

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

HUMANE SOCIETY OF THE UNITED
STATES, *et al.*,

Plaintiffs,

v.

SALLY JEWELL, *Secretary of the Interior, et
al.*,¹

Defendants,

v.

STATE OF WISCONSIN, *et al.*

Intervenor-Defendants.

Civil Action No. 13-186 (BAH)

ORDER

Upon consideration of the plaintiffs' Motion for Summary Judgment, ECF No. 24, the defendants' Cross-Motion for Summary Judgment, ECF No. 27, defendant-intervenor Hunter Conservation Coalition's Cross-Motion for Summary Judgment, ECF No. 33, the submissions of defendant-intervenors, the States of Wisconsin and Michigan, ECF Nos. 29 and 30, the submissions of amici curiae the Minnesota Department of Natural Resources and the Association of Fish and Wildlife Agencies, ECF Nos. 31 and 38, the Administrative Record submitted by the defendants, ECF No. 45, the related legal memoranda in support and in opposition, the exhibits, declarations, and affidavits attached thereto, and the entire record herein, for the reasons set forth in the accompanying Memorandum Opinion, the Court finds that "there is no genuine dispute as to any material fact," FED. R. CIV. P. 56(a), and it is hereby

ORDERED that, because the plaintiffs are entitled to judgment as a matter of law, the

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Sally Jewell, Secretary of the Interior, is automatically substituted for her predecessor in office.

plaintiffs' Motion for Summary Judgment, is GRANTED; and it is further

ORDERED that the defendants' and defendant-intervenor's Cross-Motions for Summary Judgment are DENIED; and it is further

ORDERED that, because the rule Revising the Listing of the Gray Wolf (*Canis lupus*) in the Western Great Lakes (the "Final Rule"), 76 Fed. Reg. 81,666 (Dec. 28, 2011), is arbitrary and capricious and violates the Endangered Species Act of 1973, as amended, 16 U.S.C. §§ 1531 *et seq.*, the Final Rule is VACATED and SET ASIDE; and it is further

ORDERED that the rule in effect prior to the Final Rule vacated by this Order, namely, the rule regarding Reclassification of the Gray Wolf in the United States and Mexico, with Determination of Critical Habitat in Michigan and Minnesota, 43 Fed. Reg. 9607 (Mar. 9, 1978), is REINSTATED to govern management of gray wolves in the nine states affected by the vacated Final Rule, pursuant to the Endangered Species Act; and it is further

ORDERED that the Clerk of the Court close this case.

SO ORDERED

Date: December 19, 2014

This is a final and appealable Order. See FED. R. APP. P. 4(a).



Digitally signed by Beryl A. Howell
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Court for the District of Columbia,
ou=District Court Judge,
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Date: 2014.12.19 14:38:35 -05'00'

BERYL A. HOWELL
United States District Judge