

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION**

**HEMPSTEAD COUNTY HUNTING
CLUB, INC.**

PLAINTIFF

v.

4:10-cv-04098-WRW

**SOUTHWESTERN ELECTRIC
POWER COMPANY, et al.**

DEFENDANTS

ORDER

Plaintiff objects to the inclusion of certain documents in the Supplement to the Administrative Record (Doc. No. 70). Federal Defendants have responded.¹

The following documents are stricken from the Supplement to the Administrative Record because they were created after the decision to issue the permit had been made: AR007281-85²; AR007297-301.³

Plaintiff also objects to documents at AR006923-63, AR007029-34, AR007037-47, and AR007048-54.⁴ Federal Defendants respond that *Sierra Club* Plaintiffs⁵ requested all four documents and that AR006923-63, AR007029-34, AR007037-47 are attachments to emails included in the initial Administrative Record. The Corps is directed to file a brief providing the origins of these four documents (*i.e.*, which emails these documents were attached to and when the drawings/maps at AR007037-47 were created) by 5:00 p.m. on Wednesday, September 15, 2010. Plaintiff may file an appropriate motion if there is still an objection after the brief is filed,

¹Doc. No. 76.

²Doc. No. 70, at 4.f.

³Doc. No. 70, at 4.g.

⁴Doc. No. 70, at 4.a.–4.d.

⁵*Sierra Club, et al. v. U.S. Corps of Engineers, et al.*, No. 4:10-cv-4017-WRW.

but I am not likely to strike these documents if they were created before the permit decision was made.

The remaining documents to which Plaintiff objects will be given the weight I deem appropriate after being fully advised in the premises—probably during or at the end of the upcoming hearing.

IT IS SO ORDERED this 10th day of September, 2010.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE