

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

Civil Action No. **10-cv-1959-AP**

WILDEARTH GUARDIANS,
Petitioner,

v.

**STEVE GUERTIN, in his official capacity as director
of U.S. Fish & Wildlife Service's Mountain-Prairie Region; et al.,**
Respondent.

ORDER

I have twice granted stays in this matter, once on January 3, 2011 and again on March 11, 2011, because the parties were engaged in ongoing settlement negotiations that they believed could possibly resolve the claims in this case. The parties have again moved for a stay, this time because they have reached a settlement agreement in another case that, if approved by the court in that case, may result in a subsequent agreement to dismiss Plaintiff's claim in this case.

The interest of judicial economy favors the requested stay. Should the settlement negotiations prove successful, further litigation of these claims would prove unnecessary. Therefore, good cause appearing, the parties' Joint Motion to Continue Stay of all Proceedings (doc. 12) is GRANTED.

This matter will be stayed until thirty (30) days after a decision by the U.S. District Court for the District of Columbia on the parties' Joint Motion for Approval of Settlement in *In re Endangered Species Act Section 4 Deadline Litig., Misc. Action No. 10-377* (EGS), MDL Docket No. 2165 (D.D.C.), at which time the parties shall submit either (1) a stipulated agreement and joint motion to dismiss this case with prejudice; or (2) a status report and proposed schedule for

resolving this matter on the merits.

Dated: May 20, 2011

BY THE COURT:

/s/ John L. Kane

Senior U.S. District Judge