

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-1155

September Term, 2016

EPA-82FR27133

Filed On: August 30, 2017

Air Alliance Houston, et al.,

Petitioners

v.

Environmental Protection Agency and E.  
Scott Pruitt, Administrator, U.S.  
Environmental Protection Agency,

Respondents

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United Steel, Paper and Forestry, Rubber,  
Manufacturing, Energy, Allied Industrial and  
Service Workers International Union,  
AFL-CIO-CLC, et al.,  
Intervenors  
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Consolidated with 17-1181

**BEFORE:** Kavanaugh, Pillard, and Wilkins, Circuit Judges

**ORDER**

Upon consideration of the motion for stay and expedition or, in the alternative, summary disposition and vacatur, the notice of joinder in the motion, the oppositions to the motion, the reply, the motion for additional time in briefing schedule, and the opposition thereto, it is

**ORDERED** that the motion for stay be denied. The movants have not satisfied the stringent standards for a stay pending court review. See Nken v. Holder, 556 U.S. 418, 434 (2009); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2017). It is

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**FURTHER ORDERED** that the motion for summary disposition and vacatur be denied. The merits of the parties' positions are not so clear as to warrant summary action. See Cascade Broadcasting Group, Ltd. v. FCC, 822 F.2d 1172, 1174 (D.C. Cir. 1987) (per curiam). It is

**FURTHER ORDERED** that the motion for expedition be granted and that the Clerk schedule these consolidated cases for oral argument on the first appropriate date following the completion of briefing. It is

**FURTHER ORDERED** that the motion for additional time in briefing schedule be denied. It is

**FURTHER ORDERED** that, within fourteen days of the date of this order, the parties submit proposed formats and schedules for the briefing of these consolidated cases. 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.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Robert J. Cavello  
Deputy Clerk