

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

WESTERN WATERSHEDS PROJECT,
BUFFALO FIELD CAMPAIGN, TATANKA
OYATE, GALLATIN WILDLIFE
ASSOCIATION, NATIVE ECOSYSTEMS
COUNCIL, YELLOWSTONE BUFFALO
FOUNDATION, MEGHAN GILL,
CHARLES IRESTONE, and DANIEL
BRISTER,

CV 09-159-M-CCL

Plaintiffs,

ORDER

-vs-


KEN SALAZAR, Secretary of the Interior;
SUSANNE LEWIS, Park Superintendent,
Yellowstone National Park, NATIONAL
PARK SERVICE, an agency of the U.S.
Department of Interior; LESLIE WELDON,
Regional Forester, U.S. Forest Service Northern
Region; UNITED STATES FOREST SERVICE,
an agency of the U.S. Department of
Agriculture; MARY ERICKSON,
Gallatin National Forest Supervisor,

Defendants.

The Court is perplexed at having received at 1:29 pm today the latest filing of Plaintiffs, consisting of a reply brief that cites and relies upon a media story announcing the issuance of an unpublished “study,” as well as the unpublished “study” itself, never heretofore disclosed to the Court nor made any part of the record, which the Court had considered closed. Under these circumstances and in the interest of fairness,

IT IS HEREBY ORDERED that Defendants shall file a sur-reply brief responding to Plaintiff’s filing by 2:00 o’clock p.m. on Friday, February 11, 2011

Done and Dated this 8th day of February, 2011.



CHARLES C. LOVELL
SENIOR UNITED STATES DISTRICT JUDGE