

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 20-1070**September Term, 2021****FAA-01/10/2020 Summary****Filed On:** December 23, 2021

City of Scottsdale, Arizona,

Petitioner

v.

Federal Aviation Administration and Stephen
Dickson, in his official capacity as
Administrator, Federal Aviation
Administration,

Respondents

BEFORE: Rogers, Pillard, and Walker, Circuit Judges

ORDER

Upon consideration of the motion to strike, the opposition thereto, and the reply; and the motion for leave to file the Kesler Declaration, the opposition thereto, and the reply, it is

ORDERED that the motion to strike be denied in part and referred to the merits panel in part. The motion is denied to the extent that it seeks to strike respondent's entire brief and to the extent that it requests sanctions against respondent. Respondent's brief spans 12,990 words and is therefore compliant with the applicable 13,000-word limitation. See Fed. R. App. P. 32(a)(7)(B). Additionally, petitioner has not shown that sanctions are warranted. See Parsi v. Daiouleslam, 778 F.3d 116, 131 (D.C. Cir. 2015). Petitioner's request to strike the Kesler Declaration and the references thereto in respondent's brief is referred to the merits panel to which this appeal is assigned. It is

FURTHER ORDERED that the motion for leave to file the Kesler Declaration be referred to the merits panel. It is

FURTHER ORDERED that the following revised briefing schedule will now apply in this case:

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No. 20-1070

September Term, 2021

Petitioner's Reply Brief

January 13, 2022

Deferred Appendix

January 20, 2022

Final Briefs

February 3, 2022

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Shawntel R. Jackson

Deputy Clerk