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10			
11	UNITED STATES	DISTRICT COURT	
12	FOR THE EASTERN DISTRICT OF CALIFORNIA SACRAMENTO DIVISION		
13	S. Teru III II.		
14	SIERRA NEVADA FOREST PROTECTION CAMPAIGN, PLUMAS FOREST PROJECT,	Case No. Civ. S-04-2023 MCE/GGH	
15	EARTH ISLAND INSTITUTE, and CENTER FOR BIOLOGICAL DIVERSITY, non-profit		
16	organizations,	PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR INJUNCTION PENDING	
17	Plaintiffs,	APPEAL	
18	vs.		
19	UNITED STATES FOREST SERVICE; JACK BLACKWELL, in his official capacity as	Date: June 20, 2005 Time: 9:00 a.m.	
20	Regional Forester, Region 5, United States Forest Service; and JAMES M. PEÑA, in his	Judge: Hon. Morrison C. England, Jr.	
21	official capacity as Forest Supervisor, Plumas National Forest,		
22	Defendants,		
23	and		
24	QUINCY LIBRARY GROUP, an unincorporated		
25	citizens group; and PLUMAS COUNTY,		
26	Intervenors/Defendants.		
27			
28			

NOTICE OF MOTION

Please take notice that the following Motion for Injunction Pending Appeal is scheduled to be heard by the Honorable Morrison C. England, United States District Court, on June 20, 2005 at 9:00 a.m. in Courtroom 3, 15th Floor, 501 I Street, Sacramento, California.

MOTION FOR INJUNCTION PENDING APPEAL

Pursuant to Rule 8(a)(1)(C) of the Federal Rules of Appellate Procedure and Rule 62(c) of the Federal Rules of Civil Procedure, plaintiffs Sierra Nevada Forest Protection Campaign, *et al.*, hereby request that this Court enjoin the defendants United States Forest Service, *et al.* from awarding any timber sale contracts to implement the Meadow Valley Defensible Fuel Profile Zone and Group Selection Project ("Project"), or in any way authorizing the commencement of logging or other activities pursuant to the Project, except for legitimate fire risk reduction activities such as prescribed burning or undergrowth thinning, pending the final disposition of plaintiffs' appeal to the Ninth Circuit Court of Appeals from the Judgment entered in this case on May 9, 2005.

As detailed in the Stipulation and Joint Request Regarding Resolution of Plaintiffs' Motion for Injunction Pending Appeal, submitted herewith, the parties have requested that the Court expedite its determination of this Motion by ruling on the basis of the shortened briefing schedule agreed to by the parties and without a hearing before this Court.

DATED: May <u>12</u> , 2005	Respectfully submitted,
	/s/ George M. Torgun MICHAEL R. SHERWOOD GEORGE M. TORGUN Earthjustice 426 17th Street, 5th Floor Oakland, CA 94612
	Attorneys for Plaintiffs Sierra Nevada Forest Protection Campaign and Plumas Forest Project
	/s/ Rachel M. Fazio (as authorized on May 12, 2005) RACHEL M. FAZIO John Muir Project P.O. Box 697 Cedar Ridge, CA 95924
	Attorney for Plaintiffs Earth Island Institute

PLS' NOTICE OF MOTION AND MOTION FOR INJ. PENDING APPEAL - Civ. S-04-2023 MCE/GGH

and Center for Biological Diversity