

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 17-cv-03025-PAB

HIGH COUNTRY CONSERVATION ADVOCATES,  
WILDEARTH GUARDIANS,  
CENTER FOR BIOLOGICAL DIVERSITY,  
SIERRA CLUB, and  
WILDERNESS WORKSHOP,

Plaintiffs,

v.

UNITED STATES FOREST SERVICE,  
U.S. DEPARTMENT OF AGRICULTURE,  
DANIEL JIRÓN, in his official capacity as Acting Under Secretary of Agriculture for  
Natural Resources and Environment, U.S. Department of Agriculture,  
SCOTT ARMENTROUT, in his official capacity as Supervisor of the Grand Mesa,  
Uncompahgre, and Gunnison National Forests,  
UNITED STATES DEPARTMENT OF THE INTERIOR,  
BUREAU OF LAND MANAGEMENT, and  
KATHARINE MACGREGOR, in her official capacity as Deputy Assistant Secretary,  
Land and Minerals Management, U.S. Department of the Interior,

Defendants, and

MOUNTAIN COAL COMPANY, LLC,

Defendant-Intervenor.

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**ORDER**

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**Entered by Chief Judge Philip A. Brimmer**


This matter is before the Court on Plaintiffs' Motion for Injunction Pending Appeal [Docket No. 103]. On October 5, 2020, plaintiffs filed an Emergency Motion for Injunction Pending Appeal in the Tenth Circuit. Docket No. 107 at 2. On October 7, 2020, the Tenth Circuit issued an order entering a temporary injunction enjoining

Mountain Coal Company from bulldozing additional drilling pads, drilling methane ventilation boreholes, and engaging in further surface disturbance in preparation for coal mining in the Sunset Roadless Area. The order remains in effect until further order of the Tenth Circuit. Docket No. 107 at 2. Because the Tenth Circuit order gives plaintiffs substantially the same relief requested in Docket No. 103, it is

**ORDERED** that the Plaintiff's Motion for Injunction Pending Appeal [Docket No. 103] is **DENIED** without prejudice as moot.

DATED October 15, 2020.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Philip A. Brimmer", is written over a horizontal line.

PHILIP A. BRIMMER  
Chief United States District Judge