

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

IDAHO WOOL GROWERS
ASSOCIATION, AMERICAN SHEEP
INDUSTRY ASSOCIATION, PUBLIC
LANDS COUNCIL, COLORADO WOOL
GROWERS ASSOCIATION, WYOMING
WOOL GROWERS ASSOCIATION,
CARLSON COMPANY, INC., and SHIRTS
BROTHERS SHEEP,

Plaintiffs,

v.

TOM VILSACK, in his official capacity as
the Secretary of the United States
Department of Agriculture; TOM
TIDWELL, in his official capacity as the
Chief of the United States Forest Service;
KEITH LANNOM, in his official capacity
as the Forest Supervisor of the Payette
National Forest; and UNITED STATES
FOREST SERVICE,

Defendants.

Case No. 1:12-CV-469-BLW

ORDER

The Court has before it competing Litigation Plans filed by both parties. The key issue in dispute is whether plaintiffs will be allowed to expand the Administrative Record to include testimony by certain Government witnesses.

This issue is best addressed by motion and briefing. Given that the Government intends to file the Administrative Record on January 11, 2013, and the parties have already discussed the


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issue to some degree in their Litigation Plans, the Court will set up an expedited briefing schedule with page limits. This will mean that the agreed-upon briefing schedule addressing the merits (set forth in the Litigation Plans) will have to be extended. Once the Court issues its decision on whether to expand the Administrative Record, the Court will hold another Case Management Conference at which time a new schedule for resolving the merits shall be discussed and put into place. Accordingly,

NOW THEREFORE IT IS HEREBY ORDERED, that the following briefing schedule shall govern the resolution of the issue of the scope of the Administrative Record: (1) Plaintiffs shall file their motion to expand the scope of the Administrative Record and supporting brief – limited to 8 pages – on or before **January 18, 2013**; (2) the Government shall file any response – also limited to 8 pages – on or before **January 28, 2013**; (3) Plaintiffs shall file their reply brief – limited to 3 pages – on or before **February 4, 2013**. If the Court grants intervention to the proposed intervenor, it may allow them to file a brief, and if so, would extend the plaintiffs' deadline for a reply brief. The Court shall not hold oral argument and will issue a decision expeditiously.

DATED: **January 8, 2013**




B. LYNN WINMILL
Chief Judge
United States District Court