

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

CENTER FOR BIOLOGICAL DIVERSITY,
PUBLIC EMPLOYEES FOR ENVIRONMENTAL
RESPONSIBILITY, and PROJECT GUTPILE,

Plaintiffs,

vs.

LISA P. JACKSON and ENVIRONMENTAL
PROTECTION AGENCY,

Defendants,

and

NATIONAL SHOOTING SPORTS
FOUNDATION, INC., AMERICAN BATTERY
RECYCLERS, NATIONAL RIFLE
ASSOCIATION OF AMERICA, and SAFARI
CLUB INTERNATIONAL,

Defendant-Intervenors.

Case No.: 10-CV-02007 (EGS)

**PLAINTIFFS' OPPOSITION
TO DEFENDANT-
INTERVENOR'S MOTION
TO HOLD CASE IN
ABEYANCE**

Plaintiffs hereby file this Opposition to Defendant-Intervenor's Motion to Hold Case in Abeyance. This opposition is based on the attached Memorandum of Points and Authorities.

Respectfully submitted,

Dated: March 28, 2012

/s/ Adam Keats

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MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiffs earlier filed a Motion for Voluntarily Dismissal of this action (Docket No. 44, filed March 15, 2012). For the reasons set forth in that Motion, Plaintiffs do not believe that continued litigation of the present case is warranted and therefore oppose the Motion to Hold Case in Abeyance filed by Defendant-Intervenors American Association of Battery Recyclers, Inc.

Moreover, Plaintiffs do not believe that the submittal of the November 16, 2011, petition to the Environmental Protection Agency for the regulation of lead in fishing gear should or can have any substantive impact on the current lawsuit, which concerns a different petition, filed by a different set of petitioners, requesting different action by the agency, and rejected by the agency on different grounds. Holding the present case in abeyance would not shed any different light on the present case or on Plaintiffs' Motion to Dismiss that would or could alter the Court's decision-making regarding Plaintiffs' desire to dismiss the current action; nothing material to this action will occur between now and April 30, 2012, that might change any parties' or the Court's mind. For this reason, Plaintiffs oppose the Motion to Hold Case in Abeyance.

Respectfully submitted,

Dated: March 28, 2012

/s/ Adam Keats

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Motion was filed using the Court's electronic case filing system this 15th day of March, 2012, which results in service on all counsel of record registered on the case management/electronic case filing ("CM/ECF") system.

/s/ Adam Keats

Adam Keats