

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

CENTER FOR BIOLOGICAL DIVERSITY
and EARTH ISLAND INSTITUTE,

Plaintiff,

v.

ELI ILANO, in his official capacity as
Supervisor of the Tahoe National Forest,
THOMAS TIDWELL, Chief of the United
States Forest Service, and the UNITED
STATES FOREST SERVICE,

Defendants,

and SIERRA PACIFIC INDUSTRIES, a
California Corporation,

Defendant-Intervenor

Case No. 16-cv-02322-VC

**ORDER DENYING INJUNCTION
PENDING APPEAL**

Re: Dkt. Nos. 41, 44, 45

Plaintiffs' motion for an injunction pending appeal is denied. As discussed in the order granting summary judgment to defendants, neither the public interest or the balance of hardships in this case support enjoining the Sunny South Project. *See* Dkt. No. 35 at 10, n. 5.

IT IS SO ORDERED.

Dated: September 15, 2017



VINCE CHHABRIA
United States District Judge