

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

ENTERGY NUCLEAR VERMONT YANKEE, LLC,  
and ENTERGY NUCLEAR OPERATIONS, INC.,

Plaintiffs,

v.

Docket No. 1:11-cv-99 (jgm)

PETER SHUMLIN, in his official capacity as  
GOVERNOR OF THE STATE OF VERMONT;  
WILLIAM SORRELL, in his official capacity as the  
ATTORNEY GENERAL OF THE STATE OF  
VERMONT; and JAMES VOLZ, JOHN BURKE  
and DAVID COEN, in their official capacities as  
MEMBERS of THE VERMONT PUBLIC  
SERVICE BOARD,

Defendants.

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ORDER ON INTERVENOR-APPLICANTS' CONSERVATION LAW FOUNDATION,  
VERMONT PUBLIC INTEREST RESEARCH GROUP'S MOTION FOR LEAVE TO FILE A  
MEMORANDUM IN OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY  
INJUNCTION AND FOR LEAVE TO ENLARGE THE PAGE LIMIT  
(Doc. 32)

Conservation Law Foundation and Vermont Public Interest Research Group have moved under Federal Rules of Civil Procedure 1 and 7(a) for leave to file a memorandum, on or before May 23, 2011, in opposition to Plaintiffs' Motion for a Preliminary Injunction (Doc. 4) and to enlarge the page limit for that memorandum to a maximum of 30 pages. The motion is denied.

Conservation Law Foundation and Vermont Public Interest Research Group may file, on or before May 31, 2011, a motion for leave of court to file a joint amicus curiae memorandum of

law supporting Defendants' Opposition to Plaintiffs' pending Motion for a Preliminary Injunction. The motion for leave to file must be accompanied by the proposed memorandum of law as an attachment and state (1) the movant's interest, and (2) the reason why an amicus memorandum is desirable and why matters asserted are relevant to the disposition of the preliminary injunction motion.

An amicus curiae memorandum is of considerable help to the Court if it brings to the Court's attention relevant matters that the parties have not already addressed. A filing that does not serve this purpose burdens the Court and is not favored. The proposed amicus memorandum shall be no longer than 15 pages. This shorter limit is appropriate because an amicus memorandum is supplemental, it should address matters not adequately addressed by a party, and it may omit items included in a party's memorandum.

The proposed amicus memorandum shall include a statement indicating whether a person other than the amicus curiae, its members, or its counsel, contributed money that was intended to fund preparing or submitting the memorandum, and if so, identify each such person. If the motion for leave to file as amicus curiae is granted, amicus curiae may not file a reply memorandum or participate in oral argument absent the Court's permission. See, e.g., Fed. R. App. P. 29(a), prescribing similar procedures for amicus curiae briefs in appellate proceedings.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 17<sup>th</sup> day of May, 2011.

/s/ J. Garvan Murtha  
Hon. J. Garvan Murtha  
Senior United States District Judge