

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 20 1187****September Term, 2022****NRC CLI 20 04****NRC CLI 21 04****NRC CLI 21 07****Filed On:** August 10, 2023

Beyond Nuclear, Inc.,

Petitioner

v.

U.S. Nuclear Regulatory Commission and  
United States of America,

Respondents

Fasken Land and Minerals, Ltd., et al.,  
Intervenors

Consolidated with 20 1225, 21 1104, 21 1147

**BEFORE:** Henderson and Walker, Circuit Judges**ORDER**

Upon consideration of the joint motion to govern future proceedings, it is

**ORDERED** that the following briefing schedule and format will apply in these consolidated cases:

Petitioners Opening Brief(s) (not to exceed 20,000 words in the aggregate, divided among no more than three briefs)	September 1, 2023
Respondents Brief (not to exceed 20,000 words)	November 9, 2023
Respondent Intervenor s Brief (not to exceed 9,100 words)	December 1, 2023

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Petitioners Reply Brief(s)  
(not to exceed 10,000 words in the  
aggregate, divided among no more  
than three briefs)

December 22, 2023

Deferred Appendix

January 16, 2024

Final Briefs

January 23, 2024

The parties will be informed later of the date of oral argument and the composition of the merits panel.

The court reminds the parties that

In cases involving direct review in this court of administrative actions, the brief of the appellant or petitioner must set forth the basis for the claim of standing. . . . When the appellant s or petitioner s standing is not apparent from the administrative record, the brief must include arguments and evidence establishing the claim of standing.

See D.C. Cir. Rule 28(a)(7).

To avoid any duplication, petitioners are obliged to consult during the preparation of their briefs and to adopt relevant portions of each other s briefs. Briefs which are repetitious wholly or in part will be stricken.

Petitioners should raise all issues and arguments in the opening briefs. The court ordinarily will not consider issues and arguments raised for the first time in the reply brief.

To enhance the clarity of their briefs, the parties are urged to limit the use of abbreviations, including acronyms. While acronyms may be used for entities and statutes with widely recognized initials, briefs should not contain acronyms that are not widely known. See D.C. Circuit Handbook of Practice and Internal Procedures 43 (2021); Notice Regarding Use of Acronyms (D.C. Cir. Jan. 26, 2010).

Parties are strongly encouraged to hand deliver the paper copies of their briefs to the Clerk s office on the date due. Filing by mail may delay the processing of the brief. Additionally, counsel are reminded that if filing by mail, they must use a class of mail that is at least as expeditious as first class mail. See Fed. R. App. P. 25(a). All briefs

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and appendices must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

**Per Curiam****FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/

Amy Yacisin

Deputy Clerk