

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-1143**September Term, 2022****EPA-88FR20688****Filed On: July 24, 2023** [2009161]

Western States Trucking Association, Inc.
and Construction Industry Air Quality
Coalition, Inc.,

Petitioners

v.

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

Respondents

Center for Biological Diversity, et al.,
Intervenors

Consolidated with 23-1144, 23-1145,
23-1146, 23-1147, 23-1148

ORDER

Upon consideration of the motions for leave to intervene filed by:

East Yard Communities for Environmental Justice, People's Collective for
Environmental Justice, Natural Resources Defense Council, Center for Biological
Diversity, Environmental Defense Fund, Sierra Club, State of Washington, District of
Columbia, State of New Jersey, State of Maine, State of Hawaii, State of Illinois, State
of Maryland, State of Colorado, State of New York, State of Connecticut, State of
Vermont, State of Rhode Island, State of North Carolina, State of California, State of
Minnesota, State of Delaware, State of Oregon, City of New York, Commonwealth of
Pennsylvania, Commonwealth of Massachusetts, City of Los Angeles,

it is **ORDERED** that the motions be granted.

Circuit Rules 28(d) and 32(e)(2) govern the filing of briefs by intervenors. A

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schedule for the filing of briefs will be established by future order. That order will automatically provide briefing only for intervenors on the side of respondents. Any intervenor(s) intending to participate in support of petitioners must so notify the court, in writing, within 14 days of the date of this order. Such notification must include a statement of the issues to be raised by the intervenor(s). This notification will allow tailoring of the briefing schedule to provide time for a brief as intervenor on the side of petitioners. Failure to submit notification could result in an intervenor being denied leave to file a brief.

Intervenors supporting the same party are reminded that they **must** file a joint brief or certify to the court why a separate brief is necessary. Intervenors' attention is particularly directed to D.C. Circuit Handbook of Practice and Internal Procedures 39 (2021), which describes "unacceptable" grounds for filing separate briefs. Failure to comply with this order may result in the imposition of sanctions. See D.C. Cir. Rule 39.

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/
Tatiana A. Magruder
Deputy Clerk