

FILED

UNITED STATES COURT OF APPEALS

JAN 24 2020

FOR THE NINTH CIRCUIT

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

SIERRA CLUB; SOUTHERN BORDER  
COMMUNITIES COALITION,

Plaintiffs-Appellees,

v.

DONALD J. TRUMP, in his official  
capacity as President of the United States;  
et al.,

Defendants-Appellants.

No. 19-17501

D.C. No. 4:19-cv-00892-HSG  
Northern District of California,  
Oakland

ORDER

STATE OF CALIFORNIA; et al.,

Plaintiffs-Appellees,

v.

DONALD J. TRUMP, in his official  
capacity as President of the United States  
of America; et al.,

Defendants-Appellants.

No. 19-17502

D.C. No. 4:19-cv-00872-HSG  
Northern District of California,  
Oakland

STATE OF CALIFORNIA; et al.,

Plaintiffs-Appellants,

and

STATE OF CONNECTICUT; et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official  
capacity as President of the United States  
of America; et al.,

Defendants-Appellees.

Nos. 20-15044

D.C. No. 4:19-cv-00872-HSG  
Northern District of California,  
Oakland

Before: THOMAS, Chief Judge, and WARDLAW and COLLINS, Circuit Judges.

Defendants have filed a motion to consolidate case No. 19-17501 with the Defendants' appeal and the States' cross-appeal in case Nos. 19-17502 & 20-15044, to revise the Court's briefing schedules, and to address the oral argument calendar. Plaintiffs have filed separate responses. Both request that oral argument be scheduled for the March calendar, and the States propose their own modified briefing schedule.

The Court grants Defendants' motion to consolidate the cases for the purposes of oral argument and briefing. The Court also vacates its prior briefing schedule and adopts the States' modified proposed briefing schedule. Defendants' opening brief is due January 24, 2020. Sierra Club Case plaintiffs' response brief and the States' combined response brief and opening brief on cross-appeal are due February 13, 2020. Defendants' combined reply brief and response brief on cross-appeal is due on February 27, 2020. The States' optional reply brief on cross-appeal is due on March 2, 2020. Oral argument is scheduled for the week of March 9, 2020. The date and time will be scheduled at a later date. The Court continues to have the pending emergency motion to lift the stay pending appeal under advisement.