

**United States Court of Appeals
For the First Circuit**

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ENVIRONMENTAL BOARD

No. 09-1879

CITY OF PITTSFIELD, MASSACHUSETTS

Petitioner

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Respondent

ORDER OF COURT

Entered: September 4, 2009
Pursuant to 1st Cir. R. 27.0(d)

Upon consideration of the parties' joint motion, the motion for leave to file a deferred appendix is denied. The parties' proposed briefing schedule is allowed. Petitioner's brief and appendix are due on or before October 21, 2009; respondent's brief is due on or before December 11, 2009; and appellant's reply brief is due on or before January 14, 2009. We are disinclined to allow a further request to extend these deadlines.

By the Court

/s/ Richard Cushing Donovan, Clerk

cc:
Donald L. Anglehart
Laurel A. Bedig
Eurika Durr
Ann Williams