

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE
500 WEST CAPITOL AVENUE, SUITE D-469
LITTLE ROCK, ARKANSAS 72201-3325

J. LEON HOLMES
UNITED STATES DISTRICT JUDGE

(501) 604-5380
FAX: (501) 604-5389

January 9, 2015

Via CM/ECF to
All Attorneys Of Record

Re: No. 3:14CV0193 JLH
Nucor Steel-Arkansas and Nucor-Yamato Steel Co. v. Big River Steel, LLC

Dear Counselors:

As you know, we have a hearing scheduled to begin at 9:30 a.m., on Friday, January 16, 2015, for the purpose of hearing argument on Big River Steel's motion to dismiss. I suggest that forty-five minutes per side should be sufficient time to present the arguments. I also suggest that we should first hear the arguments on the issues of whether the Clean Air Act authorizes this suit, whether this suit constitutes a collateral attack on an air permit, whether Nucor has Article III standing, and whether Nucor's claims fall outside the zone of interests protected by the Clean Air Act. I would like to hear first from Big River Steel on those issues, then a response from Nucor Steel, and then a reply from Big River Steel. Then, if time remains, I would permit arguments on the remaining issues.

If anyone objects to this protocol, please let me know. If not, please plan your arguments accordingly.

Respectfully yours,



Leon Holmes

JLH/lkc