

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

MISSOULA DIVISION

DEFENDERS OF WILDLIFE, NATURAL) CV 08-56-M-DWM
RESOURCES DEFENSE COUNCIL, SIERRA)
CLUB, HUMANE SOCIETY OF THE)
UNITED STATES, CENTER FOR)
BIOLOGICAL DIVERSITY, JACKSON HOLE)
CONSERVATION ALLIANCE, FRIENDS OF)
THE CLEARWATER, ALLIANCE FOR THE)
WILD ROCKIES, OREGON WILD,)
CASCADIA WILDLANDS PROJECT,)
WESTERN WATERSHEDS PROJECT, and)
WILDLANDS PROJECT,)
)
Plaintiffs,)
)
vs.) ORDER
)
H. DALE HALL, U.S. Fish and)
Wildlife Service Director; DIRK)
KEMPTHORNE, Secretary of the)
Interior; and UNITED STATES FISH)
AND WILDLIFE SERVICE,)
)
Defendants,)
)
and)
)
SAFARI CLUB INTERNATIONAL; SAFARI)
CLUB INTERNATIONAL FOUNDATION; THE)
NATIONAL RIFLE ASSOCIATION OF)
AMERICA; STATE OF MONTANA; MONTANA)
DEPARTMENT OF FISH, WILDLIFE, AND)
PARKS; STATE OF IDAHO; GOVERNOR)
C.L. "BUTCH" OTTER; IDAHO FISH AND)

GAME COMMISSION; IDAHO DEPARTMENT)
OF FISH AND GAME; IDAHO OFFICE OF)
SPECIES CONSERVATION; STATE OF)
WYOMING; SPORTSMEN FOR FISH AND)
WILDLIFE; MONTANA STOCKGROWERS)
ASSOCIATION, INC.; MONTANA FARM)
BUREAU FEDERATION; WESTERN MONTANA)
FISH AND GAME ASSOCIATION, INC.;)
MONTANA SHOOTING SPORTS)
ASSOCIATION, INC.; FRIENDS OF THE)
NORTHERN YELLOWSTONE ELK HERD;)
WYOMING STOCK GROWERS ASSOCIATION,)
INC.,)
)
)
Defendant-Intervenors.)
)

IT IS HEREBY ORDERED THAT Defendants' Motion for Voluntary Remand and Vacatur (dkt #108) is GRANTED as follows:

(1) The *Final Rule Designating the Northern Rocky Mountain Population of Gray Wolf as a Distinct Population Segment and Removing This Distinct Population Segment From the Federal List of Endangered and Threatened Wildlife*, 73 Fed. Reg. 10514 (Feb. 27, 2008) ("Final Rule") is hereby remanded to the United States Fish and Wildlife Service;

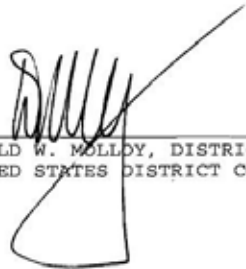
(2) The Final Rule is hereby vacated; and

(3) The northern Rocky Mountain gray wolf is returned to the list of endangered and threatened species with each of its component populations having the same status under

the Endangered Species Act as that population had prior to the issuance of the Final Rule.

IT IS FURTHER ORDERED that the case is dismissed without prejudice.

Dated this 14th day of October, 2008.



DONALD W. MOLLOY, DISTRICT JUDGE
UNITED STATES DISTRICT COURT