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

8 **Plaintiffs,**

9 **v.**

10 **ANN CARLSON, in her official capacity as the**  
11 **acting Forest Supervisor of the Sequoia**  
12 **National Forest; and the UNITED STATES**  
13 **FOREST SERVICE,**

14 **Defendants.**

**1:18-cv-00331-LJO-MJS**

**MEMORANDUM DECISION AND**  
**ORDER GRANTING MOTION TO**  
**INTERVENE (ECF No. 20)**

15 The Court has received and reviewed the motion to intervene filed by Sierra Forest Products  
16 (“SFP”). ECF No. 20. Plaintiffs and Federal Defendants take no position on the motion. Accordingly,  
17 the Court concludes the matter is suitable for decision on the papers pursuant to Local Rule 230(g).

18 For good cause shown, SFP’s motion to intervene as of right as a defendant in this action under  
19 Fed. R. Civ. P. 24(a) is GRANTED. SFP’s motion is timely; among other things, the fact that SFP holds  
20 the contract to implement the Spear Creek Roadside Hazard Tree Mitigation Project represents a  
21 significant protectable interest in the subject matter of the litigation; disposition of the case would  
22 impact SFP’s protectable interests; and, while the interests of SFP and Federal Defendants overlap, they  
23 are not identical, as Federal Defendants must represent broad public interests beyond the predominantly  
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1 economic interests of SFP.<sup>1</sup> SFP's participation in the case is conditioned on its making every effort to  
2 avoid duplicative briefing. Duplicative briefing will be disregarded and/or stricken.

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4 IT IS SO ORDERED.

5 Dated: July 16, 2018

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

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24 <sup>1</sup> The Court made the same finding in *Earth Island Institute v. Elliott*, Case No. 1:17-cv-01320-LJO-SAB, a challenge to the  
25 Bull Run Roadside Hazard Tree Mitigation Project, and granted SFP's motion to intervene in that case as well.