

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No: 12-cv-2460-JLK

CENTER FOR BIOLOGICAL DIVERSITY,

Petitioner,

v.

JERRI MARR, in her official capacity as Forest Supervisor, and
U.S. FOREST SERVICE,

Respondents.

**ORDER ENTERING STIPULATION TO
SETTLE ATTORNEYS' FEES AND COSTS**

Kane, J.

This matter comes before the Court on the parties' Stipulation to Settle Attorneys' Fees and Costs, Doc. 33. Upon review of that document, it is for good causes hereby ORDERED that the stipulation is adopted. Specifically,

1. Federal Defendants agree to settle all of Plaintiff's claims for costs and attorneys' fees in the above-captioned litigation for a total of \$40,000.00. Federal Defendants agree to pay the entire amount to Center for Biological Diversity, 351 California St., Ste. 600, San Francisco, CA 94104, Attn: Tim Ream.
2. Federal Defendants agree to submit all necessary paperwork to the Department of the Treasury's Judgment Fund Office, pursuant to 16 U.S.C. § 1540(g)(4), within ten (10) business days of receipt of this order's entry. Plaintiffs agree to furnish Federal

Defendants with the information necessary to effectuate this payment in a timely manner;

3. Plaintiffs agree to accept payment of \$40,000.00 in full satisfaction of any and all claims for attorneys' fees and costs of litigation to which Plaintiffs are entitled in the abovecaptioned litigation, through and including the date of this Order;

4. Plaintiffs agree that receipt of this payment from Defendant shall operate as a release of Plaintiffs' claims for attorneys' fees and costs in this matter, through and including the date of this Order;

5. By this agreement, Defendant does not waive any right to contest fees claimed by Plaintiffs or Plaintiffs' counsel, including the hourly rate, in any future litigation, or continuation of the present action. Further, the stipulation as to attorneys' fees and costs has no precedential value and shall not be used as evidence in any other attorneys' fees litigation.

6. Nothing in the stipulation shall be interpreted as, or shall constitute, a commitment or requirement that Defendants are obligated to pay funds exceeding those available, or take any action in contravention of the Anti-Deficiency Act, 31 U.S.C. §1341, or other appropriations law.

Date: March 22, 2013

BY THE COURT:
/s/John L. Kane
U.S. Senior District Judge