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10 LEAD COUNSEL

11
12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

14
15 KLAMATH-SISKIYOU WILDLANDS
16 CENTER, ENVIRONMENTAL
17 PROTECTION INFORMATION CENTER,
18 KLAMATH FOREST ALLIANCE, and
19 CENTER FOR BIOLOGICAL DIVERSITY,

20 Plaintiffs,

21 vs.

22 PATRICIA A. GRANTHAM, Klamath
23 National Forest Supervisor; UNITED STATES
24 FOREST SERVICE; ROUGH AND READY
LUMBER, LLC; and SOUTH BAY TIMBER,
LLC,

25 Defendants.

Civ. Case No. 2:10-02350-GEB-CMK

STIPULATION TO VOLUNTARILY
DISMISS WITH PREJUDICE AND
[PROPOSED] ORDER

1 Plaintiffs Klamath-Siskiyou Wildlands Center, Environmental Protection Information
2 Center, Klamath Forest Alliance, and Center for Biological Diversity (Plaintiffs), Defendants
3 Patricia A. Grantham and United States Forest Service (Defendants), and Rough and Ready
4 Lumber LLC and South Bay Timber LLC (Defendants-Intervenors) submit this stipulation and
5 proposed order voluntarily dismissing with prejudice the above captioned action.

6 On March 25th 2011, the Ninth Circuit Court of Appeals issued a Memorandum Opinion
7 and Order affirming this court's October 8th 2010 decision denying Plaintiffs' motion for a
8 preliminary injunction in the above captioned case. Plaintiffs believe that in the interest of
9 judicial and attorney economy, continued prosecution of this case is not warranted. Therefore,
10 the parties hereby stipulate to voluntarily dismiss with prejudice this action, pursuant to FED. R.
11 Civ. P. 41(a)(1)(A)(ii).

12 It is stipulated by the parties that the claims in Plaintiffs' complaint are voluntarily
13 dismissed with prejudice under Rule 41(a) according to the following terms:

- 14 1. The claims in Plaintiffs' complaint are voluntarily dismissed with prejudice; and
- 15 2. All parties agree that each party will bear its own costs and attorney fees in the district
16 and appellate court.

17 Although it appears that no Court action is required, a proposed order granting the
18 requested relief is provided.

19 IT IS SO STIPULATED.

20 Respectfully submitted this 21st day of May, 2011.

21
22 /s/ Susan Jane M. Brown
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6 *Attorneys for Plaintiffs*

7 DATED: May 24, 2011

8 FOR THE FEDERAL DEFENDANTS

9 IGNACIA S. MORENO
10 Assistant Attorney General
Environment & Natural Resources Division

11 */s/David B. Glazer*
12 (as authorized on May 20, 2011)
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14 Natural Resources Section
15 Environment & Natural Resources Division
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17 FOR THE INTERVENOR-DEFENDANTS

18 DATED: May 24, 2011

19 */s/Scott W. Horngren*
20 (as authorized on April 22, 2011)
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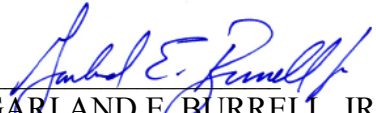
Attorneys for Defendant-Intervenors

1 [PROPOSED] ORDER

2 Upon consideration of the above Stipulation, it is hereby ORDERED that this matter is
3 hereby voluntarily dismissed with prejudice.

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5 IT IS SO ORDERED.

6 **Date: 5/24/2011**

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9 GARLAND E. BURRELL, JR.
10 United States District Judge
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