

April 10, 2012

Proposed Summary Judgment Briefing Schedule - SIRC v. Sebelius

When Judge Reggie B. Walton of the U.S. District Court for the District of Columbia entered an order requiring the government to supplement the administrative record in the case of Styrene Information and Research Center, Inc. (SIRC), et al. versus Kathleen Sebelius, Secretary of Health and Human Services (HHS), et al., he also required the parties jointly to file a proposed briefing schedule for summary judgment.

The parties agreed on a schedule, which was filed April 9, as follows:

- May 18: SIRC's motion for summary judgment due;
- June 22: HHS' opposition and cross-motion for summary judgment due;
- July 13: SIRC's opposition and reply due, and
- August 3: HHS' reply due.

It is possible that Judge Walton will reject the proposed briefing schedule. SIRC is challenging styrene's listing in the National Toxicology Program's (NTP's) 12th *Report on Carcinogens* on grounds that it is unjustified by the science and resulted from a seriously flawed process. NTP is part of HHS.