

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

Beyond Nuclear, Inc.,)	Case No. 15-1173
Petitioner,)	
-vs-)	
U.S. Nuclear Regulatory Commission)	
and United States of America,)	
Respondents.)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME
FOR FILING OF PETITIONER'S FIRST BRIEF**

Petitioner Beyond Nuclear, Inc. hereby moves the Court, with the consent of all Respondents, for an extension of the pending October 21, 2016 deadline for the filing of Petitioner's first or merit brief, until October 28, 2016. Petitioner further requests that there be commensurate rescheduling of the other briefing deadlines in this appeal. Petitioner attaches a Memorandum in Support.

/s/ Terry J. Lodge

Terry J. Lodge

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Counsel for Petitioner Beyond Nuclear

MEMORANDUM IN SUPPORT

Petitioner Beyond Nuclear requests a one-week extension of time because counsel for Petitioner has had to work several days longer on a major legal briefing project in an unrelated matter than expected, until October 18. Further, counsel for Petitioners has had to address an unexpected family matter during this week. Counsel has conferred with opposing counsel in this matter and all three Respondents have consented for Beyond Nuclear to have the requested one-week extension of time, with the additional agreement that all other deadlines in the case be correspondingly moved back by one week.

The current briefing schedule is as follows:

PETITIONER Brief due 10/21/2016.

RESPONDENTS Brief due on 11/29/2016.

INTERVENOR FOR RESPONDENT Brief due 11/29/2016.

PETITIONER Reply Brief due 12/16/2016.

DEFERRED APPENDIX due 12/30/2016.

PETITIONER Final Brief due 01/13/2017.

RESPONDENTS Final Brief due on 01/13/2017.

INTERVENOR FOR RESPONDENT Final Brief due 01/13/2017.

PETITIONER Final Reply Brief due 01/13/2017.

Petitioner, with the consent of all parties, moves the Court to confirm the following as the revised milestone schedule:

PETITIONER Brief due 10/28/2016.

RESPONDENTS Brief due on 12/6/2016.

INTERVENOR FOR RESPONDENT Brief due 12/6/2016.

PETITIONER Reply Brief due 12/23/2016.

DEFERRED APPENDIX due 1/6/2017.

PETITIONER Final Brief due 01/20/2017.

RESPONDENTS Final Brief due on 01/20/2017.

INTERVENOR FOR RESPONDENT Final Brief due 01/20/2017.

PETITIONER Final Reply Brief due 01/20/2017.

None of the parties' interests in this matter will be prejudiced by the one-week additional time added to the schedule.

WHEREFORE, Petitioner Beyond Nuclear prays the Court approve the extension of Petitioner's deadline, with commensurate changes to be made to all

subsequent deadlines.

October 21, 2016

/s/ Terry J. Lodge
Terry J. Lodge
Counsel for Petitioner Beyond Nuclear

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of October, 2016, I caused true and correct copies of the foregoing “Petitioner’s Unopposed Motion for Extension” to be served, via deposit in the Court’s Electronic Case Filing system, upon Michelle Albert, Esq., Michelle.Albert@nrc.gov, Andrew Averbach, Esq., Andrew.Averbach@nrc.gov, David A. Repka, Esq., dreпка@winston.com, Tyson R. Smith, Esq., trsmith@winston.com, and Jon P. Christinidis, Esq., christinidisj@gteenergy.com.

October 21, 2016

/s/ Terry J. Lodge
Terry J. Lodge
Counsel for Petitioner Beyond Nuclear