

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN PETROLEUM INSTITUTE,
CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA, and
NATIONAL FOREIGN TRADE COUNCIL,

Plaintiffs,

v.

SECURITIES AND EXCHANGE
COMMISSION,

Defendant.

Civil Action No. 12-cv-1668 (JDB)

[PROPOSED] SCHEDULING ORDER

Upon consideration of the parties' Expedited Joint Motion to Lift the Stay; for Expedited Review of Plaintiffs' Summary Judgment Motion; and to Decide Plaintiffs' Motion for Summary Judgment on the Briefs Submitted to the Court of Appeals; it is hereby **ORDERED** that:

1. The stay entered by this Court on December 5, 2012 is lifted.
2. Plaintiffs' motion for summary judgment shall be decided on the briefs submitted by the parties to the U.S. Court of Appeals for the D.C. Circuit in No. 12-1398, *American Petroleum Institute et al. v. Securities and Exchange Commission* (D.C. Cir. 2012). Oral argument will be heard, in the Court's discretion, at a hearing to be scheduled at the earliest available date once briefing is completed pursuant to this Order.
3. Within seven (7) days of the entry of this order, plaintiffs shall file their motion for summary judgment, and plaintiffs and the Commission shall file with this Court the same briefs and joint appendix that were filed with the court of appeals.

4. Any intervenor and *amici* who filed briefs with the court of appeals may file the same briefs in this action within fourteen (14) days of the entry of this order.

5. Plaintiffs' motion to expedite consideration of its motion for summary judgment is hereby **GRANTED**.

ENTERED this ____ day of _____, 2013.

JOHN D. BATES
United States District Judge