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Attorneys for Plaintiffs

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

**IDAHO CONSERVATION LEAGUE and
NORTHWEST ENVIRONMENTAL
DEFENSE CENTER,**

Plaintiffs,

v.

ATLANTA GOLD CORPORATION,

Defendant.

Case No. 1:11-cv-161-MHW

**MOTION FOR PARTIAL SUMMARY
JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56 and Local Rule 7.1, Plaintiffs hereby move the Court to enter Partial Summary Judgment in their favor on the Claim for Relief in their Complaint.

Summary judgment is appropriate as the claim involves no genuine dispute of material fact, and Plaintiffs are entitled to judgment as a matter of law.

This motion is supported by the accompanying Plaintiffs' Separate Statement of Undisputed Material Facts; Opening Brief in Support of Motion for Summary Judgment; the Declaration of Andrew Hawley and attached exhibits; the Declaration of Mark Torf; the Declaration of Justin Hayes; the Declaration of John Robison; the Complaint in this matter; and such other and further matters as may be presented to the Court before decision hereon.

WHEREFORE, Plaintiffs request that this Court enter Summary Judgment on their Claim for Relief.

DATED this 12th day of August, 2011.

Respectfully submitted,

/s/ Andrew Hawley
Andrew Hawley
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of August, 2011, I caused the foregoing MOTION FOR PARTIAL SUMMARY JUDGMENT and attached OPENING BRIEF IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT to be electronically filed with the Clerk of the Court using the CM/ECF system, which sent a Notice of Electronic Filing to the opposing counsel of record listed below:

- Michelle R. Points mpoints@hawleytroxell.com
- Gary D. Babbitt gdb@hteh.com

/s/ Andrew Hawley
Andrew Hawley
Attorney for Plaintiffs