

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 13-cv-02814-REB-CBS

WESTERN ENERGY ALLIANCE, a Colorado non-profit organization,

Plaintiff,

v.

BUREAU OF LAND MANAGEMENT, a federal agency within the United States  
Department of the Interior,

Defendant.

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**ORDER APPROVING JOINT MOTION TO SET ASIDE  
TERMINATION OF CASE AND FOR BRIEFING SCHEDULE**

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**Blackburn, J.**

This matter is before me on the following: (1) the **Stipulation for Dismissal Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(li)** [#17]<sup>1</sup> filed February 4, 2014; and (2) the **Joint Motion to Set Aside Termination of Case and to Request Briefing Schedule for Attorneys' Fees** [#19] filed February 5, 2014. I approve the stipulation and grant the motion.

On February 4, 2014, the parties filed their **Stipulation for Dismissal Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(li)** [#17]. The parties have stipulated to the dismissal of the substantive claims of the plaintiff, but ask the court to retain jurisdiction to resolve the claim of the plaintiff for recovery of attorney fees and costs against the defendant. The parties propose a briefing schedule concerning the issue of attorney fees. Based on the

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<sup>1</sup> “[#17]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

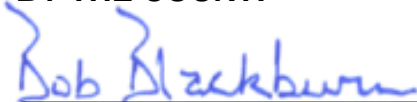
stipulation, this case was terminated [#18] on the docket of the court. As noted in the motion of the parties [#19], this case should not be terminated until the issue of attorney fees is resolved.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Joint Motion to Set Aside Termination of Case and to Request Briefing Schedule for Attorneys' Fees** [#19] filed February 5, 2014, is **GRANTED**;
2. That under FED. R. CIV. P. 60, the docket text entry [#18] terminating this case is **WITHDRAWN**;
3. That this case is **RE-OPENED**;
4. That the **Stipulation for Dismissal Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii)** [#17] filed February 4, 2014, is **APPROVED**;
5. That the two claims of the plaintiff, as stated in the complaint [#1] are **DISMISSED** based on the **Stipulation for Dismissal Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii)** [#17] filed February 4, 2014;
6. That the parties **SHALL BRIEF** the issues of the entitlement of the plaintiff to recover attorney fees and costs from the defendant and the amount of those fees and costs;
7. That the motion of the plaintiff concerning attorney fees and costs shall be filed by March 4, 2014, the response of the defendant shall be filed by March 25, 2014, and the reply of the plaintiff shall be filed by April 8, 2014.

Dated February 5, 2014, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge