

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-1322

September Term 2011

**EPA-43FR26380
EPA-43FR26388
EPA-45FR52676
EPA-67FR80186
EPA-74FR66496
EPA-75FR17004
EPA-75FR25323
EPA-75FR25324
EPA-75FR31514
EPA-75FR49556**

Filed On: February 8, 2012

Coalition for Responsible Regulation, Inc., et
al.,

Petitioners

v.

Environmental Protection Agency,
Respondent

State of Michigan, et al.,
Intervenors

Consolidated with 10-1024, 10-1025, 10-1026,
10-1030, 10-1035, 10-1036, 10-1037, 10-1038,
10-1039, 10-1040, 10-1041, 10-1042, 10-1044,
10-1045, 10-1046, 10-1234, 10-1235, 10-1239,
10-1245, 10-1281, 10-1310, 10-1318, 10-1319,
10-1320, 10-1321

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-1322

September Term 2011

No. 10-1073

Coalition for Responsible Regulation, Inc., et
al.,

Petitioners

v.

Environmental Protection Agency,
Respondent

American Frozen Food Institute, et al.,
Intervenors

Consolidated with 10-1083, 10-1099, 10-1109,
10-1110, 10-1114, 10-1118, 10-1119, 10-1120,
10-1122, 10-1123, 10-1124, 10-1125, 10-1126,
10-1127, 10-1128, 10-1129, 10-1131, 10-1132,
10-1145, 10-1147, 10-1148, 10-1199, 10-1200,
10-1201, 10-1202, 10-1203, 10-1206, 10-1207,
10-1208, 10-1210, 10-1211, 10-1212, 10-1213,
10-1216, 10-1218, 10-1219, 10-1220, 10-1221,
10-1222

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-1322

September Term 2011

No. 10-1092

Coalition for Responsible Regulation, Inc., et
al.,

Petitioners

v.

Environmental Protection Agency,
Respondent

Langboard, Inc. - MDF, et al.,
Intervenors

Consolidated with 10-1094, 10-1134, 10-1143,
10-1144, 10-1152, 10-1156, 10-1158, 10-1159,
10-1160, 10-1161, 10-1162, 10-1163, 10-1164,
10-1166, 10-1182

No. 10-1167

American Chemistry Council,
Petitioner

v.

Environmental Protection Agency and Lisa
Perez Jackson, Administrator, U.S.
Environmental Protection Agency,
Respondents

Chamber of Commerce of the United States of
America, et al.,
Intervenors

Consolidated with 10-1168, 10-1169, 10-1170,
10-1173, 10-1174, 10-1175, 10-1176, 10-1177,
10-1178, 10-1179, 10-1180

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-1322

September Term 2011

BEFORE: Sentelle, Chief Judge, and Rogers and Tatel, Circuit Judges

ORDER

Upon consideration of the proposed argument formats, it is

ORDERED that the following oral argument format apply in these cases, which are scheduled for argument on Tuesday, February 28, 2012, at 9:30 A.M. and Wednesday, February 29, 2012, at 9:30 A.M.:

Tuesday, February 28, 9:30 A.M.

I. No. 09-1322 (and consolidated cases), Endangerment Finding – 1 hour, 30 minutes total

Petitioners and Supporting Intervenors	--	45 minutes
Respondents and Supporting Intervenors	--	45 minutes

II. No. 10-1092 (and consolidated cases), Tailpipe Rule – 40 minutes total

Petitioners and Supporting Intervenors	--	20 minutes
Respondents and Supporting Intervenors	--	20 minutes

Wednesday, February 29, 9:30 A.M.

III. No. 10-1167 (and consolidated cases), Historic Regulations; No. 10-1073 (and consolidated cases), Timing and Tailoring Rules – 2 hours, 30 minutes total

Petitioners and Supporting Intervenors	--	75 minutes
Respondents and Supporting Intervenors	--	75 minutes

The panel will hear consolidated argument for Case Nos. 10-1167 and 10-1073. The parties are instructed to address the jurisdictional issues specific to each case first (i.e., the timeliness of the challenge to the historic regulations and standing to challenge the Timing and Tailoring Rules).

In each case, parties may divide argument time among counsel for Petitioners/Respondents and supporting Intervenors as they see fit.

Form 72, which may be accessed through the link on this order, must be completed and returned to the Clerk's office by February 17, 2012.

The following forms and notices are available on the Court's [website](#):

[Notification to the Court from Attorney Intending to Present Argument \(Form 72\)](#)

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-1322

September Term 2011

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk