

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

---

**No. 12-1398****September Term, 2012****SEC-77FR56365****Filed On:** November 1, 2012

American Petroleum Institute, et al.,

Petitioners

v.

Securities and Exchange Commission,

Respondent

**BEFORE:** Garland, Brown, and Kavanaugh, Circuit Judges**ORDER**

Upon consideration of the emergency motion to determine jurisdiction, the responses thereto, and the reply, it is

**ORDERED** that the motion be referred to the merits panel to which the petition for review is assigned. The parties are directed to include in their briefs the arguments raised in the motion to determine jurisdiction rather than incorporate those arguments by reference. It is

**FURTHER ORDERED**, on the court's own motion, that the following briefing schedule and format shall apply:

Petitioners' Brief (not to exceed 14,000 words)	December 3, 2012
Joint Appendix	December 3, 2012
Respondent's Brief (not to exceed 14,000 words)	January 2, 2013
Joint Brief of Intervenor and any Amici in support of Respondent (not to exceed 8,750 words)	January 16, 2013

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 12-1398****September Term, 2012**

Petitioners' Reply Brief  
(not to exceed 7,000 words)

January 28, 2013

The Clerk is directed to calendar this case for argument on the first appropriate date after the completion of briefing. The parties will be notified by separate order of the oral argument date and the composition of the merits panel.

The court reminds the parties that

In cases involving direct review in this court of administrative actions, the brief of the appellant or petitioner must set forth the basis for the claim of standing. . . . When the appellant's or petitioner's standing is not apparent from the administrative record, the brief must include arguments and evidence establishing the claim of standing.

See D.C. Cir. Rule 28(a)(7).

Parties are directed to hand deliver the paper copies of their briefs to the Clerk's office on the date due. All briefs and appendices must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Timothy A. Ralls  
Deputy Clerk