

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

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

v.

DEB HAALAND, in her official capacity as
Secretary of the U.S. Department of the Interior,
et al.,

Defendants.

Case No. 1:22-cv-03588-DLF

**JOINT MOTION FOR APPROVAL AND ENTRY OF
STIPULATED SETTLEMENT AGREEMENT**

Federal Defendants Deb Haaland, in her official capacity as Secretary of the U.S. Department of the Interior, the U.S. Fish and Wildlife Service, and Martha Williams, in her official capacity as Director of the U.S. Fish and Wildlife Service (collectively, “Federal Defendants”) and Plaintiff Center for Biological Diversity (“Plaintiff”) jointly move the Court for approval of the terms of a Stipulated Settlement Agreement that will resolve Count One of Plaintiff’s Complaint and for entry of that Stipulated Settlement Agreement by Order of the Court. *See* Exhibit 1, Stipulated Settlement Agreement.

The Stipulated Settlement Agreement provides that, within two years of the Court’s order entering this Agreement, the Service agrees to develop and post on its website a draft recovery plan for listed gray wolves, unless the Service finds that such a plan will not promote the conservation of the species and posts the finding on its website. Ex. 1 ¶ 1. Within one year of posting any draft recovery plan for listed gray wolves, the Service agrees to post on its website a final recovery plan for listed gray wolves. *Id.* Upon entry of the Stipulated Settlement Agreement, Count One of Plaintiff’s Complaint shall be dismissed with prejudice. *Id.* ¶ 15. The

Stipulated Settlement Agreement also resolves Plaintiff's claim for attorneys' fees and costs. *Id.* ¶ 6.

Plaintiff and Federal Defendants respectfully request that the Court retain jurisdiction to oversee compliance with the terms of the Stipulated Settlement Agreement and to resolve any motions to modify such terms. *Id.* ¶ 15; *see Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375 (1994).

WHEREFORE, Plaintiff and Federal Defendants respectfully request that the Court enter the Stipulated Settlement Agreement, Ex. 1, dismiss Count One with prejudice, and retain jurisdiction to oversee compliance with the terms of the Stipulated Settlement Agreement and to resolve any motions to modify such terms.

Dated: December 13, 2023

Respectfully submitted,

TODD KIM, Assistant Attorney General
U.S. Department of Justice
Environment & Natural Resources Division
S. JAY GOVINDAN, Section Chief
MEREDITH L. FLAX, Deputy Section Chief

/s/ Astrid Stuth Cevallos
ASTRID STUTH CEVALLOS, Trial Attorney (MD Bar)
Wildlife & Marine Resources Section
Benjamin Franklin Station, P.O. Box 7611
Washington, D.C. 20044-7611
Tel: (202) 305-5751
Fax: (202) 305-0275
Email: Astrid.Cevallos@usdoj.gov

Attorneys for Federal Defendants

/s/ Collette L. Adkins
Collette L. Adkins (MN Bar No. 035059X)
CENTER FOR BIOLOGICAL DIVERSITY
P.O. Box 595
Circle Pines, MN 55014-0595
Tel: (651) 955-3821
Email: cadkins@biologicaldiversity.org

Eric Robert Glitzenstein (D.C. Bar No. 358287)
CENTER FOR BIOLOGICAL DIVERSITY
1411 K Street NW, Suite 1300
Washington, DC 20005
Tel: (202) 849-8401
Email: eglitzenstein@biologicaldiversity.org

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed and served the foregoing with the Clerk of the Court for the United States District Court for the District of Columbia using the CM/ECF system.

/s/ Astrid Stuth Cevallos

ASTRID STUTH CEVALLOS, Trial Attorney (MD Bar)

U.S. Department of Justice

Environment & Natural Resources Division

Wildlife & Marine Resources Section

Benjamin Franklin Station, P.O. Box 7611

Washington, D.C. 20044-7611

Tel: (202) 305-5751

Fax: (202) 305-0275

Email: Astrid.Cevallos@usdoj.gov

Attorney for Federal Defendants