

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STATE OF CALIFORNIA, et al., Plaintiffs, v. JANE NISHIDA, as the Acting Administrator of the United States Environmental Protection Agency, <i>et al.</i> , Defendants, and STATE OF GEORGIA, <i>et al.</i> , Defendant-Intervenors.

Case No. [20-cv-03005-RS](#)

**ORDER GRANTING STAY AND
EXTENSION OF DEADLINES, AND
GRANTING MOTIONS FOR LEAVE
TO FILE AMICUS BRIEFS**

Defendants seek a stay and an extension of briefing deadlines and the summary judgment hearing date. Notwithstanding the points raised by the Intervening States, there is good cause for the limited relief sought at this juncture in light of all of the circumstances. Because the challenged rule remains effect, there is no undue prejudice to the Intervening States. Accordingly, it is ordered that:

1. This matter be stayed by 60 days.
2. Amicus briefs will be due 14 days after the stay is lifted. The pending unopposed motions to appear as amicus curaie (Dkt. Nos. 224 and 225) are granted.
3. Plaintiffs' Reply brief will be due June 1, 2021.

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4. The Agencies/Defendant-Intervenors' Reply brief will be due July 20, 2021.

5. The hearing date is continued to Friday, August 20, 2021 at 1:00 p.m.

6. The case management conference is continued to September 30, 2021.

7. This order is without prejudice to the right of any party to seek a further stay. All parties also retain the right to move this Court to lift the stay prior to the end of the abeyance period if circumstances warrant resuming litigation.

8. The parties shall meet and confer regarding the status of the Agencies' review of the 2020 Rule at least 14 days before the stay is set to expire, and shall file a status report at least seven days before the stay is set to expire regarding the status of the Agencies' review of the 2020 Rule and plans by any party to seek further stay of the litigation or enlargement of deadlines.

IT IS SO ORDERED.

Dated: February 17, 2021



RICHARD SEEBORG
Chief United States District Judge