

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

AUG 15 2007

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

ALASKA WILDERNESS LEAGUE;  
NATURAL RESOURCES DEFENSE  
COUNCIL, INC.; PACIFIC  
ENVIRONMENT AND RESOURCES  
CENTER,

Petitioners,

v.

DIRK KEMPTHORNE, et al.,

Respondent,

SHELL OFFSHORE, INC.,

Respondent - Intervenor.

No. 07-71457

RESISTING ENVIRONMENTAL  
DESTRUCTION ON INDIGENOUS  
LANDS, A PROJECT OF THE  
INDIGENOUS ENVIRONMENTAL  
NETWORK; CENTER FOR  
BIOLOGICAL DIVERSITY AND  
SIERRA CLUB,

Petitioner,

v.

DIRK KEMPTHORNE, et al.,

No. 07-71989

Respondent,

SHELL OFFSHORE, INC.,

Respondent - Intervenor.

NORTH SLOPE BOROUGH; ALASKA  
ESKIMO WHALING COMMISSION,

Petitioners,

v.

DIRK KEMPTHORNE, et al.,

Respondent,

SHELL OFFSHORE, INC.,

Respondent - Intervenor.

No. 07-72183

DOI No. 2007-152

ORDER

Before: SCHROEDER, Chief Judge, HAWKINS and WARDLAW, Circuit Judges.

Petitioners in these consolidated petitions for review have (1) shown a probability of success on the merits, combined with the possibility of irreparable harm if relief is denied, and (2) raised serious questions and demonstrated that the balance of hardships tips sharply in their favor. *See Earth Island Inst. v. U.S. Forest Serv.*, 351 F.3d 1291, 1297 (9th Cir. 2003); *Lopez v. Heckler*, 713 F.2d 1432, 1435 (9th Cir.), *rev'd in part on other grounds*, 463 U.S. 1328 (1983). Therefore, the

urgent motions to stay the Minerals Management Service's February 15, 2007, approval of Shell Offshore's Beaufort Sea Outer Continental Shelf Lease Exploration Plan are GRANTED pending resolution of these consolidated petitions for review.

The court *sua sponte* expedites the briefing schedule. Petitioners' opening briefs are due September 5, 2007. Respondent's answering brief is due October 5, 2007. Respondent-intervenor's brief is due October 19, 2007. Petitioner's optional reply brief is due on November 5, 2007 by 3:30 pm in the Clerk's office.

The provisions of Ninth Circuit Rule 31-2.2(a) shall not apply to this petition. The parties are reminded of the court's preference for joint briefing. *See* 9th Cir. R. 28-4.

The Clerk shall calendar this case with the first available panel during the week of December 3, 2007 through December 7, 2007.

**SO ORDERED.**