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11 Attorneys for Federal Defendants
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13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE EASTERN DISTRICT OF CALIFORNIA
15 SACRAMENTO DIVISION

16 PEOPLE OF THE STATE OF CALIFORNIA,)
17 ex rel. BILL LOCKYER, Attorney General,)

18 Plaintiff,)

19 v.)

20 UNITED STATES DEPARTMENT OF)
AGRICULTURE; MIKE JOHANNNS, in his)
official capacity as Secretary of the)
21 Department of Agriculture;)
MARK REY, in his official capacity as)
22 Under Secretary of Agriculture;)
DALE BOSWORTH, in his official capacity)
23 as Chief of the United States Forest Service;)
and JACK A. BLACKWELL in his official)
24 capacity as Regional Forester, Region 5,)
United States Forest Service,)

25 Federal Defendants.)
26 _____)

No. CIV-S-05-0211 MCE/GGH

**FEDERAL DEFENDANTS' NOTICE
OF MOTION TO CONSOLIDATE
FILED IN A SEPARATE ACTION**

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FED. DEFS.' NOT. OF MOT. TO CONSOLIDATE
FILED IN A SEPARATE ACTION

1 Federal Defendants in the above-captioned case hereby give notice that they have filed a
2 motion in a separate action, Sierra Nevada Forest Protection Campaign v. Rey, No. CIV-S-05-
3 0205-MCE-GGH (“SNFPC v. Rey”), to consolidate the following four cases: SNFPC v. Rey;
4 California ex rel. Lockyer v. U.S. Dep’t of Agric., No. CIV-S-05-0211-MCE-GGH; California
5 Forestry Ass’n v. Bosworth, Case No. 2:05-CV-00905-MCE-DAD; and Pacific Rivers Council v.
6 U.S. Forest Serv., Case No. 2:05 CV-00953-WBS-DAD. The motion is presently noticed in that
7 case for hearing before the Honorable Morrison C. England, Jr., District Court Judge, United
8 States District Court, on July 25, 2005 at 9:00 a.m. in Courtroom 3, 15th Floor, 501 I Street,
9 Sacramento, California. A copy of the motion, memorandum in support, and proposed order are
10 attached hereto.

11 Respectfully submitted this 23rd day of May 2005.

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23 /s/ Brian C. Toth
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Attorneys for Federal Defendants

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on May 23, 2005, I electronically filed the foregoing Federal
3 Defendants' NOTICE OF MOTION TO CONSOLIDATE FILED IN A SEPARATE ACTION and attached
4 exhibits with the Clerk of the Court using the CM/ECF system, which caused a copy to be served
5 upon the following individuals:

6 Michael Bruce Jackson
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16 Attorney for Proposed Defendant-Intervenor Calif. Ski Industry Ass'n

17 Dated: May 23, 2005

18 /s/ Brian C. Toth
19 Attorney for Federal Defendants
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