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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 Center for Biological Diversity; Grand
10 Canyon Trust; Sierra Club; Kaibab Band of
11 Paiute Indians of the Kaibab Indian
12 Reservation; and the Havasupai Tribe,

13 **Plaintiffs,**

14 vs.

15 Ken Salazar, Secretary of the Interior;
16 United States Bureau of Land Management;
17 Denison Arizona Strip, LLC; and Denison
18 Mines (USA) Corp.,

19 **Defendants.**

No. CV-09-8207-PCT-DGC

ORDER

20 On May 27, 2011, the Court issued an order granting summary judgment in favor
21 of Defendants on claims one, two, three, and five of the third amended complaint.
22 Doc. 163. With respect to claim four, the case was remanded to BLM for further
23 consideration, and BLM was given until June 24, 2011 to revise its decision to apply a
24 categorical exclusion to the free use permit. *Id.* at 26. BLM has submitted its revised
25 decision. Doc. 165. A briefing schedule is in place for the parties to address the merits
26 of claim four in light of the revised decision and any remedies the Court should impose if
27 it grants summary judgment in favor of Plaintiffs. Doc. 163 at 27.

28 Plaintiffs have filed a motion to vacate the briefing schedule (Doc. 168), and have
requested expedited consideration given that briefing is set to begin on July 22, 2011 (*see*
Doc. 163 at 27). The briefing schedule should be extended, Plaintiffs assert, to allow

1 time for Defendants to supplement the administrative record and for Plaintiffs to
2 supplement the third amended complaint with a new claim. Doc. 168 at 3. Plaintiff has
3 filed a separate motion to supplement (Doc. 169), which the Federal Defendants
4 purportedly oppose as unnecessary and futile.

5 The Court will grant the motion to vacate the briefing schedule given the
6 upcoming deadline of July 22, 2011. A telephonic hearing will be set for **July 20, 2011**
7 **at 11:00 a.m.** to address how the case should proceed. Counsel for Plaintiff shall initiate
8 the conference call.

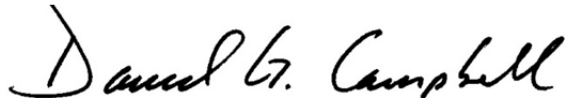
9 **IT IS ORDERED:**

10 1. Plaintiffs' motion to vacate briefing schedule and request for expedited
11 consideration (Doc. 168) are **granted**.

12 2. The briefing schedule set forth in the May 27, 2011 order (Doc. 163) is
13 **vacated**.

14 3. A telephonic conference is set for **July 20, 2011 at 11:00 a.m.** Counsel for
15 Plaintiff shall initiate the conference call.

16 Dated this 15th day of July, 2011.

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21 David G. Campbell
22 United States District Judge
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