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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE EASTERN DISTRICT OF CALIFORNIA
4 SACRAMENTO DIVISION

5 SIERRA NEVADA FOREST PROTECTION)
6 CAMPAIGN, CENTER FOR BIOLOGICAL)
7 DIVERSITY, NATURAL RESOURCES)
8 DEFENSE COUNCIL, SIERRA CLUB, and)
9 THE WILDERNESS SOCIETY, non-profit)
10 organizations,)

11 Plaintiffs,)

12 v.)

13 MARK REY, in his official capacity as Under)
14 Secretary of Agriculture; DALE BOSWORTH,)
15 in his official capacity as Chief of the United)
16 States Forest Service; JACK BLACKWELL,)
17 in his official capacity as Regional Forester,)
18 Region 5, United States Forest Service; and)
19 JAMES M. PEÑA, in his official capacity as)
20 Forest Supervisor, Plumas National Forest,)

21 Federal Defendants.)

22 _____)
23 PEOPLE OF THE STATE OF CALIFORNIA,)
24 ex rel. BILL LOCKYER, Attorney General,)

25 Plaintiff,)

26 v.)

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

_____)
Federal Defendants.)

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No. CIV-S-05-0205 MCE/GGH

**[PROPOSED] ORDER GRANTING
FEDERAL DEFENDANTS'
MOTION TO CONSOLIDATE CASES**

Date: July 25, 2005
Time: 9:00 a.m.
Location: 15th Floor
Courtroom No. 3
Hon. Morrison C. England, Jr.

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

1 CALIFORNIA FORESTRY ASSOCIATION)
2 and AMERICAN FOREST & PAPER)
3 ASSOCIATION,)

4 Plaintiffs,)

5 v.)

6 DALE BOSWORTH, Chief, United States)
7 Forest Service; MIKE JOHANNNS, Secretary of)
8 Agriculture; and JACK A. BLACKWELL,)
9 Regional Forester, Pacific Southwest Region,)
10 United States Forest Service,)

11 Federal Defendants.)

Case No. 2:05-CV-00905-MCE-DAD

12 _____)
13 PACIFIC RIVERS COUNCIL,)

14 Plaintiff,)

15 v.)

16 UNITED STATES FOREST SERVICE;)
17 MARK REY, in his official capacity as Under)
18 Secretary of Agriculture; DALE BOSWORTH,)
19 in his official capacity as Chief of the United)
20 States Forest Service; JACK BLACKWELL,)
21 in his official capacity as Regional Forester,)
22 Region 5, United States Forest Service)

23 Federal Defendants.)

Case No. 2:05 CV-00953-WBS-DAD

24 The matter is before the Court upon a motion by the United States to consolidate the four
25 above-captioned cases pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the
26 responses of Plaintiffs in each case, and Federal Defendants' reply thereto. Having fully
27 considered the matter, the Court hereby FINDS that the above cases involve common questions
28 of law and fact, and that consolidation would promote judicial economy. It is therefore
ORDERED that the cases are consolidated for the purposes of coordination. The parties in each
case shall consult and, within 21 days of this order, submit joint status reports that include
proposed schedules for briefing the merits of the cases.

It is so ORDERED.

Dated: _____

United States District Judge

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on May 23, 2005, I electronically lodged the foregoing Federal
3 Defendants' [PROPOSED] ORDER GRANTING MOTION TO CONSOLIDATE with the Clerk of the
4 Court in *Sierra Nevada Forest Protection Campaign v. Rey*, No. CIV-S-05-0205-MCE-GGH,
5 using the CM/ECF system, which caused a copy to be served upon the following individuals:

6 J. Michael Klise, jmklise@crowell.com
7 Attorney for Plaintiffs in *Calif. Forestry Ass'n v. Bosworth*
8 Attorney for Tuolumne County Alliance for Resources & Environment, *et al.*,
9 Proposed Defendant-Intervenors in *Calif. ex rel. Lockyer v. U.S. Dep't of Agric.*,
10 and *Sierra Nevada Forest Protection Campaign v. Rey*

11 Michael Bruce Jackson, mjatty@sbcglobal.net
12 Attorney for Quincy Library Group, Proposed Defendant-Intervenor in
13 *Calif. ex rel. Lockyer v. U.S. Dep't of Agric.*, and
14 *Sierra Nevada Forest Protection Campaign v. Rey*

15 Adam Strachan, astrachan@hrblaw.com
16 Attorney for California Ski Industry Association, Proposed Defendant-Intervenor in
17 *Calif. ex rel. Lockyer v. U.S. Dep't of Agric.*, and
18 *Sierra Nevada Forest Protection Campaign v. Rey*

19 Patrick Gallagher, pat.gallagher@sierraclub.org
20 Attorney for Plaintiff in *Sierra Nevada Forest Protection Campaign v. Rey*

21 Gregory Cahill Loarie, gloarie@earthjustice.org, jwall@earthjustice.org
22 Attorney for Plaintiff in *Sierra Nevada Forest Protection Campaign v. Rey*

23 Michael Ramsey Sherwood, msherwood@earthjustice.org, jwall@earthjustice.org
24 Attorney for Plaintiff in *Sierra Nevada Forest Protection Campaign v. Rey*

25 Steven P. Rice, srice@crowell.com
26 Attorney for Tuolumne County Alliance for Resources & Environment, *et al.*,
27 Proposed Defendant-Intervenors in *Calif. ex rel. Lockyer v. U.S. Dep't of Agric.*,
28 and *Sierra Nevada Forest Protection Campaign v. Rey*

I further certify that I caused a copy to be served by first class mail, postage prepaid, upon the
following individuals:

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Oakland, CA 94612-0550
Attorneys for Plaintiff in *Calif. ex rel. Lockyer v. U.S. Dep't of Agric.*

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Proposed Defendant-Intervenor in *Calif. Forestry Ass'n v. Bosworth*

Dated: May 23, 2005

/s/ Brian C. Toth
Attorney for Federal Defendants