

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JUL 19 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

THE CLOUD FOUNDATION, INC.; et
al.,

Plaintiffs - Appellants,

v,

KEN SALAZAR, Secretary of the Interior;
et al.,

Defendants - Appellees.

No. 11-16706

D.C. No. 3:11-cv-00459-HDM
District of Nevada,
Reno

ORDER

Before: KOZINSKI, Chief Judge, WARDLAW and PAEZ, Circuit Judges.

The motions for leave to file an over-length emergency motion, opposition to the emergency motion, and optional reply are granted. *See* Fed. R. App. P. 27(d)(2).

Appellants' emergency motion for injunctive relief is denied. *See Winter v. Natural Res. Def. Council, Inc.*, 129 S.Ct. 365, 374 (2008) (a party seeking injunctive relief "must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public

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interest.”); *see also Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1133-35 (9th Cir. 2011).

The briefing schedule established previously remains in effect.