

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

HOPI TRIBE, <i>et al.</i> ,)	Case No. 17-cv-2590 (TSC)
)	
Plaintiffs,)	
)	
v.)	
)	
DONALD J. TRUMP, <i>et al.</i> ,)	
)	
Defendants.)	

UTAH DINÉ BIKÉYAH, <i>et al.</i> ,)	Case No. 17-cv-2605 (TSC)
)	
Plaintiffs,)	
)	
v.)	
)	
DONALD J. TRUMP, <i>et al.</i> ,)	
)	
Defendants.)	

NATURAL RESOURCES DEFENSE COUNCIL, INC., <i>et al.</i> ,)	Case No. 17-cv-2606 (TSC)
)	
Plaintiffs,)	
)	
v.)	CONSOLIDATED CASES
)	
DONALD J. TRUMP, <i>et al.</i> ,)	
)	
Defendants.)	

AMERICAN FARM BUREAU FEDERATION, <i>et al.</i> ,)
)
Defendant-Intervenors.)

PLAINTIFFS' MOTION FOR STATUS CONFERENCE

Plaintiffs in the above-captioned cases respectfully request that the Court schedule a status conference at the Court's earliest convenience to discuss the federal government's recent issuance of a proposed management plan for Bears Ears National Monument. Plaintiffs have conferred with Federal Defendants and with all Defendant-Intervenors about this request for a status conference. Plaintiffs recognize that moving parties have been directed by this Court to indicate whether or not a motion is opposed, but the Defendants and Defendant-Intervenors indicated they would like to see this motion before taking a position.

Plaintiffs are aware that the plaintiffs in the Grand Staircase docket have filed a motion requesting a status conference. *See* Plaintiffs' Unopposed Motion for a Status Conference, ECF No. 105, *The Wilderness Society v. Trump*, No. 17-2587 (TSC) (July 30, 2019). Given the overlapping issues, and in the interests of judicial economy, Plaintiffs respectfully submit that a single status conference for both sets of cases may be desirable in order to keep the cases on similar schedules. Plaintiffs in the Grand Staircase docket have advised the undersigned counsel that they consent to a joint hearing if the Court so desires.

On July 26, 2019, the federal Bureau of Land Management (BLM) published its final proposed management plan for what remains of Bears Ears National Monument.¹ Pursuant to the President's Proclamation No. 9681, 82 Fed. Reg. 58,081 (Dec. 4, 2017)—which Plaintiffs' complaints allege illegally removed roughly 85% of the federal lands from Bears Ears National

¹ *See* BLM, *Bears Ears National Monument: Proposed Monument Management Plans and Final Environmental Impact Statement* (July 26, 2019), at <https://bit.ly/2kWhzSw>; *see also* BLM, *Notice of Availability of the Bears Ears National Monument Indian Creek and Shash Jáa Units Proposed Monument Management Plans and Final Environmental Impact Statement*, 84 Fed. Reg. 36118-01 (July 26, 2019).

Monument—BLM’s monument management plan covers only two small units of the original 1.35-million-acre Monument, leaving the remainder without monument protections. BLM’s publication of the plan triggers a 30-day protest period, after which BLM may formally adopt the plan in a final record of decision. *See* 43 C.F.R. § 1610.5-1.

Plaintiffs anticipate challenging certain aspects of BLM’s management plan, including its failure to protect the entire 1.35 million acres of Bears Ears National Monument as required by Presidential Proclamation No. 9558, 82 Fed. Reg. 1139 (Dec. 28, 2016). Because any such challenges will necessarily implicate the core legal issue already pending before this Court—i.e., the President’s lack of authority to remove land from a national monument—Plaintiffs wish to update the court on those developments.

Plaintiffs therefore request a status conference at the Court’s earliest convenience to discuss issues relating to BLM’s monument management plan and its potential impact on the pending litigation.

Dated: August 13, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of August 2019, I filed the above pleading with the Court's CM/ECF system, which provided notice of this filing by e-mail to all counsel of record.

/s/ Natalie A. Landreth
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