

FILED

DEC 15 2005

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

**NUCLEAR INFORMATION AND
RESOURCE SERVICE; et al.,**

Plaintiffs - Appellants,

v.

**UNITED STATES DEPARTMENT OF
TRANSPORTATION RESEARCH AND
SPECIAL PROGRAMS
ADMINISTRATION; et al.,**

Defendants - Appellees.

Nos. 04-71432, 05-16327

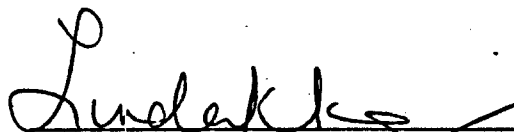
**D.C. No. CV-04-04740-MHP
Northern District of California,
San Francisco**

ORDER

Appellants' opposed motion to consolidate Nos. 04-71432 and 05-16327 is granted. The remaining briefing schedule in No. 05-16327 shall remain in effect. Appellee United States Department of Transportation Research and Special Programs Administration et al.s' motion to stay is denied.

For the Court:

**CATHY A. CATTERSON
Clerk of the Court**



**Linda K. King
Deputy Clerk**

**Ninth Cir. R. 27-7/Advisory Note to Rule 27
and Ninth Circuit Rule 27-10**