

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:12-cv-1275-JLK

DINÉ CITIZENS AGAINST RUINING OUR ENVIRONMENT;
SAN JUAN CITIZENS ALLIANCE;
SIERRA CLUB;
CENTER FOR BIOLOGICAL DIVERSITY; and
AMIGOS BRAVOS,

Petitioners,

v.

UNITED STATES OFFICE OF SURFACE MINING RECLAMATION
AND ENFORCEMENT, an agency within the U.S. Department of the Interior;
SALLY JEWELL, in her official capacity as Secretary of the Interior;
AL KLEIN, in his official capacity as Regional Director of U.S. Office of Surface
Mining Reclamation and Enforcement, Western Region;
BOB POSTLE, in his official capacity as Manager of the Program Support Division for
the Western Region of the Office of Surface Mining Reclamation and Enforcement;
RICK WILLIAMSON, in his official capacity as Manager of the Indian Programs Branch
of the Western Region of the Office of Surface Mining Reclamation and Enforcement; &
MYCHAL YELLOWMAN, in his official capacity as Navajo Mine Team Leader in the
Office of Surface Mining Reclamation and Enforcement,

Respondents, and

BHP Navajo Coal Company, a Delaware Corporation,

Intervenor Respondent.

**AMENDED JOINT CASE MANAGEMENT ORDER FOR PETITION FOR
REVIEW OF AGENCY ACTION**

1. Appearances of Counsel

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2. Statement of Legal Basis for Subject Matter Jurisdiction

See Rec. Doc. 20 (Joint Case Management Plan).

3. Dates of Filing of Relevant Pleadings

See Rec. Doc. 20.

4. Statement Regarding Whether This Case Raises Unusual Claims or Defenses

See Rec. Doc. 20.

5. Other Matters

See Rec. Doc. 20.

6. Proposed Briefing Schedule

A. Filing of administrative record:

The administrative record was filed on April 24, 2013. *See* Rec. Doc. 38; *see also* Rec. Doc. 47 (granting motion to complete administrative record).

B. Deadline for parties to confer on record disputes:

The deadline for the parties to confer on record disputes was extended until June 24, 2013. *See* Rec. Doc. 42 (minute order).

C. Deadline for filing motions to complete and/or supplement the administrative record:

See Rec. Doc. 20 (30 days from the deadline for conferring on record disputes).

D. Petitioners' opening merits brief:

The Petitioners' opening merits brief was filed on August 30, 2013. Rec. Doc. 48; *see* Rec. Doc. 44 (extending deadline); Rec. Doc. 47 (same).

E. Respondents' response merits brief:

The Federal Respondents shall file their response merits brief by November 12, 2013.

F. Intervenor Respondents' response merits brief:

The Intervenor Respondents shall file their response merits brief by December 6, 2013.

G. Petitioners' reply merits brief:

The Petitioners shall file their reply merits brief by January 10, 2013.

H. If necessary, remedies briefing:

The Court shall set a schedule for remedies briefing after ruling on the merits, if necessary.

7. Statements Regarding Oral Argument

See Rec. Doc. 20.

8. Consent to Exercise of Jurisdiction by Magistrate Judge

See Rec. Doc. 20.

9. Other Matters

See Rec. Doc. 20.

10. Amendments of Joint Management Plan

See Rec. Doc. 20.

Dated this 21st day of October, 2013.

By the Court:

s/John L. Kane

John L. Kane

United States District Judge

Approved:

/s/ Shiloh Hernandez

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