

FILED

UNITED STATES COURT OF APPEALS

AUG 25 2011

FOR THE NINTH CIRCUIT

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

ALLIANCE FOR THE WILD ROCKIES;
et al.,

Plaintiffs - Appellants,

and

CENTER FOR BIOLOGICAL
DIVERSITY and CASCADIA
WILDLANDS,

Plaintiffs,

v.

KEN SALAZAR, in his official capacity
as United States Secretary of the Interior;
et al.,

Defendants - Appellees.

No. 11-35661

D.C. Nos. 9:11-cv-00070-DWM
9:11-cv-00071-DWM

District of Montana,
Missoula

ALLIANCE FOR THE WILD ROCKIES;
et al.,

Plaintiffs,

and

No. 11-35670

D.C. Nos. 9:11-cv-00070-DWM
9:11-cv-00071-DWM

District of Montana,
Missoula

CENTER FOR BIOLOGICAL
DIVERSITY; et al.,

Plaintiffs - Appellants,

v.

KEN SALAZAR, in his official capacity
as United States Secretary of the Interior;
et al.,

Defendants - Appellees.

ORDER

Before: SCHROEDER, THOMAS, and GRABER, Circuit Judges.

The motion to consolidate appeal nos. 11-35661 and 11-35670 is granted.

State of Montana's and Montana Department of Fish, Wildlife and Parks' amicus curiae brief in support of federal defendants-appellees' opposition to appellants' emergency motion under Circuit Rule 27-3(a) for injunction pending appeal and State of Idaho's amicus curiae brief in response to the emergency motion for injunction pending appeal, both submitted on August 22, 2011, in appeal no. 11-35661, are deemed filed.

Plaintiffs-appellants' emergency motion under circuit rule 27-3(a) for an injunction pending appeal in no. 11-35661 is denied without prejudice to renewal in front of the panel that will hear the merits of this appeal.

The motion for leave to intervene by Safari Club International and National Rifle Association of America is referred to the panel that will hear the merits of these appeals for whatever consideration the panel deems appropriate.

The motion of Montana Farm Bureau Federation, Idaho Farm Bureau Federation, and Mountain States Legal Foundation to intervene is referred to the panel that will hear the merits of these appeals for whatever consideration the panel deems appropriate.

The motion of the Wildlife Conservation Groups to intervene is referred to the panel that will hear the merits of these appeals for whatever consideration the panel deems appropriate.

Appellants' motion to expedite these appeals, filed in appeal no. 11-35670, is granted in part. The following briefing schedule shall govern these consolidated appeals: the opening briefs and excerpts of record are due September 14, 2011; the consolidated answering brief is due October 14, 2011; the optional reply briefs are due October 24, 2011. The parties shall submit the hard copies of the briefs to the court via overnight delivery within two days of e-filing. All parties on a side are encouraged to join in a single brief to the greatest extent practicable. *See* 9th Cir. R. 28-4.

The provisions of Ninth Circuit Rule 31-2.2(a) shall not apply to this appeal.

The Clerk shall place this case on the November 2011 calendar.