

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

CARIBBEAN CONSERVATION
CORPORATION, et al.,

Plaintiffs,

vs.

CASE NO.: 1:09-cv-100-SPM/AK

GARY LOCKE, et al.,

Defendants.

ORDER STAYING CONSIDERATION OF MOTION TO DISMISS

THIS CAUSE comes before the Court on the Defendants' Motion to Dismiss for lack of Subject Matter Jurisdiction (doc. 16), which asserts that the Plaintiffs' case is moot. Plaintiffs have filed a memorandum in opposition to this motion (doc. 18). On April 29, 2009, fifteen days after this suit was filed, Defendant National Marine Fisheries Service promulgated an emergency rule closing the bottom longline fishery, the continued operation of which is the subject of this dispute. Per the Plaintiffs' request, this Court will stay consideration of the Motion to Dismiss until after October 28, 2009, at which time the emergency rule is set to expire. On or before November 13, 2009, the Parties shall notify the Court regarding the status of the authorization of the bottom

longline component of the Gulf of Mexico Reef Fish Fishery.

DONE AND ORDERED this first day of September, 2009.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge