

FILED

UNITED STATES COURT OF APPEALS

JUL 02 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

POWELL'S BOOKS, INC.; et al.,

Plaintiffs - Appellants,

v.

MATT SHIRTCLIFF, Baker County
District Attorney, in his official capacity;
et al.,

Defendants - Appellees.

Nos. 09-35153 and 09-35154

D.C. No. 3:08-cv-00501-MO
District of Oregon,
Portland

ORDER

Before: Peter L. Shaw, Appellate Commissioner

Appellants have stated that they are represented by separate counsel.

Accordingly, the opposed motion of appellants Powell's Books, Inc. and ACLU of Oregon for reconsideration of the June 3, 2009 order is granted in part.

Appeal nos. 09-35153 and 09-35154 remain consolidated to the extent that they shall be assigned to the same merits panel. The appeals may be briefed separately.

The briefing schedule for 09-35153 is as follows: the opening brief is due July 23, 2009; the consolidated answering brief is due August 24, 2009; and the optional reply brief is due within 14 days after service of the answering brief.

09-35153 and 09-35154

The briefing schedule for 09-35154 is as follows: the opening brief is due July 23, 2009; the consolidated answering brief is due August 24, 2009; and the optional reply brief is due within 14 days after service of the answering brief.

Appellants' motion for leave to file a single excerpts of record is granted.