

FILED

NOT FOR PUBLICATION

APR 26 2013

UNITED STATES COURT OF APPEALS

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

FOR THE NINTH CIRCUIT

SPOKANE AIRPORT BOARD,

No. 13-71172

Petitioner,

FAA No. 13-1080

v.

**MICHAEL P. HUERTA,
Administrator, and FEDERAL
AVIATION ADMINISTRATION,**

Respondents.

**FLATHEAD MUNICIPAL AIRPORT
AUTHORITY and FRIEDMAN
MEMORIAL AIRPORT AUTHORITY,**

No. 13-71133

Petitioners,

v.

**FEDERAL AVIATION
ADMINISTRATION and MICHAEL P.
HUERTA, Administrator of the Federal
Aviation Administration,**

Respondents.

**BLOOMINGTON-NORMAL
AIRPORT AUTHORITY,**

Petitioner,

v.

**MICHAEL P. HUERTA,
Administrator, and FEDERAL
AVIATION ADMINISTRATION,**

Respondents.

No. 13-71177

FAA No. 13-1082

**CITY OF ORMOND BEACH,
FLORIDA; CITY OF NAPLES
AIRPORT AUTHORITY; and
CHARLOTTE COUNTY AIRPORT
AUTHORITY,**

Petitioners,

v.

**MICHAEL P. HUERTA,
Administrator, and FEDERAL
AVIATION ADMINISTRATION,**

Respondents.

No. 13-71178

FAA No. 13-1084

**COUNTY OF CUYAHOGA, doing
business as Cuyahoga County Airport,**

Petitioner,

v.

**MICHAEL P. HUERTA,
Administrator, and FEDERAL
AVIATION ADMINISTRATION,**

Respondents.

No. 13-71179

FAA No. 13-1088

THE OHIO STATE UNIVERSITY,

Petitioner,

v.

**MICHAEL P. HUERTA,
Administrator, and FEDERAL
AVIATION ADMINISTRATION,**

Respondents.

No. 13-71181

FAA No. 13-1101

**RENTON MUNICIPAL AIRPORT and
THE CITY OF RENTON, a Municipal
Corporation,**

Petitioners,

v.

**FEDERAL AVIATION
ADMINISTRATION and MICHAEL P.
HUERTA, Administrator of the Federal
Aviation Administration,**

Respondents.

No. 13-71175

PORT OF PORTLAND,

Petitioner,

v.

**FEDERAL AVIATION
ADMINISTRATION and MICHAEL P.
HUERTA, Administrator of the Federal
Aviation Administration,**

Respondents.

No. 13-71187

**AMERICAN ASSOCIATION OF
AIRPORT EXECUTIVES and U.S.
CONTRACT TOWER ASSOCIATION,**

Petitioners,

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION
ADMINISTRATION,**

Respondents.

No. 13-71202

FAA No. 13-1109

**SOUTHERN ILLINOIS AIRPORT
AUTHORITY,**

Petitioner,

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION
ADMINISTRATION,**

Respondents.

No. 13-71247

FAA No. 13-1117

**SUSQUEHANNA AREA REGIONAL
AIRPORT AUTHORITY,**

Petitioner,

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION
ADMINISTRATION,**

Respondents.

No. 13-71248

FAA No. 13-1115

**BOCA RATON AIRPORT
AUTHORITY,**

Petitioner,

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION
ADMINISTRATION,**

Respondents.

No. 13-71253

FAA No. 13-1128

MARTIN COUNTY, FLORIDA,

Petitioner,

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION**

No. 13-71259

FAA No. 13-1131

ADMINISTRATION,

Respondents.

CITY OF MCKINNEY, TEXAS,

Petitioner,

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION
ADMINISTRATION,**

Respondents.

No. 13-71348

FAA No. 13-1135

**WISCONSIN AIRPORT
MANAGEMENT ASSOCIATION,**

Petitioner,

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION
ADMINISTRATION,**

Respondents.

No. 13-71351

FAA No. 13-1134

COUNTY OF LOS ANGELES,

Petitioner,

No. 13-71388

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION
ADMINISTRATION,**

Respondents.

**TEXAS A&M UNIVERSITY, a Texas
Institution of Higher Learning,**

Petitioner,

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION
ADMINISTRATION,**

Respondents.

No. 13-71414

FAA No. 13-1141

**MOHAVE COUNTY AIRPORT
AUTHORITY, INC.,**

Petitioner,

v.

**MICHAEL P. HUERTA and
FEDERAL AVIATION
ADMINISTRATION,**

Respondents.

No. 13-71423

**CITY OF SAN DIEGO, a charter city
organized and existing under the
Constitution of the State of California,**

Petitioner,

v.

**FEDERAL AVIATION
ADMINISTRATION and MICHAEL P.
HUERTA,**

Respondents.

No. 13-71442

ORDER

Respondents' unopposed motion to consolidate petitions 13-71175, 13-71187, 13-71202, 13-71247, 13-71248, 13-71253 and 13-71259 with consolidated petitions 13-71172, 13-71133, 13-71177, 13-71178, 13-71179 and 13-71181 is granted. The court sua sponte consolidates petitions 13-71348, 13-71351, 13-71388, 13-71414, 13-71423 and 13-71442 with the above petitions. Accordingly, all the petitions listed above are now consolidated, with petition No. 13-71172, Spokane Airport Board v. Huerta, as the lead petition.

The motions to intervene in support of petitioners filed by: 1) the City of Macon, Georgia; 2) the City of Battle Creek, Michigan; 3) the City of Fayetteville, Arkansas; 4) Milwaukee County, Wisconsin, and General Mitchell International Airport and Lawrence J. Timmerman Airfield; 5) the Nashua Airport Authority; 6)

Ogden City Corporation; 7) Lancaster Airport Authority; 8) the City of Concord, North Carolina; 9) Cobb County, Georgia; 10) Gwinnett County, Georgia; 11) Mercer County, New Jersey; and 12) Ventura County, California, are granted.

The parties' joint motion to expedite briefing is granted in part. The briefing schedule shall proceed as follows:

	Due date
Filing of the Administrative Record	April 24, 2013
One consolidated opening brief on behalf of all petitioners and intervenors, except those in No. 13-71202, limited to no more than 15,000 words	May 6, 2013
One consolidated opening brief on behalf of petitioners and intervenors in petition No. 13-71202, limited to no more than 5000 words	May 6, 2013
Petitioners' record excerpts	May 6, 2013
Any <i>amicus</i> briefs, limited to no more than 5000 words	May 6, 2013
Respondents' answering brief, limited to no more than 20,000 words	May 20, 2013
One consolidated reply brief on behalf of all petitioners and intervenors, except those in No. 13-71202, limited to no more than 7500 words	May 28, 2013, at 10 A.M. P.D.T.
One consolidated reply brief on behalf of petitioners and intervenors in No. 13-71202, limited to no more than 2500 words	May 28, 2013, at 10 A.M. P.D.T.

Oral argument for these consolidated petitions shall be held on June 5, 2013, in Pasadena.

Within two days of the filing of each brief, seven copies of the brief in paper format shall be filed with the clerk of the court in San Francisco. Each copy shall be accompanied by a certification, attached to the end of the brief, that the brief is identical to the version submitted electronically. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF.

The administrative record filed by respondents on April 24, 2013 in lead petition No. 13-71172 shall be spread to all consolidated petitions.

Petitioners and intervenors have filed a consolidated joint urgent motion for a stay pending review in these consolidated petitions. Respondents shall file their consolidated response to the urgent motion for stay by May 24, 2013. Petitioners' and intervenors' consolidated reply to respondents' response is due by May 29, 2013. Petitioner City of San Diego, in petition No. 13-71442, has also filed an urgent motion for stay pending review. The response to that motion and the reply shall follow the schedule above.

FOR THE COURT:

Molly Dwyer
Clerk of Court

By: Lisa Chen
Motions Attorney/Deputy Clerk
9th Cir. R. 27-7
General Orders/Appendix A