

ORAL ARGUMENT NOT YET SCHEDULED

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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CHAMBER OF COMMERCE)	
OF THE UNITED STATES, et al.,)	
)	
	Petitioners,)	
)	
	v.)	Docket No. 09-1237
)	
UNITED STATES ENVIRONMENTAL)	
PROTECTION AGENCY, et al.,)	
)	
	Respondents.)	
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**RESPONDENT’S MOTION FOR EXTENDED
BRIEFING SCHEDULE**

Respondent United States Environmental Protection Agency (“EPA”) hereby moves for an extended briefing schedule in this case. Specifically, EPA requests that it be given 90 days to file its brief on the merits in this case. Counsel for Petitioners has stated that Petitioners oppose this motion and intend to file an opposition.

The petition in this case seeks review of EPA’s grant of a request by the State of California for a waiver of preemption of new motor vehicle emission standards pursuant to section 209(b) of the Clean Air Act, 42 U.S.C. § 7543(b). 74

Fed. Reg. 32,744 (July 8, 2009). The petition raises complex issues regarding the Clean Air Act. Given the complexity of the issues, EPA anticipates that the 30-day period normally allotted for preparation of the respondents' merits briefs will be inadequate to allow for preparation and review of EPA's brief. Furthermore, granting EPA 90 days in which to respond to Petitioners' merits briefs will not unreasonably delay these proceedings, nor will it prejudice any party. Accordingly, EPA's motion for extended briefing schedule should be granted.

Respectfully submitted,

JOHN C. CRUDEN
Acting Assistant Attorney General

/S/ Norman L. Rave, Jr.
NORMAN L. RAVE, JR.
Environmental Defense Section
Environment & Natural Resources Division
United States Department of Justice
P.O. Box 23986
Washington, D.C. 20026-3986
(202) 616-7568
Counsel for Respondents

October 13, 2009

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of October, 2009, the following parties were served by receipt of electronic notification through the Court's CM/ECF system:

Matthew Goodwin Paulson
Baker Botts LLP
98 San Jacinto Boulevard, Suite 1500
Austin, Texas 78701-4039

Robin S. Conrad
Amar D. Sawal
National Chamber Litigation Center
Suite 230
1615 H Street, NW
Washington, DC 20062

Jeffrey Alan Lamken
MoloLamken LLP
The Watergate
600 New Hampshire Ave., NW
Washington, DC 20037

Alexandra Margaret Walsh
Baker Botts LLP
1299 Pennsylvania Avenue, NW
The Warner, Suite 1300 West
Washington, DC 20004-2400

Andrew D. Koblenz
Douglas I. Greenhaus
National Automobile Dealers Association
8400 Westpark Drive
McLean, Virginia 22102

Frederick D. Augenstern
Assistant Attorney General
Attorney General of the Commonwealth
of Massachusetts
Environmental Protection Division
1 Ashburton Place, 18th Floor
Boston, Massachusetts 02108

Joseph Mikitish
Assistant Attorney General
Attorney General of the State of Arizona
1275 W. Washington
Phoenix, Arizona 85007

Kimberly Massicotte
Assistant Attorney General
Attorney General of the State of Connecticut
55 Elm Street
P.O. Box 120
Hartford, Connecticut 06160

Valerie Melissa Satterfield
Deputy Attorney General
Attorney General of the State of Delaware
102 West Water Street
Dover, Delaware 19904

Barney J. Chisolm, Jr.
Deputy General Counsel
State of Florida
Dept. of Environmental Protection
3900 Commonwealth Blvd. - MS 35
Tallahassee, Florida 32399

Gerald T. Karr
Senior Assistant Attorney General
Attorney General of the State of Illinois
100 West Randolph Street
Chicago, Illinois 60601
David R. Sheridan

Assistant Attorney General
State of Iowa
Environmental Law Division
Lucas State Office Building
321 E. 12th Street, Grnd. Floor
Des Moines, Iowa 50319

Gerald D. Reid
Assistant Attorney General
Chief Natural Resources Division
Department of the Attorney General
6 State House Station
Augusta, Maine 04333

Roberta Rose James
Attorney General of the State of Maryland
1800 Washington Blvd.
Baltimore, Maryland 21230

Beverly Marie Conerton
Minnesota Attorney General's Office
445 Minnesota Street, Suite 900
St. Paul, Minnesota 55101-2127

Stephen R. Farris
Assistant Attorney General
Attorney General of the State of New Mexico
P.O. Drawer 1508
Santa Fe, New Mexico 87504

Kevin P. Auerbacher
Attorney General of the State of New Jersey
Richard J. Hughes Justice Complex
25 Market Street
P.O. Box 093
Trenton, New Jersey 08625

Paul S. Logan
Oregon Department of Justice
1515 SW Fifth Ave., Suite 410
Portland, Oregon 97201

Kristen Campfield Furlan
Commonwealth of Pennsylvania,
Department of Environmental Protection
Rachel Carson State Office Bldg, 9th Fl.
400 Market Street
Harrisburg, Pennsylvania 17105

Terence J. Tierney
Office of the Attorney General
150 South Main Street
Providence, Rhode Island 02903

Leslie Riley Seffern
Assistant Attorney General
Office of the Attorney General
P.O. Box 40117
Olympia, Washington 98504

William H. Sorrell
Assistant Attorney General
Attorney General fo the State of Vermont
109 State Street
Montpelier, Vermont 05609

David Bookbinder
Sierra Club
408 C Street, NE
Washington, DC 20002

Sean H. Donahue
Law Office of Sean Donahue
2000 L Street, NW
Suite 808
Washington, DC 20036

David Doniger
Natural Resources Defense Council
1200 New York Avenue
Washington, D.C. 20005

Vickie Lynn Patton
Environmental Defense Fund
2334 N. Broadway
Boulder, Colorado 80304

Marc N. Melnick
Deputy Attorney General
Office of the Attorney General
State of California
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, California 94612

Kathleen A. Kenealy
Deputy Attorney General
Office of the Attorney General
State of California
300 South Spring Street, Suite 1702
Los Angeles, California 90013

Michael Myers
Office of the Attorney General
The Capitol
Albany, New York 12224-0341

Barbara Beth Baird
Kurt R. Wiese
South Coast Air Quality Management District
21865 E. Copley Drive
Diamond Bar, California 91765

/S/ Norman L. Rave, Jr.
Norman L. Rave, Jr.