

FILED

NOT FOR PUBLICATION

JUL 15 2011

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

WESTERN WATERSHEDS PROJECT
and CENTER FOR BIOLOGICAL
DIVERSITY,

Plaintiffs - Appellants,

v.

BUREAU OF LAND MANAGEMENT,

Defendant - Appellee,

and

SPRING VALLEY WIND LLC,

Intervenor-Defendant - Appellee.

No. 11-15799

D.C. No. 3:11-cv-00053-HDM-
VPC

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Howard D. McKibben, Senior District Judge, Presiding

Argued and Submitted July 11, 2011
San Francisco, California

Before: HUG, SILVERMAN, and GRABER, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Plaintiffs appeal the district court's order denying their motion for a preliminary injunction. We have jurisdiction pursuant to 28 U.S.C. § 1292(a)(1). We agree with the reasons thoughtfully expressed by the district court and find no abuse of discretion.

We have pendent appellate jurisdiction over the district court's order striking the declaration of Plaintiffs' expert. Hendricks v. Bank of Am., N.A., 408 F.3d 1127, 1134 (9th Cir. 2005). Reviewing for abuse of discretion, we affirm.

AFFIRMED.