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Attorneys for Federal Defendants

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

SIERRA NEVADA FOREST PROTECTION
CAMPAIGN, CENTER FOR BIOLOGICAL
DIVERSITY, NATURAL RESOURCES
DEFENSE COUNCIL, SIERRA CLUB, and
THE WILDERNESS SOCIETY, non-profit
organizations,

Plaintiffs,

v.

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; JACK BLACKWELL,
in his official capacity as Regional Forester,
Region 5, United States Forest Service; and
JAMES M. PEÑA, in his official capacity as
Forest Supervisor, Plumas National Forest,

Federal Defendants.

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

**FEDERAL DEFENDANTS'
MOTION TO CONSOLIDATE
CASES AND NOTICE OF MOTION**

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

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1 PEOPLE OF THE STATE OF CALIFORNIA,
2 ex rel. BILL LOCKYER, Attorney General,

3 Plaintiff,

4 v.

5 UNITED STATES DEPARTMENT OF
6 AGRICULTURE; MIKE JOHANNS, in his
7 official capacity as Secretary of the
8 Department of Agriculture;
9 MARK REY, in his official capacity as
10 Under Secretary of Agriculture;
11 DALE BOSWORTH, in his official capacity
12 as Chief of the United States Forest Service;
13 and JACK A. BLACKWELL in his official
14 capacity as Regional Forester, Region 5,
15 United States Forest Service,

16 Federal Defendants.

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18 CALIFORNIA FORESTRY ASSOCIATION
19 and AMERICAN FOREST & PAPER
20 ASSOCIATION,

21 Plaintiffs,

22 v.

23 DALE BOSWORTH, Chief, United States
24 Forest Service; MIKE JOHANNS, Secretary of
25 Agriculture; and JACK A. BLACKWELL,
26 Regional Forester, Pacific Southwest Region,
27 United States Forest Service,

28 Federal Defendants.

PACIFIC RIVERS COUNCIL,

Plaintiff,

v.

UNITED STATES FOREST SERVICE;
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; JACK BLACKWELL,
in his official capacity as Regional Forester,
Region 5, United States Forest Service

Federal Defendants.

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

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

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

[illegible]

MOTION TO CONSOLIDATE CASES

Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, Federal Defendants hereby move to consolidate the above-captioned cases on the grounds that the cases involve common questions of law and fact and that consolidation would be in the interests of judicial economy. This motion is supported by Federal Defendants' separately-filed memorandum. A proposed order is also being lodged today with the Court. For the reasons stated in the memorandum, Federal Defendants respectfully request that their motion be granted and that the above cases be consolidated for the purposes of coordination.

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/s/ Brian C. Toth
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FED. DEFS.' MOT. TO CONSOLIDATE - 1 -

CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2005, I electronically filed the foregoing Federal Defendants' MOTION TO CONSOLIDATE with the Clerk of the Court in *Sierra Nevada Forest Protection Campaign v. Rey*, No. CIV-S-05-0205-MCE-GGH. Such filing used the CM/ECF system, which caused a copy to be served upon the following individuals:

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

Michael Bruce Jackson, mjatty@sbcglobal.net
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Sierra Nevada Forest Protection Campaign v. Rey

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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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1515 Clay Street, Suite 2000
Oakland, CA 94612-0550
Attorneys for Plaintiff in *Calif. ex rel. Lockyer v. U.S. Dep't of Agric.*

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

22 Dated: May 23, 2005

23 /s/ Brian C. Toth
24 Attorney for Federal Defendants
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