

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-1263

September Term, 2021

EPA-86FR67864

Filed On: March 15, 2022

Board of County Commissioners of Weld
County, Colorado,

Petitioner

v.

Environmental Protection Agency and Michael
S. Regan, in his official capacity as
Administrator of the U.S. Environmental
Protection Agency,

Respondents

Board of County Commissioners of Boulder
County, et al.,

Intervenors

No. 22-1013

State of Texas and Texas Commission on
Environmental Quality,

Petitioners

v.

Environmental Protection Agency and Michael
S. Regan, Administrator, United States
Environmental Protection Agency,

Respondents

Chaparral Community Coalition for Health and
Environment, et al.,

Intervenors

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-1263**September Term, 2021**

BEFORE: Henderson, Rogers, and Tatel, Circuit Judges

ORDER

Upon consideration of the motion for stay and for expedited briefing schedule filed in No. 21-1263, the responses thereto, and the replies; the motion to dismiss filed in No. 21-1263, the response thereto, and the reply; the motion for leave to file a reply filed in No. 21-1263; and the motion to consolidate, it is

ORDERED that the motion to consolidate be granted. It is

FURTHER ORDERED that the motion for leave to file a reply be granted. The Clerk is directed to file the lodged reply. It is

FURTHER ORDERED that the motion to dismiss be referred to the merits panel to which these petitions for review are assigned. The parties are directed to address in their briefs the issues presented in the motion to dismiss rather than incorporate those arguments by reference. It is

FURTHER ORDERED that the motion for stay be denied. Petitioner has not satisfied the stringent requirements for a stay pending review. See *Nken v. Holder*, 556 U.S. 418, 434 (2009); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2021). It is

FURTHER ORDERED that consideration of the motion for an expedited briefing schedule be deferred. The parties are directed to submit, within 21 days of the date of this order, proposed formats for the briefing of these 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

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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/

Amanda Himes

Deputy Clerk