

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-07-00455-CV

Walter West, P.E., Appellant

v.

**Texas Commission on Environmental Quality
and Abitibi-Consolidated Corp., Appellees**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 201ST JUDICIAL DISTRICT
NO. D-1-GN-06-000201, HONORABLE W. JEANNE MEURER, JUDGE PRESIDING**

NO. 03-07-00456-CV

Walter West, P.E., and The Lone Star Chapter of The Sierra Club, Appellants

v.

**Texas Commission on Environmental Quality
and Abitibi-Consolidated Corp., Appellees**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 353RD JUDICIAL DISTRICT
NO. D-1-GN-06-000598, HONORABLE W. JEANNE MEURER, JUDGE PRESIDING**

ORDER

Appellants Walter West, P.E., and the Lone Star Chapter of the Sierra Club have filed a motion requesting the Court to consolidate the two above-referenced cause numbers for all purposes. Alternatively, appellants ask the Court to consolidate these two causes for the limited purpose of briefing and submission on “a shared administrative record and a shared trial court

record.” Appellee Abitibi-Consolidated Corp. has filed a response in opposition to appellants’ motion to consolidate for all purposes, but does not oppose consolidation for the limited purpose of briefing and submission on “a shared appellate record.”

Upon review of appellants’ motion and the response thereto, the Court grants appellants’ motion in part and consolidates the two above-referenced causes for the limited purpose of briefing and submission on a shared administrative record and a shared reporter’s record.¹ The parties shall file consolidated briefs in accordance with the schedule established in Texas Rule of Appellate Procedure 38.6. *See* Tex. R. App. P. 38.6. The briefing schedule shall run from the date the complete record is filed in both causes. *Id.* Each party shall file two originals and seven copies of its brief.

It is so ordered October 2, 2007.

Jan P. Patterson, Justice

Before Justices Patterson, Puryear and Pemberton

Filed: October 2, 2007

¹ A separate clerk’s record shall be submitted in each cause.