

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

SAVANNAH RIVER SITE WATCH, TOM)	Civil Action No. 1:21-cv-01942-MGL
CLEMENTS, THE GULLAH/GEECHEE SEA)	
ISLAND COALITION, NUCLEAR WATCH)	
NEW MEXICO. And TRI-VALLEY)	
COMMUNITIES AGAINST A RADIOACTIVE)	
ENVIRONMENT,)	
)	
Plaintiffs,)	
)	
v.)	
)	
UNITED STATES DEPARTMENT OF)	
ENERGY, JENNIFER GRANHOLM, <i>in her</i>)	
<i>official capacity as the Secretary</i> , The)	
NATIONAL NUCLEAR SECURITY)	
ADMINISTRATION and JILL HRUBY, <i>in her</i>)	
<i>official capacity as Administrator</i> ,)	
)	
Defendants.)	

JOINT MOTION TO AMEND SCHEDULING ORDER

At the prompting of the Court, the parties met and conferred to discuss several issues, including: (1) amending the scheduling order to file appellate-style briefs as opposed to traditional summary judgment briefs; (2) participating in mediation; and (3) extending page limits for the parties’ opening briefs. The parties agreed that they may be able to resolve some of the outstanding issues in this case either through informal meet-and-confers or a formal mediation. However, the parties agreed that the existing briefing schedule did include sufficient time for either informal meet-and-confers or a formal mediation, should the parties believe one would be useful. The parties also agreed that the Court’s suggested approach to filing appellate-style briefs as opposed to filing traditional summary judgment briefs was amenable. And finally, the parties agreed that

they will likely need up to fifty (50) pages for their opening briefs, although they will strive to be as concise as possible.

Accordingly, the parties respectfully request that the Court enter an order: (1) giving the parties up to 50-pages for their opening briefs, and (2) amending the scheduling order to (a) allow time for the parties to attempt to resolve outstanding issues in this case (either through informal meet-and-confers or formal mediation), and (b) allow the parties to file appellate-style briefs as opposed to traditional summary judgment briefs. The parties have attached a proposed amended scheduling order with the following dates:

- The parties agree to meet and confer to discuss the outstanding issues in this case. If following the meet-and-confer(s), the parties believe a formal mediation would be useful, they will schedule and complete a mediation on or before February 1, 2024;
- Plaintiffs' Opening Brief, as well as a Joint Statement of Stipulated Facts, will be due on March 1, 2024;
- Defendants' Response Brief will be due on April 1, 2024;
- Plaintiffs' Reply Brief will be due on April 23, 2024; and
- Defendants' Sur-Reply will be due on May 14, 2024.

The parties will work in good faith to stipulate to as many facts as possible. However, if the parties cannot jointly stipulate to all of the facts in this case, they respectfully request leave to discuss the disputed facts in their respective briefs or in attached exhibits to their briefs (depending on the number of facts in dispute).

[Signature Page Follows]

Respectfully submitted this 18th day of December 2023,

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