IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

PARADISE RIDGE DEFENSE COALITION, INC., Plaintiff, v. PETER J. HARTMAN, Division Administrator for the Idaho Division of the Federal Highway Administration; The FEDERAL HIGHWAY ADMINISTRATION; and The IDAHO TRANSPORTATION DEPARTMENT, Defendants.	Case No. 1:16-cv-374-BLW Judge B. Lynn Winmill **AMENDED CASE MANAGEMENT ORDER**

For good cause shown, the Court hereby substitutes this case management order for its November 9, 2016, Order, ECF No. 20.

NOW THEREFORE IT IS HEREBY ORDERED, that the following schedule shall govern the remainder of this litigation:

I. The FHWA'S ADMINISTRATIVE RECORD

A. February 10, 2017: By this date, the Federal Defendants (the Federal Highway Administration (FHWA) and FHWA Idaho Division Administrator Peter J. Hartman) (a) shall jointly file a of lodging of the Administrative Record for the U.S. 95, Thorncreek Road to Moscow Project (the Project) Record of Decision and (b) shall lodge and serve the record via overnight mail. The FHWA shall submit the record in electronic format, but it shall not file all of the documents in the record via ECF.

B. March 10, 2017: By this date, Plaintiff shall raise with Defendants, informally and in writing, any and all issues relating to the sufficiency of the FHWA's Administrative Record. The Parties shall thereafter seek, informally and in good faith, to resolve any issues without the assistance of the Court.

C. March 31, 2017: By this date, Plaintiff shall file any and all motions relating to the sufficiency of the FHWA's Administrative Record. Plaintiff may file any such motion only based on issues that it raised informally with Defendants on or before March 10, 2017.

D. April 21, 2017: By this date, Defendants shall file their responses to any motion Plaintiff files under Section I.C.

E. May 5, 2017: By this date, Plaintiff shall file its reply to any response.

F. If Plaintiff files a motion under Section I.C., the Parties shall file a motion for a new scheduling order within fourteen days of any ruling on that motion.

II. CROSS-MOTIONS FOR SUMMARY JUDGMENT

If Plaintiff does not file a motion related to the sufficiency of the FHWA's Administrative Record under Section I.C., the following dates shall apply.

A. April 14, 2017: By this date, Plaintiff shall file its motion for summary judgment. The brief in support may not exceed 30 pages (excluding the caption, tables, and signature block). Plaintiff shall not file a separate statement of all undisputed material facts as outlined in Local Rule 7.1(b)(1). Also by this date, Plaintiff shall file any declarations by which it intends to establish United States Constitution Article III Standing. Plaintiff may cite its Article III declarations only in support of its efforts to establish Article III standing.

B. May 12, 2017: By this date, Federal Defendants and Idaho Transportation Department (ITD), shall each file cross-motions for summary judgment. Federal Defendants and ITD may each file one brief, and each brief shall combine their support their cross-motions for summary judgment and their responses to Plaintiff's motion for summary judgment. Each brief may not exceed 30 pages (excluding the caption, tables, and signature block). Defendants shall not file a separate statement of all undisputed material facts as outlined in Local Rule 7.1(c)(2).

C. June 2, 2017: By this date, Plaintiff shall file one brief that combines its reply in support of its motion for summary judgment and its responses to Federal Defendants' and ITD's cross-motions. That brief may not exceed 30 pages (excluding the caption, tables, and signature block).

D. June 23, 2017: By this date, Federal Defendants and ITD shall each file a reply in support of their cross-motions for summary judgment. Each brief may not exceed 15 pages (excluding the caption, tables, and signature block).

E. Because the Administrative Procedure Act (APA), 5 U.S.C. §§ 701-706, applies to the claims in this case, the Court releases the Parties from their Local Rule 7.1(b) and(c) obligations to file statements of all material facts or statements the responding party contends are in dispute.

DATED: February 24, 2017

B. Lynn Winmill

Chief Judge

United States District Court