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**IN THE UNITED STATES DISTRICT COURT**

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**FOR THE DISTRICT OF ARIZONA**

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9 Center for Biological Diversity; Grand Canyon Trust; Sierra Club; and Kaibab Band of Paiute Indians,

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Plaintiffs,

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vs.

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

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Defendants.

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No. CV-09-8207-PCT-DGC

**ORDER**

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Arizona 1 Mine is a uranium mine located near Grand Canyon National Park.

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Plaintiffs seek a declaration that the federal Defendants have violated environmental laws in

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connection with Arizona 1 Mine, and request an injunction directing mine operations to

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cease. Dkt. #17. Denison Arizona Strip, LLC and Denison Mines (USA) Corp. (collectively,

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“Denison”) have intervened as defendants on the ground that they own unpatented claims at

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Arizona 1 Mine and conduct operations pursuant to a plan issued by Defendant BLM. *See*

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Dkt. ##19, 31.

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Plaintiffs have filed a motion for leave to file a second amended complaint pursuant

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to Rule 15 of the Federal Rules of Civil Procedure. Dkt. #49. Plaintiffs seek to more

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accurately describe the Kaibab Band of Paiute Indians and to correct a factual error regarding

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where the California condor was reintroduced in 1996. *Id.* at 2. No opposition has been

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filed, and the time for doing so has expired. *See* LRCiv 7.2(c); Fed. R. Civ. P. 6(d).

1 Rule 15 makes clear that the Court “should freely give leave [to amend] when justice  
2 so requires.” Fed. R. Civ. P. 15(a)(2). The policy in favor of leave to amend must not only  
3 be heeded by the Court, *see Foman v. Davis*, 371 U.S. 178, 182 (1962), it must also be  
4 applied with extreme liberality, *see Owens v. Kaiser Foundation Health Plan, Inc.*, 244 F.3d  
5 708, 880 (9th Cir. 2001). The Court, in the interest of justice, will grant Plaintiffs’ motion  
6 for leave to file a second amended complaint. *See Neuendorf v. Unknown Party*, No. CV 10-  
7 124-PHX-RCB (DKD), 2010 WL 1743198, at \*2 (D. Ariz. Apr. 27, 2010).

8 **IT IS ORDERED:**

- 9 1. Plaintiffs’ motion for leave to file a second amended complaint (Dkt. #49) is  
10 **granted.**
- 11 2. The Clerk is directed to filed the lodged proposed second amended complaint  
12 (Dkt. #50).

13 DATED this 8th day of June, 2010.

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18 David G. Campbell  
19 United States District Judge  
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