

FILED

JUN 22 2004

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

WASHINGTON TOXICS COALITION; et
al.,

Plaintiffs - Appellees,

v.

ENVIRONMENTAL PROTECTION
AGENCY; et al.,

Defendants - Appellants,

and,

CROPLIFE AMERICA; et al.,

Defendants/Intervenors -
Appellants.

Nos. 04-35138
04-35212
04-35237
04-35244

D.C. No. CV-01-132-JCC
Western Washington (Seattle)

ORDER

Before: LEAVY and THOMAS, Circuit Judges

The motion to consolidate appeal nos. 04-35138, 04-35212, 04-35237, and 04-35244 is granted. The clerk shall amend the docket to reflect the consolidation of these appeals.

The second emergency motion to stay the district court's January 22, 2004 permanent injunction order pending appeal, filed by appellants CropLife America, et al. in appeal no. 04-35138, is denied.

04-35138, 04-35212, 04-35237, 05-35244

The emergency motion to stay the district court's January 22, 2004 permanent injunction order pending appeal, filed by appellant Washington State Farm Bureau in appeal no. 04-35237, is denied.

The briefing schedule for these consolidated appeals is reset as follows: appellants' opening briefs are due July 7, 2004; appellees' answering brief is due August 6, 2004; and appellants' optional reply briefs are due within 14 days after service of appellees' brief. All parties on a side are encouraged to join in a single brief to the greatest extent practicable. See 9th Cir. R. 28-4.

Ninth Circuit Rule 31-2.2(a) governing oral requests for an extension of time to file a brief shall not apply to these consolidated appeals. The Clerk shall not grant any written requests for an extension of time to file the briefs absent extraordinary and compelling circumstances.

The Clerk shall calendar these consolidated appeals during the week of September 13-17, 2004 in Seattle, Washington.