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

CALIFORNIANS FOR ALTERNATIVES TO TOXICS, a non-profit corporation; WILDERNESS WATCH, a non-profit corporation; THE FRIENDS OF SILVER KING CREEK, a non-profit corporation; and LAUREL AMES, an individual,)	
)	2:10-cv-01477-GEB-CMK
)	
)	<u>ORDER DISSOLVING INJUNCTION</u> **
)	
Plaintiffs,*)	
)	
v.)	
)	
UNITED STATES FISH AND WILDLIFE SERVICE; ALEXANDRA PITTS, in her official capacity; UNITED STATES FOREST SERVICE; and WILLIAM A. DUNKELBERGER, in his official capacity,)	
)	
)	
Defendants.)	
_____)	

Defendants move to dissolve the permanent injunction issued on September 6, 2011, which enjoined Defendants from "implementation of the Paiute Cutthroat Trout Restoration Project," based on the finding that Defendants violated the Wilderness Act of 1964, 16 U.S.C. § 1133(c), by

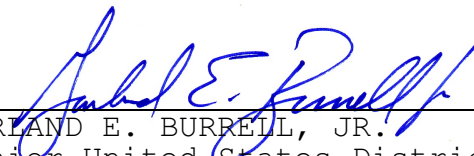
* The caption has been amended to reflect the dismissal with prejudice of Plaintiff Ann McCampbell's claims under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) on May 9, 2013, when the parties filed the dismissal stipulation.

** This matter is deemed suitable for decision without oral argument. E.D. Cal. R. 230(g).

1 "failing to consider the potential extinction of native invertebrate
2 species as a factor relevant to the decision of whether the extent of
3 the [use of prohibited motorized equipment] was necessary." Cal. for
4 Alts. to Toxics v. U.S. Fish & Wildlife Serv., 814 F. Supp. 2d 992,
5 1024, 1019 (E.D. Cal. 2011). Plaintiffs have filed a statement of non-
6 opposition in response to the motion.

7 Defendants explain in their motion that since this injunction
8 issued, Defendants have issued a revised Minimum Requirements Decision
9 Guide that addresses what should have been considered. Defendants'
10 unopposed motion reveals that Defendants have met the requirements of
11 Federal Rule of Civil Procedure 60(b)(5) for relief from a final
12 judgment by showing that the injunction should be dissolved. Therefore,
13 Defendants' motion is granted, and the injunction is dissolved.

14 Dated: May 13, 2013

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18 GARLAND E. BURRELL, JR.
19 Senior United States District Judge
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