

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL WILDLIFE FEDERATION, et :
al., :
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 : Plaintiffs, :
 :
 :
 : v. : Civil Action No. 03-1392 (JR)
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 : LES BROWNLEE, Acting Secretary, :
 : U.S. Department of the Army, :
 :
 :
 : Defendant. :
 :

ORDER

For the reasons given in the accompanying memorandum,
it is hereby

ORDERED that plaintiffs' motion for summary judgment
[45] is **granted** as to plaintiffs' ESA Section 7(a)(2) claim,
denied as to plaintiffs' ESA Section 7(a)(1) claim, and **denied**
without prejudice as to plaintiffs' other claims. And it is

FURTHER ORDERED that defendants' motions for summary
judgment [49, 50] are **granted** as to plaintiffs' ESA Section
7(a)(1) claim, **denied** as to plaintiffs' ESA Section 7(a)(2)
claim, and **denied without prejudice** as to plaintiffs' other
claims. And it is

FURTHER ORDERED that the Clerk set a hearing for the purpose of considering what injunctive relief is appropriate, if any.

JAMES ROBERTSON
United States District Judge