

FILED
OCT 23 2017
Clerk, U.S. Courts
District Of Montana
Missoula Division

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

ALLIANCE FOR THE WILD ROCKIES,
NATIVE ECOSYSTEMS COUNCIL,

Plaintiffs,
vs.

LEANNE MARTEN, Regional Forester
of Region One of the U.S. Forest Service,
UNITED STATES FOREST SERVICE,
an agency of the U.S. Department of
Agriculture,

Defendants.

CV 17-21-M-DLC

ORDER

On October 2, 2017, Defendants filed a Status Report and Request to Extend Stay which this Court denied on October 10, 2017. Defendants have now filed a Motion for Leave to Seek Reconsideration (Doc. 35) of the Court's decision to deny the extension of the stay. In support of the Motion, Defendants argue the Court erred in ruling before Defendants had time to file a reply brief on the issue, and that the facts are materially different than those presented to the

Court at the time of the October 10, 2017, Order. Defendants are now seeking to extend the stay until January 19, 2018, to allow the Forest Service to conduct studies and assessments of the project area to determine the impact of the recent fires. The Court will grant Defendants' motion and reserve ruling on the Motion for Reconsideration until it has been fully briefed. Further, in order to facilitate the briefing, the Court will vacate and reset the deadline for Defendants' Response to Plaintiffs' Motion for Summary Judgment. During this period of briefing the Court expects Defendants to utilize this time to perform the work outlined in its supporting brief, including "on-the-ground assessments, low-level aerial photography, and updating analytical modalities like V-Map" in order to meet its requested date. (Doc. 36-1 at 3.) Accordingly,

IT IS ORDERED that Defendants' Motion for Leave to Seek Reconsideration (Doc. 33) is GRANTED. The Clerk's Office shall file Defendants' Memorandum Supporting Reconsideration and Third Declaration of Patrick Shanley. (Doc. 36-1.)

IT IS FURTHER ORDERED that the Parties shall adhere to an expedited briefing schedule on the matter of reconsideration. Plaintiffs shall file their Response Brief by November 3, 2017, and Defendants shall have until November 10, 2017, to file a reply.

IT IS FURTHER ORDERED that Defendants' November 1, 2017, deadline for filing their Response to Plaintiffs' Motion for Summary Judgment is VACATED. A new deadline will be set following the briefing as outlined in this Order.

DATED this 23rd day of October, 2017.



Dana L. Christensen
Dana L. Christensen, Chief Judge
United States District Court