

**U.S. District Court  
District of Montana (Missoula)  
CIVIL DOCKET FOR CASE #: 9:22-cv-00184-KLD**

Save the Yellowstone Grizzly v. United States Department of Interior, Fish and Wildlife Service  
Assigned to: Magistrate Judge Kathleen L. DeSoto  
Cause: 05:552 Freedom of Information Act

Date Filed: 11/16/2022  
Date Terminated: 03/29/2024  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: Federal Question

**Plaintiff**

**Save the Yellowstone Grizzly**  
*a Montana Non-Profit Corporation*

represented by **Daniel Mastin Brister**  
Ferguson & Coppes, PLLC  
PO Box 8359  
Missoula, MT 59807  
406-532-2664  
Email: [danb@fergusonlawmt.com](mailto:danb@fergusonlawmt.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Graham Coppes**  
FERGUSON LAW OFFICE PLLC  
PO Box 8359  
Missoula, MT 59807  
406-532-2664  
Email: [grahamc@fergusonlawmt.com](mailto:grahamc@fergusonlawmt.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**United States Department of Interior,  
Fish and Wildlife Service**

represented by **John M. Newman**  
DOJ-USAO  
P.O. Box 8329  
101 E Front St.  
Ste 401  
Missoula, MT 59807  
406-829-3336  
Email: [john.newman@usdoj.gov](mailto:john.newman@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
11/16/2022	<u>1</u>	COMPLAINT against United States Department of Interior, Fish and Wildlife Service, filed by Save the Yellowstone Grizzly. (Attachments: # <u>1</u> Exhibit 1-8, # <u>2</u> Civil Cover Sheet) (KJL) (Entered: 11/17/2022)
11/16/2022		Filing fee: \$ 402, receipt number AMTDC-2969931 (KJL) (Entered: 11/17/2022)
11/23/2022	<u>2</u>	ORDER setting Case Management Plan deadline. Signed by Magistrate Judge Kathleen L. DeSoto on 11/23/2022. (APP) (Entered: 11/23/2022)
11/30/2022	<u>3</u>	Corporate Disclosure Statement by Save the Yellowstone Grizzly. (Coppes, Graham) (Entered: 11/30/2022)
12/09/2022	<u>4</u>	Summons Issued as to United States Department of Interior, Fish and Wildlife Service. <b>Issued summons may be downloaded and printed by counsel for service.</b> (SGN) (Entered: 12/09/2022)

12/09/2022	<u>5</u>	Proof of Service filed by Save the Yellowstone Grizzly. Service by Summons in a Civil Action on 12/9/2022. (Coppes, Graham) (Entered: 12/09/2022)
12/22/2022	<u>6</u>	NOTICE of Appearance by John M. Newman on behalf of United States Department of Interior, Fish and Wildlife Service (Newman, John) (Entered: 12/22/2022)
12/23/2022	<u>7</u>	<a href="#">Service of Consent to Magistrate Judge as Presiding Judge form</a> . Consent/Objection to USMJ Form due by 1/6/2023. (APP) (Entered: 12/23/2022)
12/23/2022	<u>8</u>	Proof of Service filed by Save the Yellowstone Grizzly. Service by Proof of Service of Order on 12/23/2022. (Attachments: # <u>1</u> Order 11.23.2022, # <u>2</u> Notice of Appearance 12.22.2022) (Coppes, Graham) (Entered: 12/23/2022)
12/23/2022	<u>9</u>	<a href="#">Individual Party Consent to Jurisdiction by U.S. Magistrate Judge</a> . (Entered: 12/23/2022)
01/04/2023	<u>10</u>	<a href="#">Individual Party Consent to Jurisdiction by U.S. Magistrate Judge</a> . (Entered: 01/04/2023)
01/05/2023	<u>11</u>	Clerk's Notice Upon Consent to USMJ Pursuant to L.R. 73.1 and consent of the parties having been made, this case is assigned to the United States magistrate judge to conduct all further proceedings, enter judgment and conduct all post-trial proceedings. Case reassigned to Magistrate Judge Kathleen L. DeSoto. (APP) (Entered: 01/05/2023)
01/13/2023	<u>12</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint , Unopposed MOTION to Vacate <u>2</u> Order John M. Newman appearing for Defendant United States Department of Interior, Fish and Wildlife Service (Attachments: # <u>1</u> Text of Proposed Order) (Newman, John) (Entered: 01/13/2023)
01/13/2023	<u>13</u>	ORDER granting <u>12</u> Motion for Extension of Time to Answer re <u>12</u> Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint Unopposed MOTION to Vacate <u>2</u> Order United States Department of Interior, Fish and Wildlife Service answer due 2/17/2023.; granting <u>12</u> Motion to Vacate <u>12</u> Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint Unopposed MOTION to Vacate <u>2</u> Order Signed by Magistrate Judge Kathleen L. DeSoto on 1/13/2023. (TXB) (Entered: 01/13/2023)
03/24/2023	<u>14</u>	STATUS REPORT ORDER Status Report due by 3/31/2023.. Signed by Magistrate Judge Kathleen L. DeSoto on 3/24/2023. (TXB) (Entered: 03/24/2023)
03/31/2023	<u>15</u>	STATUS REPORT by United States Department of Interior, Fish and Wildlife Service. (Newman, John) (Entered: 03/31/2023)
04/03/2023	<u>16</u>	STATUS REPORT ORDER Status Report due by 5/19/2023.. Signed by Magistrate Judge Kathleen L. DeSoto on 4/3/2023. (TXB) (Entered: 04/03/2023)
04/19/2023		Terminate Deadlines and Hearings. (APP) (Entered: 04/19/2023)
05/19/2023	<u>17</u>	STATUS REPORT by United States Department of Interior, Fish and Wildlife Service. (Newman, John) (Entered: 05/19/2023)
05/23/2023	<u>18</u>	Order Setting: Status Report due by 6/30/2023. Signed by Magistrate Judge Kathleen L. DeSoto on 5/23/2023. (APP) (Entered: 05/23/2023)
06/30/2023	<u>19</u>	STATUS REPORT <i>Third Status Report</i> by United States Department of Interior, Fish and Wildlife Service. (Newman, John) (Entered: 06/30/2023)
07/06/2023	<u>20</u>	STATUS REPORT ORDER Status Report due by 8/1/2023.. Signed by Magistrate Judge Kathleen L. DeSoto on 7/6/2023. (TXB) (Entered: 07/06/2023)
08/01/2023	<u>21</u>	STATUS REPORT by Save the Yellowstone Grizzly. (Coppes, Graham) (Entered: 08/01/2023)
08/07/2023	<u>22</u>	STATUS REPORT ORDER Status Report due by 8/15/2023.. Signed by Magistrate Judge Kathleen L. DeSoto on 8/7/2023. (TXB) (Entered: 08/07/2023)
08/15/2023	<u>23</u>	STATUS REPORT by Save the Yellowstone Grizzly. (Brister, Daniel) (Entered: 08/15/2023)

08/16/2023	<u>24</u>	Order Setting: Status Report due by 9/12/2023. Signed by Magistrate Judge Kathleen L. DeSoto on 8/16/2023. (APP) (Entered: 08/16/2023)
09/13/2023	<u>25</u>	STATUS REPORT by Save the Yellowstone Grizzly. (Coppes, Graham) (Entered: 09/13/2023)
09/13/2023	<u>26</u>	ORDER – Opening Brief due by 10/24/2023, Responses due by 11/7/2023, Replies due by 11/21/2023. Signed by Magistrate Judge Kathleen L. DeSoto on 9/13/2023. (APP) (Entered: 09/13/2023)
10/24/2023	<u>27</u>	Unopposed MOTION for Extension of Time to File <i>briefing on fees</i> . John M. Newman appearing for Defendant United States Department of Interior, Fish and Wildlife Service. (Attachments: # <u>1</u> Text of Proposed Order) (Newman, John) (Entered: 10/24/2023)
10/24/2023	<u>28</u>	ORDER granting <u>27</u> Motion for Extension of Time to File. The briefing deadlines set forth in the Courts September 13, 2023 order Doc. <u>26</u> are VACATED. The government must file a notice of settlement or an updated status report to the Court by December 8, 2023. Signed by Magistrate Judge Kathleen L. DeSoto on 10/24/2023. (SGN) (Entered: 10/24/2023)
10/25/2023		Terminate Deadlines and Hearings–Opening Brief 10/24/2023. (APP) (Entered: 10/25/2023)
12/22/2023	<u>29</u>	Order Setting: Status Conference set VIA ZOOM for 1/2/2024 at 01:30 PM in Missoula, MT before Magistrate Judge Kathleen L. DeSoto. Signed by Magistrate Judge Kathleen L. DeSoto on 12/22/2023. (APP) <b>Zoom info emailed to counsel</b> (Entered: 12/22/2023)
12/22/2023	<u>30</u>	Unopposed MOTION for Extension of Time to File <i>Notice of Settlement or Status Report</i> . John M. Newman appearing for Defendant United States Department of Interior, Fish and Wildlife Service. (Attachments: # <u>1</u> Text of Proposed Order) (Newman, John) (Entered: 12/22/2023)
12/27/2023	31	TEXT Order granting <u>30</u> Motion for Extension of Time and setting Status Report due by 1/31/2024. The status conference for 1/2/24 is vacated. Signed by Magistrate Judge Kathleen L. DeSoto on 12/27/2023. (APP) (Entered: 12/27/2023)
12/27/2023		Terminate Deadlines and Hearings–Status Conference 01/02/2024 (APP) (Entered: 12/27/2023)
02/05/2024	<u>32</u>	Order Setting: Zoom Status Conference set for 2/9/2024 at 01:30 PM in Missoula, MT before Magistrate Judge Kathleen L. DeSoto.. Signed by Magistrate Judge Kathleen L. DeSoto on 2/5/2024. (TXB) Modified on 2/5/2024 <b>Zoom info emailed to parties</b> (APP). (Entered: 02/05/2024)
02/09/2024	33	<b>Minute Entry for proceedings held before Magistrate Judge Kathleen L. DeSoto: Status Conference held on 2/9/2024 via Zoom. Counsel Daniel Brister appeared on behalf of the plaintiff, AUSA John Newman appeared on behalf of defendant; status report due by 3/8/24. Written order to follow. (Hearing held in Missoula) (SGN) (Entered: 02/09/2024)</b>
02/09/2024	<u>34</u>	STATUS REPORT ORDER Status Report due by 3/8/2024.. Signed by Magistrate Judge Kathleen L. DeSoto on 2/9/2024. (TXB) (Entered: 02/09/2024)
03/08/2024	<u>35</u>	Unopposed MOTION for Extension of Time to File <i>and Status Report</i> . John M. Newman appearing for Defendant United States Department of Interior, Fish and Wildlife Service. (Attachments: # <u>1</u> Text of Proposed Order) (Newman, John) (Entered: 03/08/2024)
03/11/2024	<u>36</u>	Order Setting: Dismissal Papers due by 3/31/2024 or Status Report due by 3/31/2024. Signed by Magistrate Judge Kathleen L. DeSoto on 3/11/2024. (APP) (Entered: 03/11/2024)
03/29/2024	<u>37</u>	SETTLEMENT AGREEMENT by United States Department of Interior, Fish and Wildlife Service. (Attachments: # <u>1</u> Text of Proposed Order) (Newman, John) (Entered: 03/29/2024)

03/29/2024	<u>38</u>	ORDER DISMISSING CASE WITH PREJUDICE, pursuant to the parties Stipulated Fee Settlement Agreement (Doc. 37). The Clerk of Court is directed to close the case. Signed by Magistrate Judge Kathleen L. DeSoto on 3/29/2024. (APP) (Entered: 03/29/2024)
03/29/2024	<u>39</u>	CLERK'S JUDGMENT (APP) (Entered: 03/29/2024)