

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

APR 11 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NATURAL RESOURCES DEFENSE
COUNCIL, INC.; et al.,

Plaintiffs-Appellees,

v.

JAMES R. PERRY, in his official capacity
as Secretary of Energy and U.S.
DEPARTMENT OF ENERGY,

Defendants-Appellants,

and

AIR-CONDITIONING, HEATING, &
REFRIGERATION INSTITUTE,

Intervenor-Defendant.

No. 18-15380

D.C. Nos. 3:17-cv-03404-VC
3:17-cv-03406-VC

Northern District of California,
San Francisco

ORDER

NATURAL RESOURCES DEFENSE
COUNCIL, INC.; et al.,

Plaintiffs-Appellees,

v.

JAMES R. PERRY, in his official capacity
as Secretary of Energy and U.S.
DEPARTMENT OF ENERGY,

Defendants,

and

No. 18-15475

D.C. Nos. 3:17-cv-03404-VC
3:17-cv-03406-VC

AIR-CONDITIONING, HEATING, &
REFRIGERATION INSTITUTE,

Intervenor-Defendant-
Appellant.

Before: GOULD and TALLMAN, Circuit Judges.

The emergency motions to stay the district court's February 15, 2018 order are granted (Docket Entry No. 6 in appeal No. 18-15380 and Docket Entry No. 13 in appeal No. 18-15475). *See Nken v. Holder*, 556 U.S. 418 (2009); *Leiva-Perez v. Holder*, 640 F.3d 962 (9th Cir. 2011).

The court sua sponte expedites proceedings in these consolidated appeals. The opening briefs and excerpts of record are due May 25, 2018; the answering briefs are due June 25, 2018; and the optional reply briefs are due within 21 days after service of the last-served answering brief. All parties on a side are encouraged to join in a single brief to the greatest extent practicable. *See* 9th Cir. R. 28-4.

No streamlined extensions will be approved under Ninth Circuit Rule 31-2.2(a). No written motions for extensions of time under Ninth Circuit Rule 31-2.2(b) will be granted absent extraordinary and compelling circumstances.

The Clerk shall place these appeals on the first available calendar upon completion of briefing.