

FILED

UNITED STATES COURT OF APPEALS

JUL 01 2009

FOR THE NINTH CIRCUIT

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

THE STATE OF CALIFORNIA, by and  
through the California Energy Commission  
and Edmund G. Brown Jr., Attorney  
General,

Petitioner,

v.

UNITED STATES DEPARTMENT OF  
ENERGY,

Respondent.

No. 09-71014

DOE No. 63-001-HLW

ORDER

STATE OF NEVADA,

Petitioner,

v.

UNITED STATES DEPARTMENT OF  
ENERGY,

Respondent.

No. 09-71015

These appeals are selected for inclusion in the Mediation Program. During the time the appeals remain in the Mediation Program, all procedural matters should be brought to the attention of the Circuit Mediator.

These appeals remain stayed.

The briefing schedule previously set by the court is vacated.

In the event any party wishes to proceed to briefing, that party shall contact the undersigned at [ann\\_julius@ca9.uscourts.gov](mailto:ann_julius@ca9.uscourts.gov) and shall send a copy of the email to the other parties.

Within 90 days of the date of this order, counsel for the State of Nevada shall submit a status report to the undersigned at [ann\\_julius@ca9.uscourts.gov](mailto:ann_julius@ca9.uscourts.gov).

This order supercedes the court's order of April 30, 2009.

FOR THE COURT:

By: Ann Julius  
Circuit Mediator

aj/mediation