

U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:17-cv-00035-jdp

Sauk Prairie Conservation Alliance v. U.S. Department of the Interior et al Date Filed: 01/13/2017
Assigned to: District Judge James D. Peterson Jury Demand: None
Referred to: Magistrate Judge Stephen L. Crocker Nature of Suit: 899 Other Statutes:
Cause: 42:4332 Environmental Policy - Coop of Agency Repo Administrative Procedures Act/Review or
Appeal of Agency Decision
Jurisdiction: U.S. Government Defendant

Plaintiff

Sauk Prairie Conservation Alliance

represented by **Brian H Potts**
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V.

Defendant

U.S. Department of the Interior

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LEAD ATTORNEY
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Defendant

Sally Jewell
in her official capacity as Secretary of the United States Department of Interior

represented by **Anna K. Stimmel**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Leslie K. Herje
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

National Park Service

represented by **Anna K. Stimmel**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Leslie K. Herje
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Michael Reynolds
in his official capacity as the Director of the National Park Service

represented by **Anna K. Stimmel**
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Leslie K. Herje
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ATTORNEY TO BE NOTICED

Defendant

U.S. General Services Administration

represented by **Anna K. Stimmel**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Leslie K. Herje
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ATTORNEY TO BE NOTICED

Defendant

Denise Turner Roth

*in her official capacity as Administrator of the
General Services Administration*

represented by **Anna K. Stimmel**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Leslie K. Herje
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V.

Intervenor Defendant

State of Wisconsin

represented by **Anna J. Wildeman**
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Date Filed	#	Docket Text
01/13/2017	<u>1</u>	COMPLAINT against Sally Jewell, National Park Service, Michael Reynolds, Denise Turner Roth, U.S. Department of the Interior, U.S. General Services Administration, (Filing fee \$ 400 receipt number 0758-1951770.), filed by All Plaintiffs, (Attachments: # <u>1</u> JS-44 Civil Cover Sheet, # <u>2</u> Summons: U.S. Department of the Interior, # <u>3</u> Summons: National Park Service, # <u>4</u> Summons: Sally Jewell, # <u>5</u> Summons: Michael Reynolds, # <u>6</u> Summons: General Services Administration, # <u>7</u> Summons: Denise Turner Roth, # <u>8</u> Exhibit 1: SPSRA Draft Master Plan and FEIS, # <u>9</u> Exhibit 2: March 2001 Badger Refuse Committee Final Report, # <u>10</u> Exhibit 3: 2003 GSA EIS - Part 1 of 5, # <u>11</u> Exhibit 3: 2003 GSA EIS - Part 2 of 5, # <u>12</u> Exhibit 3: 2003 GSA EIS - Part 3 of 5, # <u>13</u> Exhibit 3: 2003 GSA EIS - Part 4 of 5,

[14](#) Exhibit 3: 2003 GSA EIS - Part 5 of 5,
[15](#) Exhibit 4: 2001 Thompson Letter,
[16](#) Exhibit 5: 2010 Deed,
[17](#) Exhibit 6: 2011 Deed,
[18](#) Exhibit 7: FLP Application & Program of Utilization,
[19](#) Exhibit 8: Aug 2004 NPS Letter and Report Approving FLP App,
[20](#) Exhibit 9: Feb 2005 NPS Letter and Report Approving FLP App,
[21](#) Exhibit 10: Rapid Ecological Assessment for the SPRA,
[22](#) Exhibit 11: Regional & Property Analysis of the SPSRA,
[23](#) Exhibit 12: July 2012 Alliance Comment Letter to WDNR,
[24](#) Exhibit 13: August 2012 Alliance Letter to WDNR,
[25](#) Exhibit 14: Wisconsin Legislative Council Analysis,
[26](#) Exhibit 15: WDNR Preliminary Vision and Goal,
[27](#) Exhibit 16: August 2013 Alliance Response Letter to WDNR,
[28](#) Exhibit 17: August 2015 Draft Master Plan and EIS,
[29](#) Exhibit 18: September 2015 Alliance Comment Letter to WDNR,
[30](#) Exhibit 19: Alliance Study re: Shooting Range,
[31](#) Exhibit 20: January 2016 Alliance Letter to NPS,
[32](#) Exhibit 21: May 2016 NPS Comment Letter to WDNR,
[33](#) Exhibit 22: June 2015 WDNR Letter to NPS,
[34](#) Exhibit 23: December 2016 NPS Letter to WDNR,
[35](#) Exhibit 24: December 2016 BRC Written Comments,
[36](#) Exhibit 25: December 2106 WDNR Letter to NRB and NPS,
[37](#) Exhibit 26: December 2016 Letter from WDNR to NPS,
[38](#) Exhibit 27: 2015 NPS NEPA Handbook,
[39](#) Exhibit 28: December 2016 NRB Hearing Written Comments,
[40](#) Exhibit 29: December 2016 Ho-Chunk Letter) (Potts, Brian) Modified on 1/14/2017: Removed duplicate text. (lak) (Entered: 01/13/2017)

01/13/2017		Case randomly assigned to Magistrate Judge Stephen L. Crocker. (jat) (Entered: 01/13/2017)
01/13/2017		Standard attachments for Magistrate Judge Stephen L. Crocker required to be served on all parties with summons or waiver of service: Corporate Disclosure Statement , Order Regarding Assignment of Civil Cases , Notice of Assignment to a Magistrate Judge and Consent/Request for Reassignment , Order on Dispositive Motions . (jat) (Entered: 01/13/2017)
01/13/2017	2	Summons Issued as to Sally Jewell, National Park Service, Michael Reynolds, Denise Turner Roth, U.S. Department of the Interior, U.S. General Services Administration. (jat) (Entered: 01/13/2017)
01/18/2017		Case randomly reassigned to District Judge James D. Peterson and Magistrate Judge Stephen L. Crocker. (cak) (Entered: 01/18/2017)
01/23/2017	3	Affidavit of Service by Plaintiff. National Park Service served on 1/17/2017, answer due 3/20/2017. (Potts, Brian) Modified on 1/23/2017. (lak) (Entered: 01/23/2017)
01/23/2017	4	Affidavit of Service by Plaintiff. Denise Turner Roth served on 1/17/2017, answer due 3/20/2017. (Potts, Brian) Modified on 1/23/2017. (lak) (Entered: 01/23/2017)
01/23/2017	5	Affidavit of Service by Plaintiff. U.S. Department of the Interior served on 1/17/2017, answer due 3/20/2017. (Potts, Brian) Modified on 1/23/2017. (lak) (Entered: 01/23/2017)
01/23/2017	6	Affidavit of Service by Plaintiff. U.S. General Services Administration served on 1/17/2017, answer due 3/20/2017. (Potts, Brian) Modified on 1/23/2017. (lak) (Entered: 01/23/2017)
01/23/2017	7	Affidavit of Service by Plaintiff. Michael Reynolds served on 1/17/2017, answer due 3/20/2017. (Potts, Brian) Modified on 1/23/2017. (lak) (Entered: 01/23/2017)

01/23/2017	8	Affidavit of Service by Plaintiff. Sally Jewell served on 1/17/2017, answer due 3/20/2017. (Potts, Brian) Modified on 1/23/2017. (lak) (Entered: 01/23/2017)
01/23/2017		Set/Reset Deadlines: Answer deadline reset as to all Defendants. Answers due 3/20/2017. (lak) (Entered: 01/23/2017)
03/06/2017	9	Affidavit of Service by Plaintiff. All Defendants. (Potts, Brian) (Entered: 03/06/2017)
04/21/2017	10	Unopposed Motion to Intervene by Intervenor Defendant State of Wisconsin. Response due 4/28/2017. (Attachments: # 1 Certificate of Service) (Wildeman, Anna) Modified on 4/24/2017: Changed name of party from Wisconsin Department Of Justice to State of Wisconsin, per pleadings. (lak) (Entered: 04/21/2017)
04/21/2017	11	Brief in Support of 10 Unopposed Motion to Intervene by Intervenor Defendant State of Wisconsin. (Wildeman, Anna) Modified on 4/24/2017: Changed name of party from Wisconsin Department Of Justice to State of Wisconsin, per pleadings. (lak) (Entered: 04/21/2017)
04/21/2017	12	ANSWER by Intervenor Defendant State of Wisconsin. (Wildeman, Anna) Modified on 4/24/2017: Changed name of party from Wisconsin Department Of Justice to State of Wisconsin, per pleadings. (lak) (Entered: 04/21/2017)
04/21/2017	13	ANSWER by Defendants Sally Jewell, National Park Service, Michael Reynolds, Denise Turner Roth, U.S. Department of the Interior, U.S. General Services Administration. (Herje, Leslie) (Entered: 04/21/2017)
04/24/2017		Set Telephone Conference: Telephone Pretrial Conference set for 5/17/2017 at 01:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [Standing Order Governing Preliminary Pretrial Conference attached] (jat) (Entered: 04/24/2017)
04/24/2017	14	** TEXT ONLY ORDER ** The State of Wisconsin's unopposed motion to intervene as a defendant in this case, Dkt. 10 , is GRANTED. The court accepts the answer that the State has filed. Dkt. 12 . Signed by District Judge James D. Peterson on 4/24/17. (jat) (Entered: 04/24/2017)
05/11/2017	15	Motion to Reschedule Pretrial Conference by Defendants Sally Jewell, National Park Service, Michael Reynolds, Denise Turner Roth, U.S. Department of the Interior, U.S. General Services Administration. (Stimmel, Anna) (Entered: 05/11/2017)
05/11/2017	16	** TEXT ONLY ORDER ** ORDER granting 15 Motion to Reschedule Hearing. The telephonic preliminary pretrial conference is moved to June 7, 2017 at 9:30 a.m. Signed by Magistrate Judge Stephen L. Crocker on 5/11/17. (jat) (Entered: 05/11/2017)
06/01/2017	17	Preliminary Pretrial Conference Report by Plaintiff Sauk Prairie Conservation Alliance. (Potts, Brian) (Entered: 06/01/2017)
06/07/2017		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 6/7/2017 [:10] (cak) (Entered: 06/07/2017)
06/15/2017	18	Pretrial Conference Order - Government's submission of administrative record: August 31, 2017; Plaintiff's Response: September 14, 2017; Plaintiffs' motion for summary judgment: October 6, 2017; Defendants' motions for summary judgment and responses: November 8, 2017; Plaintiffs' response and reply: December 1, 2017; Defendants' reply: December 21, 2017. Signed by Magistrate Judge Stephen L. Crocker on 6/15/17. (jat) (Entered: 06/15/2017)
06/23/2017	19	MOTION FOR PRELIMINARY INJUNCTION by Plaintiff Sauk Prairie Conservation Alliance. (Potts, Brian) (Entered: 06/23/2017)

06/23/2017	20	Proposed Findings of Fact filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction, (Attachments: # 1 Exhibit 30 - Quitclaim Deed, # 2 Exhibit 31 - Quitclaim Deed, # 3 Exhibit 32 - Quitclaim Deed, # 4 Exhibit 33 - Quitclaim Deed, # 5 Exhibit 34 - Quitclaim Deed, # 6 Exhibit 35 - Quitclaim Deed, # 7 Exhibit 36 - Quitclaim Deed, # 8 Exhibit 37 - Quitclaim Deed, # 9 Exhibit 38 - NRB Hearing (Blank), # 10 Exhibit 39 - Pohlman Affidavit, Exhibit B) (Potts, Brian) Modified on 6/26/2017. (lak) (Entered: 06/23/2017)
06/23/2017	21	Brief in Support of 19 Motion for Preliminary Injunction by Plaintiff Sauk Prairie Conservation Alliance. (Potts, Brian) (Entered: 06/23/2017)
06/23/2017	22	Affidavit of Mark Squillace filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) Modified on 6/26/2017: Exhibits. (lak) (Entered: 06/23/2017)
06/23/2017	23	Affidavit of Anna Pidgeon filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) Modified on 6/26/2017: Exhibits. (lak) (Entered: 06/23/2017)
06/23/2017	24	Affidavit of Rob Tyser filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) Modified on 6/26/2017: Exhibits. (lak) (Entered: 06/23/2017)
06/23/2017	25	Affidavit of Jacob Allgeier filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) Modified on 6/26/2017: Exhibits. (lak) (Entered: 06/23/2017)
06/23/2017	26	Affidavit of Paul Senner filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) Modified on 6/26/2017: Exhibits. (lak) (Entered: 06/23/2017)
06/23/2017	27	Affidavit of Charles Luthin filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) (Entered: 06/23/2017)
06/23/2017	28	Affidavit of Mimi Wuest filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) (Entered: 06/23/2017)
06/23/2017	29	Affidavit of Donna Stehling filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) (Entered: 06/23/2017)
06/23/2017	30	Affidavit of Bill Stehling filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) (Entered: 06/23/2017)
06/23/2017	31	Affidavit of Curt Meine filed by Plaintiff Sauk Prairie Conservation Alliance re: 19 Motion for Preliminary Injunction. (Potts, Brian) (Entered: 06/23/2017)
06/26/2017	32	ORDER denying 19 Motion for Preliminary Injunction by Plaintiff Sauk Prairie Conservation Alliance. Signed by District Judge James D. Peterson on 6/26/2017. (voc) (Entered: 06/26/2017)
06/26/2017	33	Motion for Reconsideration re: 32 Order on Motion for Preliminary Injunction by Plaintiff Sauk Prairie Conservation Alliance. Response due 7/3/2017. (Potts, Brian) (Entered: 06/26/2017)
06/28/2017	34	ORDER denying 33 Motion for Reconsideration. Signed by District Judge James D. Peterson on 6/28/17. (jat) (Entered: 06/28/2017)
08/07/2017	35	NOTICE OF APPEAL by Plaintiff Sauk Prairie Conservation Alliance as to 32 Order. Filing fee of \$ 505, receipt number 0758-2080036 paid. Docketing Statement filed. (Attachments:

		# 1 Docketing Statement) (Potts, Brian) Modified on 8/7/2017. (lak) (Entered: 08/07/2017)
08/07/2017	36	Transcript Request Form by Plaintiff Sauk Prairie Conservation Alliance. (Potts, Brian) (Entered: 08/07/2017)
08/07/2017	37	Appeal Information Packet. (lak) (Entered: 08/07/2017)