



General Docket
United States Court of Appeals for the Fifth Circuit

Court of Appeals Docket #: 18-60102
 Center for Bio Diversity, et al v. EPA, et al
Appeal From: Environmental Protection Agency
Fee Status: Fee Paid

Docketed: 02/14/2018
Termed: 08/30/2019

Case Type Information:

- 1) Agency
- 2) Petition for Review
- 3)

Originating Court Information:

District: EPA-1 : 82 Fed. Reg. 45,845

Date Decided:

10/16/2017

Date Rec'd COA:

02/13/2018

Prior Cases:

None

Current Cases:

None

Panel Assignment:

Panel: EHJ JCH ASO

Date of Hearing: 04/03/2019

Date of Decision: 08/30/2019

Date Completed: 08/30/2019

CENTER FOR BIOLOGICAL DIVERSITY
 Petitioner

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GULF RESTORATION NETWORK
 Petitioner

Kristen Monsell
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 (see above)

Cari Miyoko Sakashita, Esq.
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LOUISIANA BUCKET BRIGADE
Petitioner

Kristen Monsell
Direct: 510-844-7137
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(see above)

Cari Miyoko Sakashita, Esq.
Direct: 510-844-7100
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(see above)

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Respondent

Samara Michelle Spence, Trial Attorney
Email: samara.spence@usdoj.gov
[COR LD NTC Government]
U.S. Department of Justice
Environment & Natural Resources Division
601 D Street, N.W.
Washington, DC 20004-0000

SCOTT PRUITT, Administrator, United States Environmental
Protection Agency
Terminated: 07/20/2018
Respondent

ANDREW WHEELER, in his official capacity as Administrator of
the United States Environmental Protection Agency
Respondent

Samara Michelle Spence, Trial Attorney
[COR LD NTC Government]
(see above)

ANNE IDSAL, Region 6 Administrator
Respondent

Samara Michelle Spence, Trial Attorney
[COR LD NTC Government]
(see above)

AMERICAN PETROLEUM INSTITUTE
Intervenor

Steven Joseph Rosenbaum, Attorney
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[COR LD NTC Retained]
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CHAMBER OF COMMERCE OF THE UNITED STATES OF
AMERICA
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(see above)












CENTER FOR BIOLOGICAL DIVERSITY; GULF RESTORATION NETWORK; LOUISIANA BUCKET BRIGADE,

Petitioners


v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; ANDREW WHEELER, in his official capacity as Administrator of the United States Environmental Protection Agency; ANNE IDSAL, Region 6 Administrator,


Respondents

02/14/2018	 155 pg, 1.37 MB	AGENCY CASE docketed. Petition for review filed by Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. Date received in 5th Circuit: 02/13/2018. Administrative Record due on 03/26/2018. [18-60102] (RLL) [Entered: 02/14/2018 11:06 AM]
02/14/2018	 1 pg, 48.78 KB	APPEARANCE FORM received from Ms. Cari Miyoko Sakashita, Esq. for Gulf Restoration Network, Center for Biological Diversity and Louisiana Bucket Brigade for the court's review. Lead Counsel? Yes. [18-60102] (Cari Miyoko Sakashita) [Entered: 02/14/2018 12:48 PM]
02/14/2018		APPEARANCE FORM FILED by Attorney Cari Miyoko Sakashita for Petitioner Louisiana Bucket Brigade in 18-60102, Attorney Cari Miyoko Sakashita for Petitioner Gulf Restoration Network in 18-60102, Attorney Cari Miyoko Sakashita for Petitioner Center for Biological Diversity in 18-60102 [18-60102] (MAS) [Entered: 02/14/2018 05:05 PM]
02/19/2018	 1 pg, 30.07 KB	CASE CAPTION updated. Respondent Anne Idsal added to case. Reason: Petitioner verified that Anne Idsal, Region 6 Administrator, should be added as respondent. [18-60102] (RLL) [Entered: 02/19/2018 07:33 AM]
02/19/2018		INITIAL CASE CHECK by Attorney Advisor complete, Action: Case OK to Process. [8705852-2] Initial AA Check Due satisfied. [18-60102] (RLL) [Entered: 02/19/2018 08:56 AM]
03/05/2018	 1 pg, 138.37 KB	APPEARANCE FORM (<i>Spence</i>) for the court's review. Lead Counsel? Yes. [18-60102] (Samara Michelle Spence) [Entered: 03/05/2018 02:04 PM]
03/07/2018	 1 pg, 127.86 KB	Attorney Samara Spence is advised to resubmit an appearance form using the correct short title. [18-60102] (LBM) [Entered: 03/07/2018 10:20 AM]
03/07/2018	 1 pg, 139.2 KB	APPEARANCE FORM (<i>Amended</i>) for the court's review. Lead Counsel? Yes. [18-60102] (Samara Michelle Spence) [Entered: 03/07/2018 07:45 PM]
03/08/2018		APPEARANCE FORM FILED by Attorney(s) Samara Michelle Spence for party(s) Respondent EPA, Respondent Andrew Wheeler, Respondent Anne Idsal in case 18-60102 [18-60102] (MCS) [Entered: 03/08/2018 02:06 PM]
03/15/2018	 75 pg, 430.86 KB	MOTION by American Petroleum Institute to intervene filed by American Petroleum Institute in support of respondents, Response/Opposition due on 03/26/2018. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: MOTION by American Petroleum Institute to intervene, Date of service: 03/15/2018 via email - Attorney for Petitioner: Sakashita; Attorney for Respondent: Spence; US mail - Attorney for Respondent: Garbow [18-60102] (Steven Joseph Rosenbaum) [Entered: 03/15/2018 04:30 PM]
03/19/2018	 5 pg, 54.19 KB	UNOPPOSED LEVEL 1 EXTENSION REQUESTED by Respondents Mr. Scott Pruitt and EPA for filing Certified Index to the Administrative Record until 04/26/2018 at 11:59 pm. [18-60102] (Samara Michelle Spence) [Entered: 03/19/2018 04:17 PM]
03/20/2018		EXTENSION RECEIVED for Respondents Mr. Scott Pruitt and EPA. Extension Granted to and including 04/26/2018 to create the certified index to the administrative record. [18-60102] (MCS) [Entered: 03/20/2018 08:55 AM]
03/20/2018		EXTENSION OF TIME GRANTED to the Agency to prepare the Administrative Record until 04/26/2018. Administrative Record due on 04/26/2018 [18-60102] (MCS) [Entered: 03/20/2018 09:42 AM]
03/26/2018	 11 pg, 42.04 KB	RESPONSE/OPPPOSITION filed by Petitioners [8735337-1] to the Motion to intervene [8727666-2] . Response/Opposition deadline satisfied. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: RESPONSE/OPPPOSITION filed by Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade [8735337-1] to the Motion to intervene [8727666-2] Date of Service: 03/26/2018 via email - Attorney for Not Party: Rosenbaum; Attorney for Petitioner: Sakashita; Attorney for Respondents: Garbow, Spence. [18-60102] (Cari Miyoko Sakashita) [Entered: 03/26/2018 03:33 PM]
03/28/2018	 5 pg, 40.41 KB	REPLY filed by Respondents Mr. Scott Pruitt and EPA [8737348-1] to the Response/Opposition filed by Petitioners Gulf Restoration Network, Center for Biological Diversity and Louisiana Bucket Brigade in 18-60102 [8735337-2] , to the Motion to intervene [8727666-2] . Date of Service: 03/28/2018 via email - Attorney for Not Party: Rosenbaum; Attorney for Petitioner: Sakashita. [18-60102] (Samara Michelle Spence) [Entered: 03/28/2018 12:17 PM]
03/28/2018		COURT ORDER that the motion of American Petroleum Institute for leave to intervene in support of


2 pg, 156.83 KB respondents is GRANTED with the following conditions: (1) American Petroleum Institute shall only respond to claims raised by the petitioners and may not interject collateral issues into this case; (2) American Petroleum Institute shall review the respondents' brief(s) and remove any duplicative arguments from its own brief prior to filing [\[8727666-2\]](#). Judge(s): JLD. [18-60102] (MCS) [Entered: 03/28/2018 04:04 PM]


04/09/2018  1 pg, 171.61 KB APPEARANCE FORM *Kristen Monsell* for the court's review. Lead Counsel? Yes. [18-60102] (Kristen Monsell) [Entered: 04/09/2018 04:52 PM]


04/09/2018 APPEARANCE FORM FILED by Attorney(s) Kristen Monsell for party(s) Petitioner Louisiana Bucket Brigade, Petitioner Gulf Restoration Network, Petitioner Center for Biological Diversity, in case 18-60102. Attorney Cari Miyoko Sakashita marked as co-counsel for Petitioner Louisiana Bucket Brigade in 18-60102, Attorney Cari Miyoko Sakashita marked as co-counsel for Petitioner Gulf Restoration Network in 18-60102, Attorney Cari Miyoko Sakashita marked as co-counsel for Petitioner Center for Biological Diversity in 18-60102. [18-60102] (SEP) [Entered: 04/11/2018 10:50 AM]


04/18/2018  2 pg, 404.72 KB LETTER filed by Respondents Mr. Scott Pruitt and EPA Notice regarding attorneys listed on docket. Date of Service: 04/18/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence; US mail - Attorney for Respondent: Garbow [18-60102] (Samara Michelle Spence) [Entered: 04/18/2018 09:29 AM]


04/18/2018 ATTORNEY NOT PARTICIPATING. Avi S. Garbow is designated as inactive in this case. Reason: He no longer works for EPA and has never been counsel on this case. [18-60102] (MCS) [Entered: 04/18/2018 11:14 AM]


04/26/2018  9 pg, 504.84 KB CERTIFIED LIST filed. Date of Service: 04/26/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Samara Michelle Spence) [Entered: 04/26/2018 03:24 PM]


04/26/2018  9 pg, 504.25 KB Certified List Filed in lieu of the record. Administrative record deadline satisfied. [18-60102] (MCS) [Entered: 04/27/2018 11:33 AM]


04/27/2018  3 pg, 149.79 KB BRIEFING NOTICE ISSUED A/Pet's Brief Due on 06/06/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. [18-60102] (MCS) [Entered: 04/27/2018 11:37 AM]






06/06/2018  77 pg, 310.17 KB SUFFICIENT APPELLANT'S BRIEF FILED Additionally the Brief requires the brief is in excess of the word count limitation (The system indicates the word count of 13,616 words). Record Excerpts are required. Instructions to Attorney: PLEASE READ THE ATTACHED NOTICE FOR INSTRUCTIONS ON HOW TO REMEDY THE DEFAULT.
A/Pet's Brief deadline satisfied. Sufficient Brief due on 06/28/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. [18-60102]
REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPELLANT'S BRIEF FILED by Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. Date of service: 06/06/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Kristen Monsell) [Entered: 06/06/2018 06:44 PM]

06/06/2018  38 pg, 374.67 KB UNOPPOSED MOTION filed by Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade for leave to file standing declarations [\[8794329-2\]](#). Date of service: 06/06/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Kristen Monsell) [Entered: 06/06/2018 06:50 PM]

06/12/2018  7 pg, 185.47 KB DOCUMENT RECEIVED - NO ACTION TAKEN. No action will be taken at this time on the unopposed joint motion to extend the deadline to file respondent EPA's Answering brief and petitioners' reply brief received from Respondents Mr. Scott Pruitt and EPA because The appellees' brief deadline has not been set, in light of the appellants' brief is an excess of the word count limitation. [18-60102] (MCS) [Entered: 06/14/2018 02:30 PM]


06/14/2018  2 pg, 156.3 KB COURT ORDER that petitioners' unopposed motion for leave to file standing declarations is GRANTED. [\[8794329-2\]](#) Judge(s): JLD. [18-60102] (MCS) [Entered: 06/14/2018 08:00 AM]

06/14/2018  32 pg, 332.33 KB STANDING DECLARATIONS filed by Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade referencing Appellant Brief filed by Petitioners Gulf Restoration Network, Center for Biological Diversity and Louisiana Bucket Brigade in 18-60102 [\[8794328-2\]](#). [18-60102] (See court order of 6/14/18) (MCS) [Entered: 06/14/2018 08:14 AM]

- 06/25/2018  1 pg, 132.74 KB
 PROPOSED SUFFICIENT BRIEF filed by Petitioners Gulf Restoration Network, Center for Biological Diversity and Louisiana Bucket Brigade in 18-60102 [\[8794328-2\]](#) Brief has been deemed sufficient. Sufficient Brief deadline satisfied. E/Res's Brief deadline updated to 07/25/2018 for Respondents Scott Pruitt and United States Environmental Protection Agency. Paper Copies of Brief due on 07/02/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. Record Excerpts are due on 6/28/18. [18-60102] (After further review the petitioners' brief, it has been found to be under the 13,000 word count limitation. (MCS) [Entered: 06/25/2018 02:40 PM]
- 06/27/2018  5 pg, 53.88 KB
 UNOPPOSED LEVEL 1 EXTENSION REQUESTED by Respondents Mr. Scott Pruitt and EPA for filing EPA Answering Brief until 08/15/2018 at 11:59 pm. [18-60102] (Samara Michelle Spence) [Entered: 06/27/2018 02:33 PM]
- 06/27/2018
 EXTENSION RECEIVED for Respondents Mr. Scott Pruitt and EPA. Extension Granted to and including 08/15/2018. E/Res's Brief deadline updated to 08/15/2018 for Respondents Scott Pruitt and United States Environmental Protection Agency [18-60102] (MCS) [Entered: 06/27/2018 03:09 PM]
- 06/27/2018  155 pg, 2.69 MB
 SUFFICIENT RECORD EXCERPTS FILED. Sufficient Record Excerpts deadline satisfied. Paper Copies of Record Excerpts due on 07/23/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. [18-60102]
 REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: RECORD EXCERPTS FILED by Petitioners. Record Excerpts NOT Sufficient as they require Record Excerpts needs to be added to the cover. Instructions to Attorney: PLEASE READ THE ATTACHED NOTICE FOR INSTRUCTIONS ON HOW TO REMEDY THE DEFAULT. Sufficient Record Excerpts due on 07/16/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: RECORD EXCERPTS FILED by Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. *Order Sought to be Reviewed* Date of service: 06/27/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Kristen Monsell) [Entered: 06/27/2018 07:32 PM]
- 07/02/2018
 Paper copies of Appellant Brief filed by Petitioners Gulf Restoration Network, Center for Biological Diversity and Louisiana Bucket Brigade in 18-60102 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [18-60102] (SBS) [Entered: 07/09/2018 11:36 AM]
- 07/09/2018  0 pg, 0 KB
 PROPOSED SUFFICIENT RECORD EXCERPTS filed by Petitioners Gulf Restoration Network, Center for Biological Diversity and Louisiana Bucket Brigade in 18-60102 [\[8811375-2\]](#) Date of service: 07/09/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Kristen Monsell) [Entered: 07/09/2018 08:17 PM]
- 07/23/2018
 Paper copies of Record Excerpts filed by Petitioners Gulf Restoration Network, Center for Biological Diversity and Louisiana Bucket Brigade in 18-60102 received. Paper copies match electronic version of document? Yes # of Copies Provided: 4. Paper Copies of Record Excerpts due deadline satisfied. [18-60102] (SBS) [Entered: 07/27/2018 09:56 AM]
- 07/24/2018  3 pg, 133.63 KB
 LETTER OF ADVISEMENT. Reason: advising counsel to use the amended caption on all future filings in this case [18-60102] (MCS) [Entered: 07/24/2018 04:22 PM]
- 08/14/2018  12 pg, 749.5 KB
 AMENDED CERTIFIED LIST filed. Date of Service: 08/14/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Samara Michelle Spence) [Entered: 08/14/2018 01:09 PM]
- 08/14/2018
 Amended Cert List, FILED [18-60102] (MCS) [Entered: 08/16/2018 09:55 AM]
- 08/15/2018  72 pg, 1.04 MB
 SUFFICIENT APPELLEE'S BRIEF FILED by Respondents United States Environmental Protection Agency, Andrew Wheeler and Anne Idsal. E/Res's Brief deadline satisfied. Sufficient Brief deadline satisfied. Intervenor Brief due on 08/22/2018 for Intervenor American Petroleum Institute.. Paper Copies of Brief due on 08/27/2018 for Respondents United States Environmental Protection Agency and Andrew Wheeler. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPELLEE'S BRIEF FILED by Appellee EPA. Brief NOT Sufficient as it requires a cover w/ Case No. & Caption. Additionally the Brief requires The appendix attached to the back of the brief must be removed and filed separately.. Instructions to Attorney: PLEASE READ THE ATTACHED NOTICE FOR INSTRUCTIONS ON HOW TO REMEDY THE DEFAULT. E/Res's Brief deadline satisfied. Sufficient Brief due on 08/30/2018 for Respondent United States Environmental Protection Agency..

Reply Brief due on 08/29/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPELLEE'S BRIEF FILED by EPA and Mr. Andrew Wheeler. Date of service: 08/15/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Samara Michelle Spence) [Entered: 08/15/2018 03:32 PM]

08/16/2018



0 pg, 0 KB

PROPOSED SUFFICIENT BRIEF filed by Respondents EPA, Mr. Andrew Wheeler and Anne Idsal in 18-60102 [[8851871-2](#)] Date of service: 08/16/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Samara Michelle Spence) [Entered: 08/16/2018 04:27 PM]


08/16/2018



118 pg, 11.27 MB

ADDENDUM TO BRIEF FILED by Respondents EPA, Andrew Wheeler, and Anne Idsal. Paper Copies of Addendum due on 08/27/2018 for Respondents United States Environmental Protection Agency and Andrew Wheeler. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: ADDENDUM TO BRIEF FILED by Respondents EPA and Mr. Andrew Wheeler Date of Service: 08/16/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Samara Michelle Spence) [Entered: 08/16/2018 04:29 PM]

08/17/2018



6 pg, 267.36 KB

DOCUMENT RECEIVED - NO ACTION TAKEN. No action will be taken at this time on the ecf extension request letter received from Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade because the deadline for filing the reply brief was set prematurely. The reply brief is not due until 14 days after the filing of the intervenor's brief. [18-60102] (MCS) [Entered: 08/20/2018 03:52 PM]


08/22/2018



67 pg, 413.73 KB

INTERVENOR'S BRIEF FILED by American Petroleum Institute. Intervenor Brief deadline satisfied. Reply Brief due on 09/05/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. Paper Copies of Brief due on 08/28/2018 for Intervenor American Petroleum Institute. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: INTERVENOR'S BRIEF FILED by Intervenor American Petroleum Institute. Date of service: 08/22/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Steven Joseph Rosenbaum) [Entered: 08/22/2018 02:16 PM]

08/22/2018



1 pg, 489.36 KB

APPEARANCE FORM of *J. Scott Janoe* for the court's review. Lead Counsel? Yes. [18-60102] (Jacob Scott Janoe) [Entered: 08/22/2018 02:50 PM]

08/23/2018



38 pg, 119.95 KB

MOTION filed by Not Parties Chamber of Commerce of the United States of America and National Association of Manufacturers to file amici curiae brief in support of Respondents [8857836-2] [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: MOTION by Chamber of Commerce of the United States of America and National Association of Manufacturers to file amici curiae brief [8857836-2] Date of service: 08/23/2018 via email - Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Jacob Scott Janoe) [Entered: 08/23/2018 08:33 AM]

08/23/2018



5 pg, 99.23 KB

UNOPPOSED LEVEL 1 EXTENSION REQUESTED by Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade for filing Reply Brief until 09/12/2018. [18-60102] (Kristen Monsell) [Entered: 08/23/2018 03:11 PM]

08/23/2018

Paper copies of Appellee Brief filed by Respondents EPA and Mr. Andrew Wheeler in 18-60102 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [18-60102] (SBS) [Entered: 08/29/2018 01:34 PM]

08/23/2018

Paper copies of Addendum Brief filed by Respondents EPA and Mr. Andrew Wheeler in 18-60102 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Addendum due deadline satisfied. [18-60102] (SBS) [Entered: 08/29/2018 01:36 PM]

08/24/2018


EXTENSION RECEIVED for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. Extension Granted to and including 09/12/2018. Reply Brief deadline updated to 09/12/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade [18-60102] (MCS) [Entered: 08/24/2018 07:40 AM]

08/24/2018

Paper copies of Intervenor Brief filed by Intervenor American Petroleum Institute in 18-60102 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief

due deadline satisfied. [18-60102] (SBS) [Entered: 08/29/2018 01:38 PM]

09/06/2018

 2 pg, 171.61 KB

COURT ORDER that the motion of Chamber of Commerce of the United States of America and National Association of Manufacturers to file amici curiae brief in support of respondents is GRANTED [[8857836-2](#)]. Judge(s): JLD. [18-60102] (MCS) [Entered: 09/06/2018 02:10 PM]

09/06/2018

 35 pg, 438.02 KB


SUFFICIENT

AMICUS CURIAE BRIEF FILED by Chamber of Commerce of the United States of America and National Association of Manufacturers. Consent is Not Necessary as a Motion has been Granted.

of Copies Provided: 0


Sufficient Brief deadline satisfied. Paper Copies of Brief due on 09/17/2018 for Amici Curiae Chamber of Commerce of the United States of America and National Association of Manufacturers. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: AMICUS CURIAE BRIEF FILED by Chamber of Commerce of the United States of America and National Association of Manufacturers. Consent is Not Necessary as a Motion has been Granted. Brief NOT Sufficient as it requires a Cert of Interested Persons. Additionally the Brief requires The Certificate of Interested Persons, Table of Contents, Table of Authorities, Certificate of Service and Certificate of Compliance needs to be listed on the Table of Contents. Instructions to Attorney: PLEASE READ THE ATTACHED NOTICE FOR INSTRUCTIONS ON HOW TO REMEDY THE DEFAULT. Sufficient Brief due on 09/20/2018 for Amici Curiae Chamber of Commerce of the United States of America and National Association of Manufacturers. [18-60102] (MCS) [Entered: 09/06/2018 02:39 PM]

09/07/2018

 0 pg, 0 KB

PROPOSED SUFFICIENT BRIEF filed by Amici Curiae Chamber of Commerce of the United States of America and National Association of Manufacturers in 18-60102 [[8868329-2](#)] Date of service: 09/07/2018 via email - Attorney for Amicus Curiae: Janoe; Attorney for Intervenor: Rosenbaum; Attorney for Petitioners: Monsell, Sakashita; Attorney for Respondent: Spence [18-60102] (Jacob Scott Janoe) [Entered: 09/07/2018 01:44 PM]

09/12/2018

 40 pg, 535.64 KB

SUFFICIENT APPELLANT'S REPLY BRIEF FILED by Petitioners.

Sufficient Brief deadline satisfied. Paper Copies of Brief due on 09/26/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPELLANT'S REPLY BRIEF FILED Brief NOT Sufficient as it requires Table of Contents, Certificate of Service and Certificate of Compliance needs to be listed on the Table on Authorities. Instructions to Attorney: PLEASE READ THE ATTACHED NOTICE FOR INSTRUCTIONS ON HOW TO REMEDY THE DEFAULT. Reply Brief deadline satisfied. Sufficient Brief due on 10/02/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPELLANT'S REPLY BRIEF FILED by Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. Date of service: 09/12/2018 via email - Attorney for Amicus Curiae: Janoe; Attorney for Petitioners: Monsell, Sakashita; Attorney for Intervenor: Rosenbaum; Attorney for Respondent: Spence [18-60102] (Kristen Monsell) [Entered: 09/12/2018 07:50 PM]


09/13/2018

APPEARANCE FORM FILED by Attorney Jacob Scott Janoe for Amicus Curiae National Association of Manufacturers in 18-60102, Attorney Jacob Scott Janoe for Amicus Curiae Chamber of Commerce of the United States of America in 18-60102 [18-60102] (MCS) [Entered: 09/13/2018 10:38 AM]

09/13/2018


Paper copies of Amicus Brief filed by Amici Curiae Chamber of Commerce of the United States of America and National Association of Manufacturers in 18-60102 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [18-60102] (SBS) [Entered: 09/17/2018 11:01 AM]

09/18/2018

 0 pg, 0 KB






PROPOSED SUFFICIENT BRIEF filed by Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade [[8873165-2](#)] Date of service: 09/18/2018 via email - Attorney for Amicus Curiae: Janoe; Attorney for Petitioners: Monsell, Sakashita; Attorney for Intervenor: Rosenbaum; Attorney for Respondent: Spence [18-60102] (Kristen Monsell) [Entered: 09/18/2018 05:43 PM]

09/25/2018

 3649 pg, 116.31 MB

APPENDIX FILED Paper Copies of Appendix due on 10/09/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPENDIX FILED by Petitioners. Paper Copies of Appendix due on 10/09/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade. [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPENDIX FILED [18-60102] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPENDIX FILED

by Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade
Date of Service: 09/25/2018 via email - Attorney for Amicus Curiae: Janoe; Attorney for Petitioners:
Monsell, Sakashita; Attorney for Intervenor: Rosenbaum; Attorney for Respondent: Spence [18-60102]
(Kristen Monsell) [Entered: 09/25/2018 09:39 PM]

- 09/26/2018 Paper copies of Appellant Reply Brief filed by Petitioners Gulf Restoration Network, Center for Biological Diversity and Louisiana Bucket Brigade in 18-60102 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [18-60102] (SBS) [Entered: 10/01/2018 10:32 AM]
- 10/10/2018  2 pg, 164.52 KB Paper copies of Appendix filed by Petitioners Gulf Restoration Network, Center for Biological Diversity and Louisiana Bucket Brigade in 18-60102 received. Paper copies match electronic version of document? No, as the number of volumes electronically filed does not match the number of volumes received in paper form. # of Copies Provided: 1. Paper Copies of Appendix due deadline satisfied.. Sufficient Paper Copies of Appendix due on 10/16/2018 for Petitioners Center for Biological Diversity, Gulf Restoration Network and Louisiana Bucket Brigade [18-60102] (SBS) [Entered: 10/11/2018 08:17 AM]
- 10/15/2018 Paper copies of Appendix [8894429-2] received as sufficient. Sufficient Paper Copies of Addendum due deadline satisfied. [18-60102] (MCS) [Entered: 10/15/2018 03:17 PM]
- 11/02/2018  1 pg, 142.36 KB APPEARANCE FORM received from Mr. Steven Joseph Rosenbaum for American Petroleum Institute for the court's review. Lead Counsel? Yes. [18-60102] (Steven Joseph Rosenbaum) [Entered: 11/02/2018 09:49 AM]
- 11/07/2018 APPEARANCE FORM FILED by Attorney Steven Joseph Rosenbaum for Intervenor American Petroleum Institute in 18-60102 [18-60102] (MCS) [Entered: 11/07/2018 03:21 PM]
- 12/10/2018  1 pg, 154.64 KB CASE TENTATIVELY calendared for oral argument for the week of 02/04/2019. [18-60102] (GAM) [Entered: 12/08/2018 12:04 PM]
- 12/10/2018  1 pg, 154.38 KB TENTATIVE CALENDAR changed from week of 02/04/2019 to week of 04/01/2019. With Argument? Yes. [18-60102] (GAM) [Entered: 12/10/2018 02:23 PM]
- 02/13/2019 CASE CALENDARED for oral argument on Wednesday, 04/03/2019 in Houston -- AM session. In accordance with our policy, lead counsel only will receive via email at a later date a copy of the court's docket and an acknowledgment form. All other counsel of record should monitor the court's website for the posting of the oral argument calendars.. [18-60102] (SME) [Entered: 02/13/2019 01:50 PM]
- 03/15/2019  3 pg, 102.56 KB CASE CAPTION updated. Party information modified for Andrew Wheeler in 18-60102. [18-60102] (MCS) [Entered: 03/15/2019 09:58 AM]
- 03/19/2019  1 pg, 139.12 KB APPEARANCE FORM for the court's review. Lead Counsel? No. [18-60102] (David Aiken Carson) [Entered: 03/19/2019 03:32 PM]
- 03/21/2019 APPEARANCE FORM FILED by Attorney(s) David Aiken Carson for party(s) Respondent EPA, Respondent Anne Idsal, Respondent Andrew Wheeler, in case 18-60102 [18-60102] (MCS) [Entered: 03/21/2019 04:27 PM]
- 03/25/2019  1 pg, 76.46 KB The ORAL ARGUMENT panel has requested that counsel be prepared to discuss at oral argument, petitioners' standing to sue. [18-60102] (SME) [Entered: 03/25/2019 11:54 AM]
- 04/03/2019 ORAL ARGUMENT HEARD before Judges Jones, Ho, Oldham. Arguing Person Information Updated for: David Aiken Carson arguing for Respondent Anne Idsal, Respondent United States Environmental Protection Agency; Arguing Person Information Updated for: Kristen Monsell arguing for Petitioner Center for Biological Diversity, Petitioner Gulf Restoration Network; Arguing Person Information Updated for: Steven Joseph Rosenbaum arguing for Intervenor American Petroleum Institute [18-60102] (SME) [Entered: 04/03/2019 01:11 PM]
- 08/30/2019  22 pg, 237.4 KB PUBLISHED OPINION FILED. [18-60102 Dismissed] Judge: EHJ , Judge: JCH , Judge: ASO. Mandate issue date is 10/22/2019 [18-60102] (NFD) [Entered: 08/30/2019 01:08 PM]
- 08/30/2019  1 pg, 35.31 KB JUDGMENT ENTERED AND FILED. Costs Taxed Against: Petitioners. [18-60102] (NFD) [Entered: 08/30/2019 01:14 PM]
- 10/22/2019  22 pg, 286.35 KB MANDATE ISSUED. Mandate issue date satisfied. [18-60102] (DTG) [Entered: 10/22/2019 11:18 AM]

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