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****MEDIA ALERT****

EPA Global Warming Litigation: U.S. Court of Appeals Speeds Schedule for Motions, Briefing

WASHINGTON, DC: The U.S. Court of Appeals for the District of Columbia's three-judge panel has issued a sweeping order (No. 09-1322) that will streamline and speed the current multi-party challenges against the U.S. Environmental Protection Agency's (EPA's) greenhouse gas emissions regulations in several key matters, including the following:

- Motions to exceed page limits on briefing and responses are granted, enabling the parties to present more comprehensive evidence and legal precedent.
- The clerk is directed to file the responses in support of motions to stay the EPA's regulatory framework during the pendency of the litigation, which had been held by the clerk over the past several weeks.
- Motions to extend time to respond to Texas' motion to stay are granted, and Texas' motion for expedited consideration is denied.
- The following schedule for briefing the motions to stay is as follows:
 - Consolidated responses of respondents and to responses in support of motions to stay – October 28, 2010
 - Joint response of state and environmental intervenors to motions to stay and responses in support of motions to stay – Nov. 1, 2010
 - Joint response of auto industry intervenors – Nov. 1, 2010
 - Replies in support of motions to stay – Nov. 8, 2010

“As a result of the Court’s rulings this week, there is a distinct probability that the Court will rule on key motions before year’s end, perhaps as early as late November,” said Shannon Goessling, Southeastern Legal Foundation executive director and chief legal counsel representing 15 members of Congress and 16 professional associations and corporations in the litigation challenge. “Those pending rulings have the potential to stop the EPA regulatory steamroller dead in its tracks.”