

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

**No. 09-1322**

**September Term 2010**

**EPA-74FR66496**

**EPA-75FR49556**

**Filed On: December 10, 2010**

Coalition for Responsible Regulation, Inc., et al.,

Petitioners

v.

Environmental Protection Agency,

Respondent

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Consolidated with 10-1024, 10-1025, 10-1026,  
10-1030, 10-1035, 10-1036, 10-1037, 10-1038,  
10-1039, 10-1040, 10-1041, 10-1042, 10-1044,  
10-1045, 10-1046, 10-1234, 10-1235, 10-1239,  
10-1245, 10-1281, 10-1310, 10-1318, 10-1319,  
10-1320, 10-1321

**No. 10-1073**

Coalition for Responsible Regulation, Inc., et al.,

Petitioners

v.

Environmental Protection Agency,

Respondent

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Consolidated with 10-1083, 10-1099, 10-1109,  
10-1110, 10-1114, 10-1115, 10-1118, 10-1119,  
10-1120, 10-1122, 10-1123, 10-1124, 10-1125,  
10-1126, 10-1127, 10-1128, 10-1129, 10-1131,  
10-1132, 10-1145, 10-1147, 10-1148, 10-1199,  
10-1200, 10-1201, 10-1202, 10-1203, 10-1205,  
10-1206, 10-1207, 10-1208, 10-1209, 10-1210,  
10-1211, 10-1212, 10-1213, 10-1215, 10-1216,  
10-1218, 10-1219, 10-1220, 10-1221, 10-1222

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

**No. 09-1322**

**September Term 2010**

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**No. 10-1092**

Coalition for Responsible Regulation, Inc., et al.,

Petitioners

v.

Environmental Protection Agency,

Respondent

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Consolidated with 10-1094, 10-1134, 10-1143,  
10-1144, 10-1152, 10-1156, 10-1158, 10-1159,  
10-1160, 10-1161, 10-1162, 10-1163, 10-1164,  
10-1166, 10-1172, 10-1182

**BEFORE:** Ginsburg, Tatel, and Brown, Circuit Judges

**ORDER**

Upon consideration of the motions to stay, the response thereto, and the replies; the motion for leave to file a response, the opposition thereto, and the reply; the motion for leave to file declarations under seal; the motion to file a sur-reply, the response thereto, and the reply; the motion for coordination of related cases, the responses thereto, and the reply; and the Rule 28(j) letters and responses thereto, it is

**ORDERED** that the motion for leave to file a response be granted. The Clerk is directed to file the lodged response of the Chamber of Commerce of the United States of America. It is

**FURTHER ORDERED** that the motion to file declarations under seal be granted. It is

**FURTHER ORDERED** that the motion to file a sur-reply be granted. The Clerk is directed to file the lodged sur-reply. It is

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**FURTHER ORDERED** that the motions to stay be denied. Petitioners have not satisfied the stringent standards required for a stay pending court review. See Washington Metro. Area Transit Comm'n v. Holiday Tours, Inc., 559 F.2d 841, 843 (D.C. Cir. 1977); D.C. Circuit Handbook of Practice and Internal Procedures 32 (2010). Specifically, with regard to each of the challenged rules, petitioners have not shown that the harms they allege are "certain," rather than speculative, or that the "alleged harm[s] will directly result from the action[s] which the movant[s] seeks to enjoin." Wisconsin Gas Co. v. FERC, 758 F.2d 669, 674 (D.C. Cir. 1985) (per curiam). It is

**FURTHER ORDERED** that these cases be scheduled for oral argument on the same day before the same panel.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Ken R. Meadows  
Deputy Clerk