

1 MONTANA FIRST JUDICIAL DISTRICT  
2 LEWIS AND CLARK COUNTY

3 HELENA HUNTERS AND ANGLERS )  
4 ASSOCIATION, a non-profit organization )  
5 FRIENDS OF THE WILD SWAN, a non-profit )  
6 organization; MONTANA ECOSYSTEM )  
7 DEFENSE COUNCIL, a non-profit organization; )  
8 GEORGE WUERTHNER, an individual; NATIVE )  
9 ECOSYSTEMS COUNCIL, a non-profit )  
10 organization; ALLIANCE FOR THE WILD )  
11 ROCKIES, a non-profit organization; SWAN )  
12 VIEW COALITION, a non-profit organization; )  
13 WILDEARTH GUARDIANS, a non-profit )  
14 organization, and FOOTLOOSE MONTANA, a )  
15 non-profit organization, )

16 Plaintiffs, )

17 vs. )

18 JOE MAURIER, in his official capacity as )  
19 Director of The Montana Fish, Wildlife and Parks, )  
20 MONTANA FISH, WILDLIFE AND PARKS, an )  
21 agency of the State of Montana; BOB REAM, in )  
22 his official capacity as chairman of the Montana )  
23 Fish, Wildlife and Parks Commission; and the )  
24 MONTANA FISH, WILDLIFE AND PARKS )  
25 COMMISSION, a regulatory entity of the State )  
26 of Montana, )

27 State-Defendants. )  
28 )  
29 )

BDV-2012-868

[PROPOSED] ORDER  
GRANTING JOINT MOTION  
TO VACATE  
JANUARY 10, 2013, HEARING  
AND AMEND CASE  
MANAGEMENT PLAN

30 This matter having come before the Court on the Parties' joint motion to vacate the  
31 January 10, 2013, hearing and amend case management plan, and good cause having been  
32 shown, this Court hereby GRANTS the motion.

33 WHEREFORE, the January 10, 2013, preliminary injunction hearing in this matter is  
34 vacated and the Parties' joint case management plan is hereby amended as follows:

35 (1) On or before March 1, 2013, the Parties will jointly notify this Court: (1) whether a  
36 hearing on Plaintiffs' motion for a preliminary injunction is still necessary and needs to be

1 scheduled; (2) whether Plaintiffs' motion for a preliminary injunction is withdrawn; and/or (3)  
2 whether the Parties have reached a stipulated agreement regarding Plaintiffs' motion for a  
3 preliminary injunction. This Court's November 30, 2012, order granting Plaintiffs' motion for a  
4 temporary restraining order remains in effect. The Montana Department of Fish, Wildlife and  
5 Parks and Montana Fish, Wildlife and Parks Commission remain enjoined from authorizing the  
6 trapping (unless for non-lethal research purposes), snaring, or killing of wolverines in Montana  
7 until Plaintiffs' motion for a preliminary injunction is resolved.

8 (2) The Parties will endeavor to resolve any disagreements concerning the contents of the  
9 administrative record filed in this case informally, amongst themselves. If unable to do so,  
10 Plaintiffs will have until April 5, 2013, to file any motions objecting to the contents of the record  
11 or seeking to supplement the record;

12 (3) If no disputes concerning the content of the record arise, Plaintiffs will file a motion  
13 for summary judgment and supporting materials by April 19, 2013, the Department will file a  
14 consolidated cross-motion for summary judgment and response to Plaintiffs' motion by May 20,  
15 2013, Plaintiffs will file a consolidated response to the Department's motion and reply by June  
16 21, 2013, and the Department will file a reply by July 21, 2013.

17 Issued this \_\_\_\_ day of \_\_\_\_\_ 2013.  
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21 Hon. Jeffrey Sherlock, District Court Judge  
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