

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

DEC 13 2016

Clerk, U.S. District Court
District Of Montana
Missoula

WILDEARTH GUARDIANS,

Plaintiff,

vs.

CRAIG HOOVER; DANIEL ASHE;
UNITED STATES FISH AND
WILDLIFE SERVICE; SALLY
JEWELL; AND THE UNITED STATES
DEPARTMENT OF THE INTERIOR,

Defendants,

and

MONTANA TRAPPERS
ASSOCIATION and NATIONAL
TRAPPERS ASSOCIATION,

Defendant-Intervenors.

CV 16-65-M-DWM

ORDER

The parties request this matter be stayed pending the completion of analysis of the environmental impacts of the CITES export program for Appendix II species under the National Environmental Policy Act (“Act”). Prior to this lawsuit, no NEPA analysis was prepared for the CITES program on the grounds that the Federal Defendants determined it was categorically excluded from NEPA review. (*See* Amend. Comp., Doc. 9 at ¶ 38.) Since then, the Federal Defendants

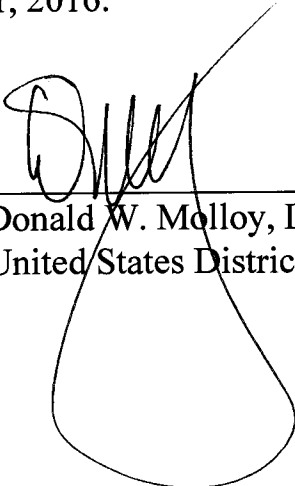
have decided to prepare an Environmental Assessment, to be completed by April 2017. A stay of this case is therefore appropriate pending the completion of the proposed environmental review. No further extensions or continuances will be granted.

Accordingly, IT IS ORDERED that the parties' request (Docs. 39, 41) is GRANTED. The deadlines in this matter are STAYED subject to the following provisions:

- (1) Federal Defendants shall file their answer by December 16, 2016;
- (2) On or before March 31, 2017, Federal Defendants shall prepare and make available for public review and comment a draft analysis under NEPA analyzing the environmental effects of the CITES export program for Appendix II furbearer species;
- (3) Federal Defendants shall provide notice to the parties when the draft analysis is available for review and public comment;
- (4) On or before April 18, 2017, Federal Defendants shall issue a final analysis and decision under NEPA concerning the environmental effects of the CITES export program for Appendix II furbearer species. Federal Defendants shall provide a copy of the final analysis and decision under NEPA to the parties and inform the Court of its issuance; and

(5) Within 30 days after a final analysis is prepared and decision issued, the parties shall confer and file a status report with the Court that either requests: (a) the matter be dismissed because the issues have been resolved; (b) the matter proceed with a new schedule and deadlines for filing the administrative record, amending the complaint, and briefing on summary judgment; or (c) other specific relief.

Dated this 1st day of December, 2016.



Donald W. Molloy, District Judge
United States District Court