

OCT 21 2004

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ATTORNEYS FOR PLAINTIFFS

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

WYOMING WOOL GROWERS ASSOCIATION;)
WYOMING STOCK GROWERS ASSOCIATION;)
WYOMING FARM BUREAU FEDERATION;)
WYOMING ASSOCIATION OF CONSERVATION)
DISTRICTS; ROCKY MOUNTAIN FARMERS) Civil Action No.:
UNION; the WYOMING COUNTY) 04-CV-0253J
COMMISSIONERS ASSOCIATION; BOARD OF)
COUNTY COMMISSIONERS OF THE COUNTY)
OF CAMPBELL; BOARD OF COUNTY) MOTION TO CONSOLIDATE
COMMISSIONERS OF THE COUNTY OF) THIS CASE WITH *STATE OF*
LINCOLN; BOARD OF COUNTY) *WYOMING AND PARK COUNTY*
COMMISSIONERS OF THE COUNTY OF) *v. UNITED STATES*
SUBLETTE; BOARD OF COUNTY COMMISSIONERS) *DEPARTMENT OF INTERIOR;*
OF THE COUNTY OF WASHAKIE; WYOMING) *GALE NORTON; AND STEVEN*
ASSOCIATION OF COUNTY PREDATORY ANIMAL) *WILLIAMS AND THE GREATER*
BOARDS; FREMONT COUNTY PREDATORY) *YELLOWSTONE COALITION*
ANIMAL BOARD; TETON COUNTY PREDATORY) *ET AL.*
ANIMAL BOARD; CONVERSE COUNTY) CIVIL ACTION NO. 04-CV-123J
PREDATORY ANIMAL BOARD; WYOMING) AND
OUTFITTERS & GUIDES ASSOCIATION; GREEN) MOTION FOR SCHEDULING
RIVER VALLEY CATTLEMEN'S ASSOCIATION;) CONFERENCE
UPPER GREEN RIVER CATTLE ASSOCIATION;)
WYOMING BUSINESS ALLIANCE; CODY)

COUNTRY OUTFITTERS AND GUIDES)
ASSOCIATION; FOUNDATION FOR NORTH)
AMERICAN WILD SHEEP; JACKSON HOLE)
OUTFITTERS AND GUIDES; ROCK SPRINGS)
DISTRICT 4 GRAZING BOARD; SPORTSMEN FOR)
FISH & WILDLIFE, WYOMING; SPORTSMEN FOR)
FISH & WILDLIFE, PARK COUNTY; SPORTSMEN)
FOR FISH & WILDLIFE, TETON COUNTY;)
SPORTSMEN FOR FISH & WILDLIFE, LINCOLN)
COUNTY and SPORTSMEN FOR FISH & WILDLIFE,)
UTAH)

Plaintiffs;)

vs.)

UNITED STATES DEPARTMENT OF THE INTERIOR;)
UNITED STATES FISH & WILDLIFE SERVICE;)
GALE NORTON, in her official capacity as the Secretary)
of the United States Department of the Interior; STEVEN)
WILLIAMS, in his official capacity as the Director of the)
United States Fish & Wildlife Service; RALPH)
MORGENWECK, in his official capacity as the Regional)
Director of Region Six for the United States Fish &)
Wildlife Service)

Defendants.)

MOTION TO CONSOLIDATE THIS CASE WITH
*STATE OF WYOMING AND PARK COUNTY v. UNITED STATES DEPARTMENT OF THE
INTERIOR; GALE NORTON; and STEVEN WILLIAMS AND GREATER YELLOWSTONE
COALITION ET AL.*, CIVIL ACTION NO. 04-0123-J

AND

MOTION FOR SCHEDULING CONFERENCE

Plaintiffs, Wyoming Wool Growers Association, Wyoming Stock Growers Association, Wyoming Farm Bureau Federation, Wyoming Association of Conservation Districts, Rocky Mountain Farmers Union, the Wyoming County Commissioners Association, Board of County Commissioners of the County of Campbell, Board of County Commissioners of the County of Lincoln, Board of County Commissioners of the County of Sublette, Board of County Commissioners of the County of Washakie, Wyoming Association of County Predatory Animal Boards, Fremont County Predatory Animal Board, Teton County Predatory Animal Board, Converse County Predatory Animal Board, Wyoming Outfitters & Guides Association, Green River Valley Cattlemen's Association, Upper Green River Cattle Association, Wyoming Business Alliance, Cody Country Outfitters and Guides Association, Foundation for North American Wild Sheep, Jackson Hole Outfitters and Guides, Rock Springs District 4 Grazing Board, Sportsmen for Fish & Wildlife Wyoming, Sportsmen for Fish & Wildlife Park County, Sportsmen for Fish & Wildlife, Teton County, Sportsmen for Fish & Wildlife Lincoln County, and Sportsmen for Fish & Wildlife Utah, (collectively referred to below as the "Wolf Coalition"), by and through their attorneys, Hageman & Brighton, P.C., and pursuant to Fed.R.Civ.P. 42(a) and U.S.D.C.L.R. 42.1, hereby respectfully move to consolidate the above-captioned matter with *State of Wyoming and Park County v. United States Department of the Interior; Gale Norton; and Steven Williams and Greater Yellowstone Coalition, et al.*, Civil Action No. 04-0123-J (referred to below as the State of Wyoming case). The Wolf Coalition also respectfully moves this Court, pursuant to Fed.R.Civ.P. 16 and U.S.D.C.L.R.

16.1, for an order setting a date and time for a scheduling conference. In support of this Motion to Consolidate and Motion for Scheduling Conference, the Wolf Coalition states as follows:

1. Pursuant to U.S.D.C.L.R. 7.1(b), Harriet M. Hageman, one of the attorneys for the Wolf Coalition, conferred with Patrick J. Crank, Attorney General of the State of Wyoming; Bryan Skoric, Park County Attorney; Kristen Gustafson, United States Attorney; and Thomas M. France, Attorney for intervenors Greater Yellowstone Coalition, National Wildlife Federation, Jackson Hole Conservation Alliance, Predator Conservation Alliance and the Wyoming Outdoor Counsel (referred to below as the environmental intervenors).

2. Mr. Crank has stated that the State of Wyoming does not object to the consolidation of the above-captioned matter with the State of Wyoming case, so long as the briefing schedule associated with the State of Wyoming's challenge to the Defendants' rejection of the Wyoming Plan is not altered or changed in any way. Mr. Crank also stated that if the Wolf Coalition seeks to conduct discovery on any failure to manage claims that have been asserted by any party, such claims and the discovery should occur in a bifurcated proceeding. Mr. Crank further stated that he will object to the Wolf Coalition's request to consolidate these matters if the Wolf Coalition seeks to extend the briefing schedule in the State of Wyoming case.

3. Mr. Skoric has not yet informed the Wolf Coalition as to what position Park County intends to take on the requested relief.

4. Ms. Gustafson stated that she would contact her clients to determine their position

on this matter. She has not yet called back to indicate whether the Federal Defendants oppose or support the requested relief.

5. Finally, Mr. France has stated that the environmental intervenors do not oppose the Wolf Coalition's Motion to Consolidate, although they reserve the right to respond to the Wolf Coalition's request for a scheduling conference.

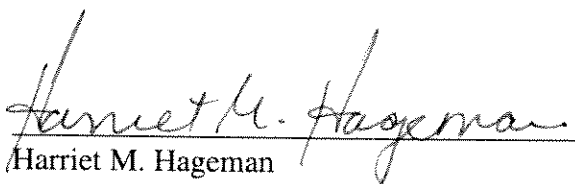
6. Both the current case, as well as the State of Wyoming case, have been assigned to the Honorable Alan B. Johnson, United States District Court Judge for the District of Wyoming.

7. The Wolf Coalition has filed contemporaneously herewith its Brief in Support of Motion to Consolidate with *State of Wyoming and Park County v. United States Department of the Interior; Gale Norton; and Steven Williams and Greater Yellowstone Coalition, et al.*, Civil Action No. 04-0123-J, and Motion for Scheduling Conference. That Brief is incorporated herein by reference.

8. The Wolf Coalition has also filed a Motion for Oral Argument on Motion to Consolidate, requesting that this matter be set for hearing on November 17, 2004 at 9:00 a.m.

WHEREFORE, the Plaintiff Wolf Coalition respectfully requests that this Court grant the Motion to Consolidate, thereby joining the above-captioned matter with the State of Wyoming case. The Wolf Coalition also respectfully requests that the Court set the date and time for a scheduling conference.

RESPECTFULLY SUBMITTED this 21st day of October, 2004



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 21, 2004, a true and correct copy of the foregoing MOTION TO CONSOLIDATE THIS CASE WITH *STATE OF WYOMING AND PARK COUNTY v. UNITED STATES DEPARTMENT OF THE INTERIOR; GALE NORTON; and STEVEN WILLIAMS AND GREATER YELLOWSTONE COALITION, ETAL*, CIVIL ACTION NO. 04-0123-J AND MOTION FOR SCHEDULING CONFERENCE, was served upon the following as indicated:

Matthew H. Mead	<input type="checkbox"/> U.S. Mail, Postage Prepaid
Carol Statkus	<input checked="" type="checkbox"/> Hand Delivery
U.S. Attorney's Office	<input type="checkbox"/> Federal Express
2120 Capitol Avenue, Room 4002	<input type="checkbox"/> Facsimile: _____
P.O. Box 668	<input type="checkbox"/> Other: _____
Cheyenne, Wyoming 82003	
Kristen L. Gustafson	<input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid
U.S. Department of Justice	<input type="checkbox"/> Hand Delivery
Environmental and Natural Resources	<input type="checkbox"/> Federal Express
601 D Street NW, Room 3906	<input checked="" type="checkbox"/> Facsimile: _____
Washington, D.C. 20044-7369	<input type="checkbox"/> Other: _____
Patrick J. Crank	<input type="checkbox"/> U.S. Mail, Postage Prepaid
Jay Jerde	<input checked="" type="checkbox"/> Hand Delivery
Wyoming Attorney General's Office	<input type="checkbox"/> Federal Express
123 Capitol Building	<input type="checkbox"/> Facsimile: _____
Cheyenne, Wyoming 82002	<input type="checkbox"/> Other: _____
Bryan A. Skoric	<input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid

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Thomas M. France
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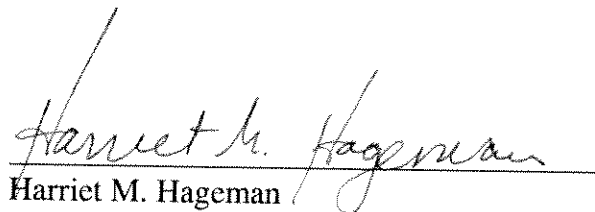
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