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Attorneys for Plaintiffs

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

IDAHO RIVERS UNITED, and)
FRIENDS OF THE CLEARWATER,)
)
 Plaintiffs,)
)
 v.)
)
 NEZ PERCE-CLEARWATER FOREST)
 SUPERVISOR CHERYL F. PROBERT;)
 UNITED STATES FOREST SERVICE;)
 NOAA FISHERIES; and U.S. FISH AND)
 WILDLIFE SERVICE,)
)
 Defendants.)

No. 3:16-cv-102-CWD

**PLAINTIFFS’ MOTION FOR
PRELIMINARY INJUNCTION**

Expedited Decision Requested
Before May 16, 2016

Plaintiffs Idaho Rivers United and Friends of the Clearwater respectfully move this Court for entry of preliminary injunction pursuant to Fed.R.Civ.P. 65, to prohibit the Forest Service from moving forward with its Johnson Bar Fire Salvage Project on the Nez Perce-Clearwater National Forests, challenged in this action.

Because the Johnson Bar Fire Salvage Project has been approved and timber sale contracts awarded under it, and implementation activities including logging and road work may commence on May 16, 2016, Plaintiffs respectfully request expedited treatment and resolution of this motion before that date.

This Motion for Preliminary Injunction is supported by the Complaint on file in this matter (*Docket No. 1*); the accompanying Plaintiffs' Opening Brief In Support Of Motion For Preliminary Injunction; the accompanying Declarations of Dr. Jennifer Pierce, F. Al Espinosa, Kevin Lewis, and Gary Macfarlane, and all exhibits thereto; the Johnson Bar Fire Salvage Project Final Environmental Impact Statement, Record of Decision, and other materials contained in the Project Administrative Record (to be filed shortly by Defendants); and by such other and further matters as may be presented to the Court prior to decision on this motion.

Plaintiffs also request that the Court waive any bond requirement under Federal Rule of Civil Procedure 65(c), or impose a minimal bond not to exceed \$100, in light of the public interest nature of this proceeding and to ensure Plaintiffs' access to judicial relief. *Cal. ex rel. Van De Kamp v. Tahoe Reg'l Planning Agency*, 766 F.2d 1319, 1325 (9th Cir. 1985); *Barahona-Gomez v. Reno*, 167 F.3d 1228, 1237 (9th Cir. 1999).

WHEREFORE, for reasons explained in the accompanying brief and declarations, Plaintiffs respectfully request that this Court grant this motion and enjoin the Forest Service from implementing the Johnson Bar Fire Salvage Project pending resolution of this case on the merits.

DATED: April 6, 2016.

Respectfully submitted,

/s/ Laird J. Lucas
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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of April, 2016, I caused the foregoing PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION, along with the accompanying PLAINTIFFS' OPENING BRIEF IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION, and the accompanying DECLARATIONS OF DR. JENNIFER PIERCE, F. AL ESPINOSA, KEVIN LEWIS, and GARY MACFARLANE (plus all attachments thereto) to be electronically filed with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the counsel of record listed below:

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