
Nos. 20-1473 (L), 20-1534

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

WHEELABRATOR BALTIMORE, L.P.; CURTIS BAY ENERGY, L.P.;
ENERGY RECOVERY COUNCIL, NATIONAL WASTE & RECYCLING
ASSOCIATION,

Plaintiffs-Appellees,

v.

MAYOR AND CITY COUNCIL OF BALTIMORE,

Defendant-Appellant.

**On Appeal from the United States District Court
For the District of Maryland at Baltimore**

**DEFENDANT-APPELLANT'S CONSENT
MOTION TO POSTPONE BRIEFING DEADLINES**

Defendant-Appellant Mayor and City Council of Baltimore (the
“City”) respectfully requests, pursuant to Federal Rule of Appellate
Procedure 26(b), that this Court extend briefing deadlines an additional sixty
(60) days, for the following reasons:

1. The opening brief and joint appendix are currently due August 10, 2020. *See* ECF No. 20.
2. The parties have made significant progress in settlement negotiations and are optimistic about reaching a settlement; but they are unlikely to do so by August 10, 2020. The case involves long-term solid waste management, air quality standards, and financial issues, all of which are technically complex, and progress has been complicated by the Covid-19 pandemic.
3. Extending the briefing deadlines will allow the parties to focus on reaching a settlement and avoid wasting the parties' and the Court's time and resources.
4. Plaintiffs-Appellants Wheelabrator Baltimore, L.P., Curtis Bay Energy, L.P., Energy Recovery Council, and National Waste & Recycling Association have been informed of the City's intent to file this motion and consent to the motion being granted.

Therefore, the City respectfully requests that the Court extend the briefing deadlines by sixty (60) days.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Rachel Simmons".

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