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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO
NORTHERN DIVISION

CENTER FOR BIOLOGICAL DIVERSITY,
et al.,

Plaintiffs,

v.

U.S. FOREST SERVICE, *et al.*

Defendants.

Case No. 2:20-cv-00128-CWD

JOINT STATUS REPORT

Plaintiffs Center for Biological Diversity, WildEarth Guardians, Idaho Conservation League, The Lands Council, and Selkirk Conservation Alliance and Defendants United States Forest Service, Vicki Christiansen in her official capacity, Jeanne Higgins in her official capacity, United States Customs and Border Protection, Chad Wolf in his official capacity, and Robert Janson in his official capacity (together, “the Parties”) hereby submit this Joint Status Report to update the Court as to matters pertinent to this litigation.

On May 14, 2020, counsel for Plaintiffs reached out to counsel for Defendants to discuss Plaintiffs plans to seek emergency injunctive relief prior to the start of work on the Bog Creek Road Project, set to begin on June 15, 2020. During that call, counsel for Defendants indicated that Defendants did not intend to proceed with reconstruction activities on Bog Creek Road until the summer of 2021. Defendants, through counsel, later indicated that they also did not intend to allow open public access to the 4.9 miles of Forest Service Road (FSR) 1009 this year. The agencies do intend for some work on the remaining aspects of the Project to move forward this summer. In light of these representations, Plaintiffs have decided to forego moving for preliminary injunctive relief. If Defendants’ plans change, they have agreed to provide Plaintiffs, through counsel, with 30 days’ notice before any ground-disturbing activities commence on Bog Creek Road or before open public access is permitted on the 4.9 miles of FSR 1009. Plaintiffs reserve their right to file a motion for preliminary injunctive relief should the Defendants’ plans change or a decision on the merits of this litigation is not issued before May 2021.

Dated: June 10, 2020

Respectfully submitted,

s/ Andrea Zaccardi

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