This case was appealed from

Others: NRC-040-09075-MLA

# U.S. Circuit Court of Appeals

US Circuit Court of Appeals - D.C. Circuit

## 17-1059

## Oglala Sioux Tribe v. NRC, et al

**This case was retrieved from the court on Thursday, May 18, 2017**

### Header

| | |
|---|---|
| Case Number: | **17-1059** |
| Date Filed: | **02/21/2017** |
| Date Full Case Retrieved: | **05/18/2017** |
| NOS Description: | **(0) 0:; Appeal** |

### Summary

**No Information is Available for this case**

### Associated Cases

**No Information is Available for this case**

### Participants

| Litigant | Attorney |
|---|---|
| Oglala Sioux Tribe | Jeffrey Charles Parsons, Senior Attorney |
| Petitioner | [COR LD NTC Retained] |
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| | Travis Stills, Attorney |
| | [COR NTC Retained] |
| | Energy & Conservation Law |

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Respondent

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Respondent

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| | |
|---|---|
| Powertech (USA), Inc. | Anthony J. Thompson, Esquire, Attorney |
| Movant-Intervenor for Respondent | [COR LD NTC Retained] |
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## Proceedings

| Date | Details |
|---|---|
| 02/21/2017 | PETITION FOR REVIEW CASE docketed. [17-1059] |
| 02/21/2017 | PETITION FOR REVIEW [1662500] of a decision by federal agency filed by Oglala Sioux Tribe [Service Date: 02/21/2017 ] Disclosure Statement: Not Applicable to this Party; Certificate of Parties: Not Applicable to this Filing. [17-1059] |
| 02/22/2017 | CERTIFIED COPY [1662502] of Petition for Review sent to respondent [17-1059] |
| 02/22/2017 | CLERK'S ORDER [1662506] filed directing party to file initial submissions: PETITIONER docketing statement due 03/24/2017. PETITIONER certificate as to parties due 03/24/2017. PETITIONER statement of issues due 03/24/2017. PETITIONER underlying decision due 03/24/2017. PETITIONER deferred appendix statement due 03/24/2017. PETITIONER procedural motions due 03/24/2017. PETITIONER dispositive motions due 04/10/2017; directing party to file initial submissions: RESPONDENT entry of appearance due 03/24/2017. RESPONDENT procedural motions due 03/24/2017. RESPONDENT certified index to record due 04/10/2017. RESPONDENT dispositive motions due 04/10/2017 [17-1059] |
| 02/27/2017 | ENTRY OF APPEARANCE [1663078] filed by James E. Adler and co-counsel Andrew P. Averbach on behalf of Respondent NRC. [17-1059] (Adler, James) |
| 03/14/2017 | MOTION [1665998] for leave to intervene [Disclosure Listing: Not Attached] filed by Powertech (USA), Inc. [Service Date: 03/14/2017 ] [17-1059]--[MODIFIED PARTY FILER--Edited 03/15/2017 by LMC] (Thompson, Anthony) |

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03/14/2017 ENTRY OF APPEARANCE [1666004] filed by Lane N. McFadden on behalf of Respondent USA. [17-1059] (McFadden, Lane)

03/16/2017 CORRECTED MOTION [1666293] for leave to intervene [Disclosure Listing: Not Attached] filed by Powertech (USA), Inc. [Service Date: 03/16/2017 ] [17-1059] (Thompson, Anthony)

03/17/2017 MOTION [1666580] to dismiss case for lack of jurisdiction (Response to Motion served by mail due on 03/27/2017) filed by NRC and USA (Service Date: 03/17/2017 by CM/ECF NDA) Length Certification: 3,775 Words. [17-1059] (Adler, James)

03/24/2017 ENTRY OF APPEARANCE [1667626] filed by Travis Stills on behalf of Petitioner Oglala Sioux Tribe. [17-1059] (Parsons, Jeffrey)

03/24/2017 CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1667829] filed by Oglala Sioux Tribe [Service Date: 03/24/2017 ] [17-1059] (Parsons, Jeffrey)

03/24/2017 DOCKETING STATEMENT [1667830] filed by Oglala Sioux Tribe [Service Date: 03/24/2017 ] [17-1059] (Parsons, Jeffrey)

03/24/2017 STATEMENT OF INTENT REGARDING APPENDIX DEFERRAL [1667831] filed by Oglala Sioux Tribe [Service Date: 03/24/2017 ] Intent: AppxDeferred [17-1059] (Parsons, Jeffrey)

03/24/2017 STATEMENT OF ISSUES [1667832] filed by Oglala Sioux Tribe [Service Date: 03/24/2017 ] [17-1059] (Parsons, Jeffrey)

03/24/2017 UNDERLYING DECISION IN CASE [1667833] submitted by Oglala Sioux Tribe [Service Date: 03/24/2017 ] [17-1059] (Parsons, Jeffrey)

03/24/2017 RESPONSE [1667834] to motion for leave to intervene , motion for leave to intervene filed by Oglala Sioux Tribe [Service Date: 03/24/2017 by CM/ECF NDA] Length Certification: 1588 words. [17-1059] (Parsons, Jeffrey)

03/24/2017 RESPONSE IN OPPOSITION [1667849] to motion to dismiss case for lack of jurisdiction filed by Oglala Sioux Tribe [Service Date: 03/24/2017 by CM/ECF NDA] Length Certification: 3660 words. [17-1059] (Parsons, Jeffrey)

03/27/2017 RESPONSE IN SUPPORT [1668058] to motion to dismiss case for lack of jurisdiction filed by Powertech (USA), Inc. [Service Date: 03/27/2017 by CM/ECF NDA, US Mail] Length Certification: 5 Pages. [17-1059] (Thompson, Anthony)

03/30/2017 REPLY [1668599] filed by NRC and USA to response [Service Date: 03/30/2017 by CM/ECF NDA] Length Certification: 2,541 Words. [17-1059] (Adler, James)

04/06/2017 CERTIFIED INDEX TO RECORD [1669861] filed by NRC [Service Date: 04/06/2017 ] [17-1059] (Adler, James)

04/17/2017 SUPPLEMENT [1671257] to response filed by Powertech (USA), Inc. [Service Date: 04/17/2017 ] [17-1059] (Thompson, Anthony)

04/25/2017 STATEMENT [1672492] with Disclosure Listing filed by Powertech (USA), Inc. [Service Date: 04/25/2017 ] [17-1059]--[MODIFIED EVENT--Edited 04/25/2017 by LMC] (Thompson, Anthony)

05/17/2017 PER CURIAM ORDER [1675530] granting corrected motion for leave to intervene ; referring motion to dismiss case for lack of jurisdiction to which this petition for review is assigned. Before Judges: Griffith, Srinivasan and Pillard. [17-1059]

## Pending Motion

**No Information is Available for this case**

## Brief

**No Information is Available for this case**

## Relicarings

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**No Information is Available for this case**

## History

**No Information is Available for this case**

## Additional Case

**Additional Case Information**

Petition for Review - Review

Appeal from: Nuclear Regulatory Commission

District: NRC Division: 1 CaseNumber: NRC-040-09075-MLA

Date Decided: 12/23/2016

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