

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

South Carolina Coastal Conservation)	
League, <i>et al.</i>)	
)	
Plaintiffs,)	C.A. No. 2:18-3326-RMG
)	
vs.)	
)	
Wilbur Ross, in his official capacity as)	
the Secretary of Commerce, <i>et al.</i> ,)	ORDER
)	
Defendants.)	
)	

This matter comes before the Court on the Federal Defendants’ motion for an eight-week extension, until April 16, 2020, to comply with the Court’s January 6, 2020 order requiring the supplementation of the administrative record by February 20, 2020. (Dkt. Nos. 352, 353). Federal Defendants assert that the requirements of the Court’s order have resulted in the gathering of “a large volume of documents so far” and these documents will require a review for privilege and various clerical tasks associated with the supplementation of the record. (Dkt. No. 353 at 2). Plaintiffs have responded by opposing the eight-week extension and requested a four-week extension along with an agreement that the Federal Defendants will be given thirty days’ notice in advance of the issuance of any Bureau of Ocean Energy Management (“BOEM”) permits relating to seismic testing under challenge in this action. (Dkt. No. 354 at 3).

The Court has already extended the deadline for supplementation of the record from February 20, 2020 to February 28, 2020, to allow the Court adequate time to address the Federal Defendants’ request for an eight-week extension. (C.A. No. 2:18-3327, Dkt. No. 33). The Court has carefully considered the circumstances supporting the request of the Federal

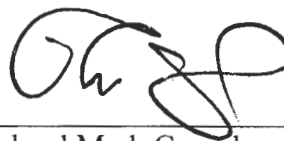
Defendants and concluded that there is good cause to grant some extension for the supplementation of the record. The Court is not persuaded, however, that eight additional weeks are needed. The Court is satisfied that an extension until March 31, 2020 should be sufficient for the Federal Defendants to complete their supplementation of the record.

The Court has also considered Plaintiffs' understandable concern with adequate notice of the issuance of BOEM permits and the possible need for the Court to address complicated motions for a preliminary injunction over a very short time frame. The difficulty is that BOEM is presently not a party to this action. Although advanced notice of BOEM permits might make the work of all parties less rushed and more organized, the Court is fully prepared to address any motions for preliminary injunction on a short time schedule should this become necessary.

Conclusion

Federal Defendants' motion for an extension of time to supplement the record (Dkt. No. 353) is **GRANTED IN PART** and **DENIED IN PART**. The Court finds good cause for an extension to supplement the record until March 31, 2020. No further extensions will be granted.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

February 17, 2020
Charleston, South Carolina