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13 Attorneys for Defendants

14 **UNITED STATES DISTRICT COURT**
15 **FOR THE DISTRICT OF ARIZONA**
16 **PRESCOTT DIVISION**

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18 **CENTER FOR BIOLOGICAL
DIVERSITY,**

19 **Plaintiff,**

20 **v.**

21 **U.S. BUREAU OF LAND
MANAGEMENT, ET AL.,**

22 **Federal Defendants,**

23 **and**

24 **THE NATIONAL RIFLE
ASSOCIATION,**

25 **Intervenor-Defendant.**
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CASE NO. 09-CV-8011-PGR

**FEDERAL DEFENDANTS' COMBINED
CROSS-MOTION FOR SUMMARY
JUDGMENT AND OPPOSITION TO
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT**

1 Pursuant to Federal Rule of Civil Procedure 56(c), Federal Defendants respectfully
2 request that this Court deny Plaintiff's Motion for Summary Judgment, Dkt. No. 98, and
3 enter summary judgment in favor of Federal Defendants on all claims in this case.
4 Summary judgment in favor of Federal Defendants is appropriate because, based on the
5 Administrative Records lodged with the Court, there are no genuine issues as to any
6 material fact and Federal Defendants are entitled to a judgment as a matter of law on all
7 claims. The grounds for this request are set forth in the accompanying Memorandum in
8 Support of Federal Defendants' Combined Cross-Motion for Summary Judgment and
9 Opposition to Plaintiff's Motion for Summary Judgment.

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11 Dated: November 24, 2010

Respectfully Submitted,

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13 DENNIS K. BURKE
United States Attorney
District of Arizona

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15 SUE A. KLEIN
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/s/ Rickey D. Turner, Jr.

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
PRESCOTT DIVISION**

CENTER FOR BIOLOGICAL
DIVERSITY,

Plaintiffs,

v.

U.S. BUREAU OF LAND
MANAGEMENT, ET AL.,

Defendants,

and

THE NATIONAL RIFLE
ASSOCIATION,

Intervenor-Defendant.

CASE NO. 09-CV-8011-PCT-GMS

CERTIFICATE OF SERVICE

I hereby certify that on November 24, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such to the attorneys of record.

/s/ Rickey D. Turner, Jr.
RICKEY D. TURNER, JR.