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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

NATIONAL WILDLIFE FEDERATION, *et al.*,

Plaintiffs,

v.

NATIONAL MARINE FISHERIES
SERVICE, *et al.*,

Defendants.

Civil No. 01-CV-640-RE

**FEDERAL DEFENDANTS'
SUPPLEMENTAL CROSS MOTION
FOR SUMMARY JUDGMENT**

Federal Defendants respectfully cross move for summary judgment pursuant to Fed. R. Civ. P. 56(a) on the National Wildlife Federation plaintiffs' supplemental complaints and the State of Oregon's supplemental complaints. The parties have conferred at length and have been unable to resolve this motion.

This motion supplements and incorporates Federal Defendants' previous cross motion for summary judgment filed on October 24, 2008, and those supporting documents, pleadings, and administrative records. For the reasons set forth in those previous documents, the memorandum in support of Federal Defendants' supplemental cross motion for summary judgment and combined opposition to Plaintiffs' supplemental motions for summary judgment, Federal Defendants' affirmative and responsive statement of facts, and the agencies' 2010 administrative records, the Court should grant Federal Defendants' supplemental motion for summary judgment and enter judgment on Federal Defendants' behalf.

Respectfully submitted: December 23, 2010.

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/s/ Coby Howell

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CERTIFICATE OF SERVICE

Pursuant to Local Rule Civil 100.13(c), and F.R. Civ. P. 5(d), I certify that on December 23, 2010, the foregoing will be electronically filed with the Court's electronic court filing system, which will generate automatic service upon on all Parties enrolled to receive such notice. The following will be manually served by overnight mail:

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