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

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DEFENDERS OF WILDLIFE, et al.,
Plaintiffs,
v.
UNITED STATES FISH AND
WILDLIFE SERVICE, et al.,
Defendants.

No. 08-cv-280-TUC-DCB (lead case)

**JOINT MOTION TO DISMISS
AND TO ENTER CONSENT
DECREE**

WILDEARTH GUARDIANS, et al.,
Plaintiffs,
v.
UNITED STATES FISH AND
WILDLIFE SERVICE, et al.,
Defendants.

No. 08-cv-820-TUC-DCB
(consolidated case)

Plaintiffs Defenders of Wildlife, et al., and Defendants U.S. Fish and Wildlife Service, et al., jointly move this Court to dismiss the lead case (No. 08-cv-280-TUC-DCB) pursuant to the terms of the attached Consent Decree, and to enter the Consent Decree. Counsel for the Federal Defendants spoke with counsel for Plaintiffs in the consolidated case (No. 08-cv-820-TUC-DCB) and counsel for Intervenors and was informed that both parties take no position on this motion.

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Respectfully submitted this 13th day of November, 2009,

/s/Erik Petersen

Attorney for Federal Defendants

/s/ Matt Kenna
/s/ Jason Rylander

*Attorneys for Plaintiffs Defenders of
Wildlife, et al.*

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing will be e-filed on November 13, 2009, and will be automatically served upon counsel of record, all of whom appear to be subscribed to receive notice from the ECF system.

Erik Petersen
Erik Petersen