

12-1772

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

COMMONWEALTH OF
MASSACHUSETTS,

Petitioner,

v.

UNITED STATES NUCLEAR REGULATORY
COMMISSION and the UNITED STATES
OF AMERICA,

Respondents

FILED IN CLERKS OFFICE
US COURT OF APPEALS
FOR THE FIRST CIRCUIT
2012 JUN 18 A 10:10

**COMMONWEALTH OF MASSACHUSETTS MOTION TO
CONSOLIDATE ACTIONS AND MODIFY SCHEDULE FOR FILING
INITIAL BRIEF**

Petitioner, the Commonwealth of Massachusetts (Commonwealth), pursuant to F. R. App. P. 27(b) and 27.0(d) and Internal Operating Procedure V.C (Motion Procedures), hereby moves to consolidate the above-captioned action with a related action filed by the Commonwealth on April 5, 2012, Commonwealth of Massachusetts v. U.S. Nuclear Regulatory Commission, et al. Docket No. 12-1404.

The Commonwealth also moves, pursuant to F.R.App.P. 17 and 31, that the Court order that the time for filing the Commonwealth's initial brief in the consolidated actions shall be forty days after the NRC files the remaining administrative record with the Court, and thereby modify the schedule for filing the

Commonwealth's initial brief in Docket 12-1404, which currently is July 2, 2012.

In support of this Motion, the Commonwealth submits the accompanying Memorandum in Support of Commonwealth of Massachusetts Motion to Consolidate Actions and to Modify Schedule for Filing Initial Brief (Memorandum in Support).

For the reasons specified in the Memorandum in Support, the Commonwealth respectfully requests that the Court consolidate this action with Docket No. 12-1404, and modify the schedule as requested herein.

Respectfully submitted,

By its Attorneys,
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