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3 **UNITED STATES DISTRICT COURT**
4 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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6 **EARTH ISLAND INSTITUTE and SEQUOIA**
7 **FORESTKEEPER,**

8 **Plaintiffs,**

9 **v.**

10 **KEVIN ELLIOTT, in his official capacity as**
11 **Forest Supervisor of the Sequoia National**
12 **Forest, et al.,**

13 **Defendants.**

1:17-cv-01320-LJO-MJS

MEMORANDUM DECISION AND
ORDER GRANTING MOTION TO
INTERVENE (ECF No. 16)

14 The Court has received and reviewed the motion to intervene filed by Sierra Forest Products
15 (“SFP”). ECF No. 16. Plaintiffs and Federal Defendants take no position on the motion and have
16 agreed to submit the matter for decision based upon only the motion and its supporting documents.
17 Accordingly, the Court concludes the matter is suitable for decision on the papers pursuant to Local
18 Rule 230(g) and VACATES the hearing on the motion, currently set for November 21, 2017.

19 For good cause shown, SFP’s motion to intervene as of right as a defendant in this action under
20 Fed. R. Civ. P. 24(a) is GRANTED. SFP’s motion is timely; among other things, the fact that SFP holds
21 the contract to implement the Bull Run Project represents a significant protectable interest in the subject
22 matter of the litigation; disposition of the case would impact SFP’s protectable interests; and, while the
23 interests of SFP and Federal Defendants overlap, they are not identical, as Federal Defendants must
24 represent broad public interests beyond the predominantly economic interests of SFP. SFP’s
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1 participation in the case is conditioned on it making every effort to avoid duplicative briefing.

2 Duplicative briefing will be disregarded and/or stricken.

3 Defendant-Intervenor shall file its lodged Answer within three (3) business days of entry of this
4 order.

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6 IT IS SO ORDERED.

7 Dated: October 30, 2017

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE