

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA

ATCHAFALAYA BASINKEEPER, et al.

Plaintiffs,

vs.

DEBRA HAALAND, et al.

Defendants.

Case No. 20-651-BAJ-EWD

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

This matter comes before this Court on plaintiffs' motion for summary judgment. Having reviewed the briefing on this motion, the administrative record, and the supporting materials for both sides, I hereby find the plaintiffs' motion for summary judgment shall be GRANTED, the defendants' March 2016 rule delisting the Louisiana black bear shall be VACATED, and rule as follows:

- 1) The defendants violated the Administrative Procedure Act and the Endangered Species Act by delisting the Louisiana black bear and removing its critical habitat;
- 2) The defendants shall relist the Louisiana black bear;
- 3) The defendants shall reassess, update, and revise the Recovery Plan for the Louisiana black bear as necessary and in consideration of the best scientific data available and all existing and foreseeable threats to the subspecies, and to prevent further hybridization of the protected subspecies; and
- 4) The defendants shall redesignate critical habitat for the Louisiana black bear.

Consistent with the above findings, plaintiffs may file a motion for recovery of costs, expenses, and attorneys' fees pursuant to the Endangered Species Act, 16 U.S.C. § 1540(g)(4), including a time report per Local Civil Rule 54(b), within 30 days of this Order.

IT IS SO ORDERED.

Dated: _____

BRIAN A. JACKSON
United States District Judge