

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe

Civil Action No. 08-cv-01624-WYD-MJW

COLORADO ENVIRONMENTAL COALITION, et al.,

Plaintiff(s),

v.

OFFICE OF LEGACY MANAGEMENT, et al.,

Defendant(s).

MINUTE ORDER

It is hereby ORDERED that Plaintiffs' Motion for Leave to Conduct Discovery (docket no. 21) is DENIED for the following reasons. Firstly, Plaintiff has not complied with D.C.COLO.LCivR 7.1 A. Secondly, Plaintiffs have failed to demonstrate with "clear evidence" any deficiency in the Administrative Record that the Federal Defendants lodged for the only final agency action specifically identified and challenged in Plaintiffs' Complaint. Lastly, this case involves a judicial review of the legal adequacy of an agency decision under the Administrative Procedure Act ("APA"). Under the APA, judicial review of the legal adequacy of an agency decision is limited to the Administrative Record. See Vermont Yankee Nuclear Power Corp., v. Natural Res. Def. Counsel, 435 U.S. 519, 549 (1978); Citizens to Preserve Overton Park, Inc., v. Volpe, 401 U.S. 402, 419 (1971); and, Bar MK Ranches v. Yuetter, 994 F.2d 735, 739 (10th Cir. 1993). .

Date: March 9, 2009
