

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 05-1393

September Term, 2005

Filed On: November 16, 2005

[932365]

In re: Walt Disney Company,  
Petitioner

**BEFORE:** Randolph, Rogers, and Tatel, Circuit Judges

## ORDER

Upon consideration of: (1) the petition for a writ of mandamus, or, in the alternative, a writ of injunction; the opposition thereto; and the reply; (2) the motion to transfer; the opposition thereto and motion for a stay pursuant to 28 U.S.C. § 2112(a)(4); and the reply to the opposition to the motion to transfer and opposition to the motion for stay; and (3) the motions of the Office of Communication of the United Church of Christ, Children Now, and The National Parent Teacher Association for leave to intervene and for leave to file an opposition to the petition for a writ of mandamus or, in the alternative, a writ of injunction; and the response thereto; and (4) the lodged opposition to the petition for writ of mandamus or, in the alternative, a writ of injunction; the lodged emergency motion to defer briefing, and the lodged opposition thereto; the motion for leave to file a reply to the opposition to the motion to transfer and motion for stay; and the reply, it is

**ORDERED** that the emergency motion to defer briefing be dismissed as moot. It is

**FURTHER ORDERED** that the motion to transfer be granted and that this case be transferred to the United States Court of Appeals for the Sixth Circuit. In light of our order transferring to the United States Court of Appeals for the Sixth Circuit the “closely related matter[ ]” of *Viacom v. FCC, et al.*, No. 05-1387, transfer of this case is warranted as an exercise of our inherent authority “in the interest of justice and sound judicial administration.” *Eastern Air Lines, Inc. v. CAB*, 354 F.2d 507, 510, 511 (D.C. Cir. 1965). It is

**FURTHER ORDERED** that the Walt Disney Company’s motion for a stay pursuant to 28 U.S.C. § 2112(a)(4) be denied.

The Clerk is directed to send the original file and a certified copy of this order to the United States Court of Appeals for the Sixth Circuit.

Per Curiam

**FOR THE COURT:**  
Mark J. Langer, Clerk

**By:**

Deputy Clerk/LD