

96-cv-2430

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED

SEP 19 2011

No. 11-30812

TONY R. MOORE, CLERK
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AKZO NOBEL, INC.; GENERAL CHEMICAL CORP.; MISSISSIPPI LIME
MANAGEMENT CO.; MORTON INTERNATIONAL; OCI OF WYOMING;
LONNY BADEAUX; JOSEPH VENDETTI; METHANE AWARENESS
RESOURCE GROUP; DIESEL COALITION,

Plaintiffs - Appellees

v.

UNITED STATES OF AMERICA; KATHLEEN SEBELIUS, SECRETARY,
DEPARTMENT OF HEALTH AND HUMAN SERVICES; JOHN HOWARD,
Director, National Institute for Occupational Safety and Health; HAROLD
VARMUS, Director, National Cancer Institute,

Defendants - Appellants

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 6:96-CV-2430

Before GARZA, SOUTHWICK, and HAYNES, Circuit Judges.

PER CURIAM:

IT IS ORDERED that Appellants' unopposed motion for leave to file a
reply to the opposition to their motion for stay pending appeal is GRANTED.

IT IS FURTHER ORDERED that Appellants' motion for stay pending appeal is GRANTED IN PART. The district court's August 19, 2011 order is stayed pending appeal except for the order's requirement that final drafts of the study's final three papers, once those papers have been accepted for publication, be provided to the appropriate congressional committee and to the plaintiffs pursuant to an agreement that plaintiffs not disclose or further disseminate the papers; a 90 day review period prior to publication is allowed.

IT IS FURTHER ORDERED that Appellants' motion to expedite the appeal is GRANTED.

A true copy
Attest

Clerk, U. S. Court of Appeals, Fifth Circuit

By Alison Poppy

Deputy

New Orleans, Louisiana

9/14/11

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United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

September 14, 2011

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 11-30812 Methane Awareness, et al v. USA, et al
USDC No. 6:96-CV-2430

Enclosed is an order entered in this case.

In accordance with this order, this case has been tentatively calendared for oral argument the week of December 5, 2011. A printed calendar will issue approximately thirty (30) days prior to the scheduled hearing date.

The expedited briefing schedule will proceed as follows:

Appellants' opening brief will be due for filing by October 14, 2011.

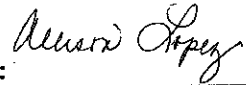
Appellees' brief will be due by November 4, 2011.

Any reply brief of appellants will be due by November 14, 2011.

THE PARTIES MUST ADHERE TO THIS BRIEFING SCHEDULE TO INSURE THE AVAILABILITY OF THE BRIEFS TO THE COURT PRIOR TO THE ORAL ARGUMENT DATE. NO EXTENSIONS SHOULD BE REQUESTED.

Sincerely,

LYLE W. CAYCE, Clerk


By: Allison G. Lopez, Deputy Clerk
504-310-7702

Mr. Henry Chajet
Ms. Helen Louise Gilbert
Ms. Janice Elaine Hebert
Mr. Joseph L. Lemoine Jr.
Mr. Tony R. Moore
Mr. Michael Jay Singer