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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

**SEQUOIA FORESTKEEPER, CENTER  
FOR BIOLOGICAL DIVERSITY and  
WESTERN WATERSHED PROJECT,**

**Plaintiffs,**

**vs.**

**KEVIN ELLIOTT, in his official capacity as  
Forest Supervisor for the Sequoia National  
Forest of the U.S. Forest Service , and the  
UNITED STATES FOREST SERVICE,**

**Defendants.**

**1:13-cv-1721 AWI JLT**

**ORDER VACATING HEARING DATE  
OF APRIL 28, 2014, AND TAKING  
MATTERS UNDER SUBMISSION**

Currently pending before the court in this action are two motions; a motion to strike extra-record materials by Federal Defendants Kevin Elliott and United States Forest Service, and a motion to appear as amicus curiae by non-party Sierra Forest Products. Both motions were set for hearing to be held on April 28, 2014. The court has reviewed the motions, the opposition to both motions by plaintiffs Sequoia Forest keeper, Center for Biological Diversity and Western Watershed Project (“Plaintiffs”) and the reply briefs and has determined that the motions are suitable for decision without oral argument. Local Rule 78-230(h).

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THEREFORE, it is hereby ordered that the hearing date of April 28, 2014, is hereby VACATED and no party shall appear on that date. As of April 28, 2014, the court will take the motions under submission and will thereafter render its decisions.

IT IS SO ORDERED.

Dated: April 22, 2014

  
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SENIOR DISTRICT JUDGE