

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

CENTER FOR BIOLOGICAL DIVERSITY,)	
)	
Plaintiff,)	
)	
v.)	
)	
KENNETH SALAZAR, as Secretary of the)	Civil No. 1:09-cv-00090-HHK
DEPARTMENT OF THE INTERIOR; GARY LOCKE,)	
as Secretary of the DEPARTMENT OF COMMERCE;)	
ROBERT GATES, as Secretary of the DEPARTMENT)	
OF DEFENSE; RAY LaHOOD, as Secretary of the)	
DEPARTMENT OF TRANSPORTATION;)	
THOMAS VILSACK, as Secretary of the DEPARTMENT)	
OF AGRICULTURE; LISA JACKSON, as Administrator)	
of the ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Defendants.)	
)	
)	
)	

**STIPULATION OF DISMISSAL WITH PREJUDICE
PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Plaintiff Center for Biological Diversity and the Defendants Kenneth Salazar, in his official capacity as Secretary of the Department of the Interior; Gary Locke, in his official capacity as Secretary of the Department of Commerce; Robert Gates, in his official capacity as Secretary of the Department of Defense; Ray LaHood, in his official capacity as Secretary of the Department of Transportation; Thomas Vilsack, in his official capacity as Secretary of the Department of Agriculture; and Lisa Jackson, in her official capacity as Administrator of the Environmental Protection Agency, (collectively, “the Parties”), hereby jointly stipulate to dismissal with prejudice of the above-captioned case. The Parties further stipulate that each side shall bear its

own attorneys' fees and costs of litigation.

Respectfully submitted this 15th day of May, 2009,

JOHN C. CRUDEN
Acting Assistant Attorney General
United States Department of Justice
Environment & Natural Resources Division

JEAN E. WILLIAMS, Chief
Wildlife & Marine Resources Section

/s/ Kristen L. Gustafson
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