

**United States Court of Appeals**

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 22-5238****September Term, 2022****1:21-cv-02509-JEB****Filed On:** October 18, 2022

Maine Lobstermen's Association,

Appellant

State of Maine Department of Marine  
Resources, et al.,

Appellees

v.

National Marine Fisheries Service, et al.,

Appellees

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Consolidated with 22-5244, 22-5245, 22-5246**BEFORE:** Henderson, Wilkins, and Pan, Circuit Judges**ORDER**

Upon consideration of the unopposed motions to expedite, it is

**ORDERED** that the motions be granted. The following briefing schedule and format will apply in these consolidated appeals:Brief of Maine Lobstermen's Association  
(not to exceed 13,000 words) November 9, 2022Briefs of State of Maine,  
Massachusetts Lobstermen's Association,  
and District 4 Lodge November 9, 2022  
(up to two briefs, not to exceed  
9,100 words in the aggregate)

Appendix November 9, 2022

Joint Brief of Federal Appellees  
(not to exceed 13,000 words) December 20, 2022

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 22-5238**

**September Term, 2022**

Joint Brief of Conservation Law Foundation,  
Center for Biological Diversity,  
and Defenders of Wildlife  
(not to exceed 9,100 words)

December 20, 2022

Reply Brief of Maine Lobstermen's Association  
(not to exceed 6,500 words)

January 10, 2023

Reply Briefs of State of Maine,  
Massachusetts Lobstermen's Association,  
and District 4 Lodge  
(up to two briefs, not to exceed  
4,550 words in the aggregate)

January 10, 2023

The Clerk is directed to calendar these cases for oral argument on the first appropriate date following the completion of briefing. The parties will be informed later of the date of oral argument and the composition of the merits panel.

Appellants should raise all issues and arguments in the opening briefs. The court ordinarily will not consider issues and arguments raised for the first time in the reply briefs.

To enhance the clarity of their briefs, the parties are urged to limit the use of abbreviations, including acronyms. While acronyms may be used for entities and statutes with widely recognized initials, briefs should not contain acronyms that are not widely known. See D.C. Circuit Handbook of Practice and Internal Procedures 43 (2021); Notice Regarding Use of Acronyms (D.C. Cir. Jan. 26, 2010).

Parties are strongly encouraged to hand deliver the paper copies of their briefs to the Clerk's office on the date due. Filing by mail may delay the processing of the brief. Additionally, counsel are reminded that if filing by mail, they must use a class of mail that is at least as expeditious as first-class mail. See Fed. R. App. P. 25(a). All briefs and appendices must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

**Per Curiam**

**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/  
Laura Chipley  
Deputy Clerk

# United States Court of Appeals

District of Columbia Circuit  
Washington, D.C. 20001-2866

Mark J. Langer  
Clerk

(202) 216-7300

## NOTICE TO COUNSEL:

### SCHEDULING ORAL ARGUMENT

The court has entered an order setting a briefing schedule in a case in which you are counsel of record. Once a briefing order has been entered, the case may be set for oral argument.

You will be notified by separate order of the date and time of oral argument. Once a case has been calendared, the Clerk's Office cannot change the argument date, and ordinarily the court will not reschedule it. Any request to reschedule must be made by motion, which will be presented to a panel of the court for disposition. The court disfavors motions to postpone oral argument and will grant such a motion only upon a showing of "extraordinary cause." See D.C. Cir. Rule 34(g).

If you are the arguing counsel, and you will be unavailable to appear for oral argument on a date in the future, so advise the Clerk's Office by letter, filed electronically. The notification should be filed as soon as possible and updated if a potential scheduling conflict arises later, or if there is any change in availability. To the extent possible, the Clerk's Office will endeavor to schedule oral argument to avoid conflicts that have been brought to the court's attention in advance. See D.C. Circuit Handbook of Practice and Internal Procedures at IX.A.1, XI.A.

Counsel must notify the court when serious settlement negotiations are underway, when settlement of the case becomes likely, and when settlement is reached. Such notice allows for more efficient allocation of judicial resources. Additionally, counsel should promptly notify the court if settlement negotiations are terminated. Notice must be given in an appropriate motion or by letter to the Clerk at the earliest possible moment. See, e.g., D.C. Circuit Handbook of Practice and Internal Procedures at X.D., XI.A.