

MAY 03 2013

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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

HONOLULUTRAFFIC.COM; et al.,

Plaintiffs - Appellants,

v.

FEDERAL TRANSIT
ADMINISTRATION; et al.,

Defendants - Appellees,

and

FAITH ACTION FOR COMMUNITY
EQUITY; et al.,

Intervenor-Defendants -
Appellees.

No. 13-15277

D.C. No. 1:11-cv-00307-AWT
District of Hawaii,
Honolulu

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

Appellees' motion to dismiss this appeal for lack of jurisdiction is denied without prejudice to renewing the arguments in the answering brief. *See Nat'l Indus. v. Republic Nat'l Life Ins. Co.*, 677 F.2d 1258, 1262 (9th Cir. 1982) (stating that merits panel may consider appellate jurisdiction despite earlier denial of motion to dismiss).

Appellees' motion to strike is denied.

Appellants' motion to expedite the briefing and hearing of this appeal is granted. Any request for an extension of time to file a brief is disfavored; any such relief must be requested under Ninth Circuit Rule 31-2.2(b). The opening brief and excerpts of record are due May 15, 2013; the answering brief is due June 12, 2013; and the optional reply brief is due within 14 days after service of the answering brief.

The Clerk shall calendar this case during the week of August 12, 2013 in San Francisco, California.