

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

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CENTER FOR BIOLOGICAL DIVERSITY,))	
THE LANDS COUNCIL, AND DEFENDERS))	
OF WILDLIFE,))	
))	
Plaintiffs,))	
))	
v.))	Civil No. 2:19-cv-265-CWD
))	
DAVID BERNHARDT, Secretary of the))	NOTICE OF VOLUNTARY
Department of the Interior, and UNITED))	DISMISSAL WITHOUT
STATES FISH AND WILDLIFE SERVICE,))	PREJUDICE
an agency of the United States,))	
))	
Defendants.))	
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On July 10, 2019, Plaintiffs filed the above-captioned suit challenging the U.S. Fish and wildlife Service’s failure to timely issue a final rule listing the Southern Mountain Caribou Distinct Population Segment (“DPS”) as threatened or endangered and the agency’s failure to timely issue a final critical habitat designation in violation of the Endangered Species Act and the Administrative Procedure Act. ECF No. 1, ¶¶ 62-70. On October 2, 2019, the U.S. Fish and Wildlife Service published the final rule in the Federal Register, listing the Southern Mountain Caribou DPS as an endangered species and designating critical habitat.

Plaintiffs Center for Biological Diversity, The Lands Council, and Defenders of Wildlife have obtained all the relief they sought in this lawsuit and therefore, by and through their undersigned counsel, now respectfully file this notice of voluntary dismissal as to all defendants pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). Such dismissal shall be without prejudice. Plaintiffs state that no defendant has filed an answer or motion to dismiss this action. Plaintiffs reserve the

right to seek recovery of attorneys' fees, costs, and litigation expenses associated with this matter.

Dated: October 29, 2019

Respectfully submitted,

/s/ Andrea Santarsiere

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2019, the foregoing **NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE** was electronically filed using the CM/ECF system, which sent a Notice of Electronic Filing to all Registered Participants.

/s/Andrea Santarsiere
Andrea Santarsiere