

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane**

Civil Action No. 10-cv-36-AP

WILDEARTH GUARDIANS,

Plaintiff,

v.

KEN SALAZAR, in his official capacity as United States Secretary of the Interior,

Defendant.

JOINT BRIEFING SCHEDULE

The parties conferred on August 5, 6, and 9, 2010, and agreed to the following proposed Briefing Schedule.

1. PROPOSED BRIEFING SCHEDULE

Plaintiff has filed a Motion to Correct and Supplement the Administrative Record (Dkt. No. 14). The parties propose to commence briefing the merits of Plaintiff's petition for review 30 days after the Court's resolution of the Plaintiff's Motion to Correct and Supplement the Administrative Record. Accordingly, the parties propose the following schedule:

A. Plaintiff's Opening Brief Due: 30 days after the Court's decision on Plaintiff's Motion to Correct and Supplement the Administrative Record.

B. Defendant's Response Brief Due: 30 days after the Opening Brief is filed.

C. Plaintiff's Reply Brief (If Any) Due: 15 days after the Response Brief is filed.

2. OTHER MATTERS

Defendant presently intends to challenge Plaintiff's standing to pursue its claim in this case, challenging in particular whether Plaintiff's standing declarants properly establish Plaintiff's associational standing and whether Plaintiff's standing declarants have properly established the required injury in fact. In accordance with the Court's instructions to the parties in its orders filed July 26, 2010, and August 5, 2010, in case number 10-cv-00011-JLK (Dkt. Nos. 18, 20), Defendant will raise this challenge, as appropriate, in a motion to dismiss filed after Plaintiff's opening merits brief, and may at that same time seek leave to conduct limited discovery.

DATED this 12th day of August, 2010.

BY THE COURT:

S/John L. Kane
U.S. DISTRICT COURT JUDGE

APPROVED:

s/Alena E. Amundson
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