

## UNITED STATES COURT OF APPEALS

**FILED**

FOR THE NINTH CIRCUIT

JUN 29 2005

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

OUR CHILDREN'S EARTH  
FOUNDATION, and ECOLOGICAL  
RIGHTS FOUNDATION;

Plaintiffs - Appellants,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY; MICHAEL O.  
LEAVITT, Administrator of EPA;  
STEVEN L. JOHNSON,

Defendants - Appellees,

ASSOCIATION OF METROPOLITAN  
SEWERAGE AGENCIES; EFFLUENT  
GUIDELINES INDUSTRY COALITION;  
THE UTILITY WATER ACT GROUP  
(UWAG),

Defendant-Intervenors -  
Appellees.

No. 05-16214

D.C. No. CV-04-02132-PJH

**TIME SCHEDULE  
ORDER**

The parties shall meet the following time schedule:

- 7/5/05** Appellant/petitioner shall notify appellee/respondent of transcripts to be ordered, pursuant to 9th Cir. R. 10-3.1(a);
- 7/14/05** Appellee/respondent shall notify appellant/petitioner of any additional transcripts needed, pursuant to 9th Cir. R. 10-3.1(b);

- 7/25/05** Appellant/petitioner shall file transcript order form with the district court and make payment arrangements with court reporter, pursuant to 9th Cir. R. 10-3.1;
- 8/24/05** Court reporter shall file transcript in the district court, pursuant to FRAP 11(b) and 9th Cir. R. 11-1.1;
- 10/11/05** Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1;
- 11/9/05** The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and 9th Cir. R. 32-1
- \*\*\*** The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

**Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1**

**Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.**

FOR THE COURT:

Cathy A. Catterson  
Clerk of Court

By: Kwok K. Wong  
Deputy Clerk

