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Attorneys for Plaintiffs
Center for Biological Diversity and Sierra Club

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

CENTER FOR BIOLOGICAL
DIVERSITY, and SIERRA CLUB

Plaintiffs,

v.

U.S. BUREAU OF LAND
MANAGEMENT; RYAN ZINKE, in his
capacity as Secretary of the Department of
the Interior; and BRIAN STEED, in his
capacity as Acting Director of the Bureau of
Land Management,

Defendants.

Case No. 3:17-cv-00553

**ORDER GRANTING
FURTHER REVISED JOINT CASE
MANAGEMENT STATEMENT**

1 Having conferred, counsel for the Parties in this case propose the following revised joint case
2 management statement and schedule. The Parties agree that this case is an action for review on an
3 administrative record pursuant to the Administrative Procedure Act, 5 U.S.C. § 706 *et seq.*, and
4 under Fed. R. Civ. P. 26(a)(1)(B)(i), and shall proceed in accordance with Local Rule 16-1(c)(1).
5 The Parties also agree that discovery is inappropriate in this action and that this case should be
6 resolved on cross motions for summary judgment.

7 **BRIEFING DEADLINES**

8 The Parties agree to the following deadlines:

- 9 1. Federal Defendants shall lodge, on or before **May 23, 2018**, a supplement to the
10 administrative record lodged on April 13, 2018, containing only (1) those documents that
11 Plaintiffs identified in their April 26, 2018 spreadsheet as inadvertently omitted from the
12 administrative record and that Federal Defendants have determined were submitted during
13 the comment period for the two lease sales at issue in this litigation, (2) the draft Finding of
14 No Significant Impact for the June 2017 lease sale, (3) the preliminary Environmental
15 Assessment released to the public on January 5, 2017, and (4) other documents Federal
16 Defendants have identified as constituting part of the administrative record. Federal
17 Defendants will provide the supplement to the administrative record to the Court and
18 Plaintiffs on flash drives and the documents contained therein will be text searchable;
- 19 2. Plaintiffs shall file any motion challenging the content and scope of the supplement to the
20 administrative record on or before **June 6, 2018**. Such challenge shall be limited to whether
21 the supplement includes the documents identified by Plaintiffs in their April 26, 2018
22 spreadsheet as being inadvertently omitted from the administrative record; the draft Finding
23 of No Significant Impact for the June 2017 lease sale; and the preliminary Environmental
24 Assessment released to the public on January 5, 2017.
- 25 3. Plaintiffs shall file their opening brief in support of their summary judgment motion, on or
26 before **June 22, 2018**, not to exceed 40 pages;
- 27 4. Federal Defendants shall file their cross-motion for summary judgment and combined
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1 response brief in opposition to Plaintiffs' motion for summary judgment on or before **July**
2 **23, 2018**, not to exceed 40 pages;

3 5. Plaintiffs shall file their reply in support of their motion for summary judgment and
4 opposition to Federal Defendants' cross-motion for summary judgment on or before **August**
5 **13, 2018**, not to exceed 30 pages;

6 6. Federal Defendants shall file their reply in support of their cross-motion for summary
7 judgment on or before **September 3, 2018**, not to exceed 30 pages;

8 7. Plaintiffs do not consent to the case being resolved by a magistrate judge.

9
10 DATED: May 14, 2018

Respectfully submitted,

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12 /s/ Julie Cavanaugh-Bill

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20 /s/ Clare Lakewood

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Attorneys for Federal Defendants

IT IS SO ORDERED.

DATED: May 23, 2018.



UNITED STATES MAGISTRATE JUDGE