

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 07-5092

September Term 2007

05cv01181

Filed On: May 20, 2008

Michigan Gambling Opposition, A Michigan
Non-profit Corporation,

Appellant

v.

Dirk Kempthorne, In his official capacity as
Secretary of the United States Department of
the Interior, et al., et al.,

Appellees

ORDER

Upon consideration the petition for rehearing en banc, it is

ORDERED, on the court's own motion, that within 15 days of the date of this order, appellees file a response to the petition for rehearing en banc, limited to the issue of whether Section 5 of the IRA violates the non-delegation doctrine. Absent further order of the court, the court will not accept a reply to the response.

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk