

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

Civil Action No. **14-cv-2749-AP**

AUDOBON SOCIETY OF GREATER DENVER,

Petitioner,

v.

UNITED STATES ARMY CORPS OF ENGINEERS,

Respondent.

ORDER

This matter is currently before me on the Castle Pines Metropolitan District's, the Castle Pines North Metropolitan District's, the Centennial Water and Sanitation District's, the Center of Colorado Water Conservancy District's, the Central Colorado Water Conservancy District's, and the Town of Castle Rock's (collectively, the "Chatfield Participating Entities") Unopposed Motion to Intervene (Doc. 17). The Chatfield Participating Entities seek to intervene in this matter pursuant to either Fed. R. Civ. P. 24(a)(2) (allowing intervention as a matter of right) or Fed. R. Civ. P. 24(b)(1)(B) (allowing permissive intervention). Respondent U.S. Army Corps of Engineers takes no position regarding this motion, and Petitioner Audobon Society of Greater Denver does not oppose the Chatfield Participating Entities' intervention in this litigation.

I find that the Chatfield Participating Entities have satisfied the requirements of Fed. R. Civ. P. 24(a)(2), and their Unopposed Motion to Intervene (Doc. 17) is GRANTED. The clerk shall enter the answer attached as Exhibit 10 to their Motion to Intervene.

In the interest of the efficient conduct of the proceedings, *See San Juan County, Utah v. United States*, 503 F.3d 1163, 1189 (10th Cir. 2007), the Chatfield Participating Entities' participation in these proceedings will be subject to the following limitations:

1. Counsel for Respondent and counsel for the Chatfield Participating Entities must confer before filing any motion, responsive filing, or brief to determine whether their positions may be set forth in a consolidated fashion.
2. The Chatfield Participating Entities may file separate motions, responsive filings, or briefs only to raise arguments or issues Respondent declines to raise in its filings.
3. Any separate filings must include a Certificate of Compliance with the condition requiring the Chatfield Participating Entities to confer with counsel for Respondent before filing, and a statement that the issues raised are not adequately covered by Respondent's position.

Dated: January 22, 2015

BY THE COURT:

/s/ John L. Kane
Senior U.S. District Judge