPS ALASKA, INC., et
al.;

Intervenor-Defendants -
Appellees.

No. 23-3627

D.C. No. 3:23-cv-00058-SLG
District of Alaska, Anchorage

ORDER

CENTER FOR BIOLOGICAL
DIVERSITY, et al.;

Plaintiffs - Appellants,

v.

UNITED STATES BUREAU OF LAND
MANAGEMENT, et al.;

Defendants - Appellees,

CONOCOPHILLIPS ALASKA, INC., et
al.;

No. 23-3624

D.C. No. 3:23-cv-00061-SLG
District of Alaska, Anchorage

Intervenor-Defendants - Appellees.

Before: RAWLINSON, BYBEE, and HURWITZ, Circuit Judges.

The motions to file combined and oversized responses to the motions for injunctive relief (Docket Entry Nos. 19, 23 in No. 23-3627; Docket Entry Nos. 19, 27 in No. 23-3624) are granted.

The motions of the Alaska Congressional Delegation and Alaska State Legislature to file an amicus curiae brief (Docket Entry No. 25 in No. 23-3627; Docket Entry No. 25 in No. 23-3624) in support of appellees' responses in opposition to the motions for injunctive relief are granted.

The motions for injunctive relief pending appeal (Docket Entry No. 10 in No. 23-3627; Docket Entry No. 10 in No. 23-3624) are denied without prejudice to renewal before the merits panel. *See Feldman v. Ariz. Sec'y of State*, 843 F.3d 366, 367 (9th Cir. 2016) ("The standard for evaluating an injunction pending appeal is similar to that employed by district courts in deciding whether to grant a preliminary injunction."); *see also Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008) (defining standard for preliminary injunction in district court).

We sua sponte consolidate and expedite these appeals.

The opening briefs are due December 29, 2023. The consolidated answering briefs are due January 12, 2024. The optional reply briefs are due within 7 days

after service of the last-served consolidated answering brief. All parties on a side are encouraged to join in a single brief to the greatest extent practicable. *See* Circuit Advisory Committee Note to 9th Cir. R. 32-2.

No streamlined extensions of time will be approved. *See* 9th Cir. R. 31-2.2(a)(1). No written motions for extensions of time under Ninth Circuit Rule 31-2.2(b) will be granted absent extraordinary and compelling circumstances.

The Clerk will place this appeal on the calendar for February 2024. *See* 9th Cir. Gen. Order 3.3(g).