UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

MASHPEE WAMPANOAG TRIBE,)
Plaintiff,)
v.	Civil Action No. 18-2242 (PLF)
DAVID BERNHARDT, in his official capacity as Secretary of the Interior, et al.,)))
Defendants,)
and)
DAVID LITTLEFIELD, et al.,)
Defendant-Intervenors.)))

ORDER

For the reasons set forth in the Opinion issued this same day, it is hereby

ORDERED that plaintiff Mashpee Wampanoag Tribe's motion for summary
judgment [Dkt. No. 29] is GRANTED; it is

FURTHER ORDERED that the federal defendants' motion for summary judgment [Dkt. No. 31] is DENIED; it is

FURTHER ORDERED that the defendant-intervenors' motion for summary judgment [Dkt. No. 33] is DENIED; it is

FURTHER ORDERED that plaintiff's emergency motion for a temporary restraining order and motion for a preliminary injunction [Dkt. No. 42] is DENIED AS MOOT; it is

FURTHER ORDERED that the Secretary of the Interior's September 7, 2018

Record of Decision is DECLARED arbitrary, capricious, an abuse of discretion, and contrary to

law; and it is

FURTHER ORDERED that this matter is REMANDED to the Department of the

Interior to issue a decision that is consistent with the Court's June 5, 2020 Opinion and that

conforms with the 2014 M-Opinion's standard, the evidence permitted therein, and the

Department's prior decisions applying the M-Opinion's two-part test.

SO ORDERED.

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PAUL L. FRIEDMAN United States District Judge

DATE: June 5, 2020

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