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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE
COUNCIL, et al.,

Plaintiffs,

v.

KIRK C. RODGERS, etc., et al.,

Defendants.

CIV. NO. S-88-1658 LKK/GGH

NATURAL RESOURCES DEFENSE
COUNCIL, et al.,

Plaintiffs,

v.

GALE A. NORTON, etc., et al.,

Defendants.

CIV. NO. F-05-1207 OWW/LJO

NON-RELATED CASE ORDER

The court is in receipt of a Notice of Related Cases filed by the plaintiffs in the above-captioned cases. Plaintiffs seek to relate N.R.D.C. v. Norton, et al., N.D. Cal. No. Civ 05-000690,

1 transferred by Judge Wilken to Judge Wanger, to the above-
2 captioned case. Under the Local Rules of this court, the judge
3 with the lowest case number will resolve the propriety of relating
4 a case. In the instant matter, my case carries the lowest number.

5 I have consulted with Judge Wanger, and we have concluded
6 that, under the Local Rule's standards, the case is properly
7 related to both my case and Judge Wanger's case. Nonetheless, it
8 is our joint judgement that the purposes of relation are best
9 served by leaving the case with Judge Wanger. Accordingly, the
10 court will not relate the case to N.R.D.C. v. Rogers, et al., No.
11 Civ. S-88-1658 LKK.

12 IT IS SO ORDERED.

13 DATED: September 28, 2005.

14 /s/Lawrence K. Karlton
15 LAWRENCE K. KARLTON
16 SENIOR JUDGE
17 UNITED STATES DISTRICT COURT
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