

To: (b) (6) @gmail.com (b) (6) @gmail.com]
From: Magallanes, Downey
Sent: 2018-02-02T15:17:56-05:00
Importance: Normal
Subject: Fwd: Activity in Case 1:17-cv-02605-TSC UTAH DINE BIKEYAH et al v. TRUMP et al Order
Received: 2018-02-02T15:17:56-05:00
[image001.png](#)

Forwarded conversation

Subject: Fwd: Activity in Case 1:17-cv-02605-TSC UTAH DINE BIKEYAH et al v. TRUMP et al Order

From: **Moody, Aaron** <aaron.moody@sol.doi.gov>
Date: Fri, Jan 26, 2018 at 8:56 PM
To: Gary Lawkowski <gary_lawkowski@ios.doi.gov>, Downey Magallanes <downey_magallanes@ios.doi.gov>, Brian Steed <bsteed@blm.gov>, "Younger, Cally" <cyounger@blm.gov>
Cc: Daniel Jorjani <daniel.jorjani@sol.doi.gov>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Laura Brown <laura.brown@sol.doi.gov>

All- the court has set a status conference in the monument cases for next Wednesday. We've been discussing strategy for scheduling with DOJ and will be in touch early next week.
-Aaron

Aaron G. Moody
Assistant Solicitor, Branch of Public Lands
Division of Land Resources
Office of the Solicitor
U.S. Department of the Interior
202-208-3495

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----- Forwarded message -----

From: **Coleman, Judith (ENRD)** <Judith.Coleman@usdoj.gov>
Date: Fri, Jan 26, 2018 at 8:45 PM
Subject: Fwd: Activity in Case 1:17-cv-02605-TSC UTAH DINE BIKEYAH et al v. TRUMP et al Order
To: "ryan.sklar@sol.doi.gov" <ryan.sklar@sol.doi.gov>, "laura.brown@sol.doi.gov" <laura.brown@sol.doi.gov>, "joshua.hanson@sol.doi.gov" <joshua.hanson@sol.doi.gov>, "aaron.moody@sol.doi.gov" <aaron.moody@sol.doi.gov>
Cc: "Philpott, Romney (ENRD)" <Romney.Philpott@usdoj.gov>

Status conference in Monuments cases on Wednesday, January 31. See below.

Begin forwarded message:

From: <DCD_ECFNotice@dcd.uscourts.gov>
Date: January 26, 2018 at 7:43:46 PM EST
To: <DCD_ECFNotice@dcd.uscourts.gov>
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U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was entered on 1/26/2018 at 7:43 PM EDT and filed on 1/26/2018

Case Name: UTAH DINE BIKEYAH et al v. TRUMP et al

Case Number: 1:17-cv-02605-TSC

Filer:

Document Number: No document attached

Docket Text:

MINUTE ORDER: A Status Conference is hereby set for 1/31/18 at 11:00 a.m. in Courtroom 9 in the following Utah National Monument Cases: 17-cv-2587-TSC (WILDERNESS SOCIETY et al v. DONALD J. TRUMP et al); 17-cv-2590-TSC (HOPI TRIBE et al v. TRUMP et al); 17-cv-2591-TSC (GRAND STAIRCASE ESCALANTE PARTNERS et al v. TRUMP et al); 17-cv-2605-TSC (UTAH DINE BIKEYAH et al v. TRUMP et al); and 17-cv-2606-TSC (NATURAL RESOURCES DEFENSE COUNCIL, INC. et al v. DONALD J. TRUMP et al). Signed by Judge Tanya S. Chutkan on

1/26/18. (DJS)

1:17-cv-02605-TSC Notice has been electronically mailed to:

James Taylor Banks james.banks@hoganlovells.com

Douglas P. Wheeler, III douglas.wheeler@hoganlovells.com

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Jonathan Wood jw@pacificlegal.org, incominglit@pacificlegal.org, tae@pacificlegal.org

1:17-cv-02605-TSC Notice will be delivered by other means to::

From: **Moody, Aaron** <aaron.moody@sol.doi.gov>

Date: Wed, Jan 31, 2018 at 5:46 PM

To: Gary Lawkowski <gary_lawkowski@ios.doi.gov>, Downey Magallanes
<downey_magallanes@ios.doi.gov>, Brian Steed <bsteed@blm.gov>, "Younger, Cally"
<cyounger@blm.gov>

Cc: Daniel Jorjani <daniel.jorjani@sol.doi.gov>, Kevin Haugrud <jack.haugrud@sol.doi.gov>,
Laura Brown <laura.brown@sol.doi.gov>, Casey Hammond <casey_hammond@ios.doi.gov>

All-

The status conference went well. In a nutshell:

1. The Judge is going to grant our motions to consolidate, so that all challenges to BENM are consolidated, and both challenges to GSENM are also consolidated.
2. Pacific Legal Foundation's motion to intervene, as well as GSEP's motion for partial summary judgment, will effectively be stayed pending the Judge's decision on our motion to transfer to the District of Utah, which she indicated she would decide as quickly as she could.
3. Plaintiffs declined the Judge's offer of an extension to respond to the motion to transfer, so their responses are due tomorrow. Our reply in further support will be due a week from tomorrow, although the Judge indicated she would entertain a motion for more time after we

see the P's briefs.

4. Plaintiffs asked the Judge to set a briefing schedule for motions for summary judgment in the event she denies the motion to transfer, but she ultimately declined. The parties are to confer to work on an appropriate schedule for our motion to dismiss (currently due March 16) and possible additional motions for partial summary judgment (on the latter point, P's are also to confer as to whether they all join in GSEP's motion).

5. Finally, GSEP indicated that they filed their motion for partial summary judgment so quickly because they were concerned about impacts of activities on the ground, and asked that we be required to notify them of future actions. The Judge declined to impose that order, in part because we noted that additional actions on the ground would require more process. (b)

(b)
DPP
(b)

Sorry to drag this on. Call if you have questions.

-Aaron

Aaron G. Moody
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From: **Cally Younger** <cyounger@blm.gov>
Date: Wed, Jan 31, 2018 at 6:09 PM
To: "Moody, Aaron" <aaron.moody@sol.doi.gov>
Cc: Gary Lawkowski <gary_lawkowski@ios.doi.gov>, Downey Magallanes <downey_magallanes@ios.doi.gov>, Brian Steed <bsteed@blm.gov>, Daniel Jorjani <daniel.jorjani@sol.doi.gov>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Laura Brown <laura.brown@sol.doi.gov>, Casey Hammond <casey_hammond@ios.doi.gov>

Thanks for the update Aaron. Overall, sounds like good news!

Cally Younger | Counsel
Office of the Director
Bureau of Land Management

U.S. Department of the Interior
Direct: 202-208-3027
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From: **Moody, Aaron** <aaron.moody@sol.doi.gov>
Date: Fri, Feb 2, 2018 at 1:57 PM
To: Gary Lawkowski <gary_lawkowski@ios.doi.gov>, Downey Magallanes
<downey_magallanes@ios.doi.gov>, Brian Steed <bsteed@blm.gov>, "Younger, Cally"
<cyounger@blm.gov>
Cc: Daniel Jorjani <daniel.jorjani@sol.doi.gov>, Kevin Haugrud <jack.haugrud@sol.doi.gov>,
Laura Brown <laura.brown@sol.doi.gov>, Casey Hammond <casey_hammond@ios.doi.gov>

Update (apologies if this is too much minutiae): plaintiffs' responses to our motion to transfer came in last night. (b)(5) DPP (b)(5) ACP

-Aaron

Aaron G. Moody
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