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*Counsel for Defendants*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

NATIONAL AUDUBON SOCIETY, *et al.*,

Plaintiffs,

v.

SCOTT DE LA VEGA, in his official  
capacity as Acting Secretary of the United  
States Department of the Interior, *et al.*,<sup>1</sup>

Defendants,

and

NORTH SLOPE BOROUGH, *et al.*,

Intervenor-Defendants.

Case No. 3:20-cv-00205-SLG

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1 Pursuant to FED. R. CIV. P. Rule 25(d), Scott de la Vega, in his official capacity as Acting Secretary of the Interior, is automatically substituted for David Bernhardt.

## **DEFENDANTS' UNOPPOSED MOTION TO STAY PROCEEDINGS**

Defendants Scott de la Vega, in his official capacity as Acting Secretary of the United States Department of the Interior, *et al.*, by and through undersigned counsel, hereby move the Court to stay proceedings in this matter. As Defendants recently advised the Court, President Biden recently issued Executive Order 13990 addressing the Coastal Plain Oil and Gas Leasing Program at issue in this litigation. *See* ECF 71. That Executive Order provides, in part, that “[t]he Secretary [of the Department of the Interior] shall review the program and, as appropriate and consistent with applicable law, conduct a new, comprehensive analysis of the potential environmental impacts of the oil and gas program.” *See* ECF 71-1 at 4. The Executive Order further provides that the Attorney General may request any court with jurisdiction to stay pending litigation related to the Coastal Plain Oil and Gas Leasing Program in the Arctic National Wildlife Refuge and other related programs. *Id.* § 4(c).

Defendants request a stay of 60 days so that new Administration officials may evaluate the litigation and determine whether and how the Executive Order and the policy direction described therein may impact the government’s position in this case. It is appropriate to stay the existing deadlines for review and possible challenge to the administrative records to conserve the time and resources of the parties and the Court.

Accordingly, Defendants hereby seek a stay of all proceedings in this action

for a period of 60 days to and including April 12, 2021. Not later than the end of the sixty-day period, the parties will endeavor to file a joint status report advising the Court what further proceedings may be necessary, or will file separate reports setting out their proposals, if necessary. A proposed order is filed herewith.

Undersigned counsel have conferred with counsel to the other parties. Plaintiffs have indicated they assent to the motion. Intervenor-Defendants have each indicated they take no position on the motion.

DATED: February 10, 2021.

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/s/ Mark Arthur Brown  
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## CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2021, a copy of the foregoing was served by electronic means on all counsel of record by the Court's CM/ECF system.

/s/ Paul A. Turcke  
Paul A. Turcke