

**General Docket**  
**United States Court of Appeals for the Ninth Circuit**

**Court of Appeals Docket #:** 20-16401**Docketed:** 07/21/2020**Nature of Suit:** 2899 Other Statutes - APA Review/Appeal**Termed:** 02/22/2022

Grand Canyon Trust, et al v. Heather Provencio, et al

**Appeal From:** U.S. District Court for Arizona, Prescott**Fee Status:** Paid**Case Type Information:**

- 1) civil
- 2) united states
- 3) null

**Originating Court Information:****District:** 0970-3 : [3:13-cv-08045-DGC](#)**Court Reporter:** Patricia Lyons**Trial Judge:** David G. Campbell, Senior District Judge**Date Filed:** 03/07/2013**Date Order/Judgment:**

05/22/2020

**Date Order/Judgment EOD:**

05/22/2020

**Date NOA Filed:**

07/20/2020

**Date Rec'd COA:**

07/20/2020

**Prior Cases:**

<a href="#">15-15754</a>	<b>Date Filed:</b> 04/15/2015	<b>Date Disposed:</b> 12/12/2017	<b>Disposition:</b> Affirmed - Opinion
<a href="#">15-15754</a>	<b>Date Filed:</b> 10/18/2018	<b>Date Disposed:</b> 10/25/2018	<b>Disposition:</b> Affirmed, Vacated, Remanded - Opinion
<a href="#">15-15857</a>	<b>Date Filed:</b> 04/28/2015	<b>Date Disposed:</b> 12/12/2017	<b>Disposition:</b> Affirmed - Opinion
<a href="#">15-15857</a>	<b>Date Filed:</b> 10/18/2018	<b>Date Disposed:</b> 10/25/2018	<b>Disposition:</b> Affirmed, Vacated, Remanded - Opinion

**Current Cases:**

None

GRAND CANYON TRUST  
 Plaintiff - Appellant,

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 Plaintiff - Appellant,

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(see above)

SIERRA CLUB  
Plaintiff - Appellant,

HAVASUPAI TRIBE  
Plaintiff,

v.

HEATHER PROVENCIO, Forest Supervisor, Kaibab National  
Forest  
Defendant - Appellee,

Sean Christian Duffy, Trial Attorney  
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[COR LD NTC Assist US Attorney]  
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Thekla Hansen-Young, Attorney  
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UNITED STATES FOREST SERVICE, an agency in the U.S.  
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Defendant - Appellee,

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(see above)

Thekla Hansen-Young, Attorney  
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ENERGY FUELS RESOURCES (USA), INC.  
Intervenor-Defendant - Appellee,

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EFR ARIZONA STRIP LLC  
Intervenor-Defendant - Appellee,

David Lee Decker, Attorney  
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[COR NTC Retained]  
(see above)

GRAND CANYON TRUST; CENTER FOR BIOLOGICAL DIVERSITY; SIERRA CLUB,

Plaintiffs - Appellants,

and

HAVASUPAI TRIBE,

Plaintiff,

v.

HEATHER PROVENCIO, Forest Supervisor, Kaibab National Forest; UNITED STATES FOREST SERVICE, an agency in the U.S. Department of Agriculture,

Defendants - Appellees,

and

ENERGY FUELS RESOURCES (USA), INC.; EFR ARIZONA STRIP LLC,

Intervenor-Defendants - Appellees.

- 07/21/2020  [1](#)  
30 pg, 1.62 MB DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: Yes. The schedule is set as follows: Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club Mediation Questionnaire due on 07/28/2020. Transcript ordered by 08/19/2020. Transcript due 09/18/2020. Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club opening brief due 10/28/2020. Appellees EFR Arizona Strip LLC, Energy Fuels Resources (USA), Inc., Heather Provencio and United States Forest Service answering brief due 11/30/2020. Appellant's optional reply brief is due 21 days after service of the answering brief. [11760444] (RT) [Entered: 07/21/2020 11:59 AM]
- 07/27/2020  [2](#) Added Attorney(s) Roger Flynn for party(s) Appellant Center for Biological Diversity Appellant Sierra Club Appellant Grand Canyon Trust, in case 20-16401. [11767608] (RT) [Entered: 07/27/2020 02:33 PM]
- 07/27/2020  [3](#)  
2 pg, 14.42 KB Filed (ECF) Appellants Grand Canyon Trust, Center for Biological Diversity and Sierra Club Mediation Questionnaire. Date of service: 07/27/2020. [11768161] [20-16401] (Paul, Aaron) [Entered: 07/27/2020 05:20 PM]
- 07/27/2020  [4](#) The Mediation Questionnaire for this case was filed on 07/27/2020. To submit pertinent **confidential** information directly to the Circuit Mediators, please use the following [link](#). Confidential submissions may include any information relevant to mediation of the case and settlement potential, including, but not limited to, settlement history, ongoing or potential settlement discussions, non-litigated party related issues, other pending actions, and timing considerations that may impact mediation efforts.[11768269]. [20-16401] (AD) [Entered: 07/27/2020 06:44 PM]
- 08/11/2020  [5](#)  
2 pg, 114.39 KB MEDIATION ORDER FILED: By 08/25/2020, counsel to email Circuit Mediator regarding settlement potential. Include Ninth Circuit case number in subject line. This communication will be kept confidential, if requested, and should not be filed with the court. The existing briefing schedule remains in effect. SEE ORDER FOR DETAILS. [11784859] (BLS) [Entered: 08/11/2020 11:32 AM]
- 08/13/2020  [6](#) Filed (ECF) notice of appearance of Thekla C Hansen-Young (US Department of Justice, ENRD Appellate Section, PO Box 7415, Ben Franklin Station, Washington DC 20044) for Appellees Heather Provencio and USFS. Date of service: 08/13/2020. (Party was previously proceeding with counsel.) [11787424] [20-16401] (Hansen-Young, Thekla) [Entered: 08/13/2020 08:51 AM]
- 08/13/2020  [7](#) Added Attorney(s) Thekla Hansen-Young for party(s) Appellee Heather Provencio Appellee USFS, in case 20-16401. [11787435] (CW) [Entered: 08/13/2020 08:56 AM]
- 10/19/2020  [8](#)  
2 pg, 34.19 KB Filed order MEDIATION (JW): This case is RELEASED from the Mediation Program. The briefing schedule previously set by the court is amended as follows: appellants' opening brief is due December 14, 2020; appellees' answering brief is due January 14, 2021; appellants' optional reply brief is due within 21 days from the service date of the answering brief. Counsel are requested to contact the Circuit Mediator should circumstances develop that warrant settlement discussions. [11863377] (AF) [Entered: 10/19/2020 10:50 AM]
- 10/20/2020  [9](#)  
2 pg, 34.3 KB Filed AMENDED order MEDIATION (JW): The court's order of October 19, 2020, is amended as follows: This case is RELEASED from the Mediation Program. The briefing schedule previously set by the court is amended as follows: appellants' opening brief is due December 14, 2020; appellees' answering brief is due January 28, 2021; appellants' optional reply brief is due within 21 days from the service date of the answering brief. Counsel are requested to contact the Circuit Mediator should circumstances develop that warrant settlement discussions. [11864965] (AF) [Entered: 10/20/2020 09:20 AM]
- 12/10/2020  [10](#) Filed (ECF) Streamlined request for extension of time to file Opening Brief by Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club. New requested due date is 12/22/2020. [11922259] [20-16401] (Paul, Aaron) [Entered: 12/10/2020 11:08 AM]
- 12/10/2020  [11](#) **Streamlined request [10] by Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club to extend time to file the brief is approved. This briefing schedule retains the intervals established in the previous briefing order. Amended briefing schedule: Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club opening brief due 12/22/2020. Appellees EFR Arizona Strip LLC, Energy Fuels Resources (USA), Inc., Heather Provencio and United States Forest Service answering brief due 02/05/2021. The optional reply brief is due 21 days from the date of service of the answering brief.** [11922891] (DLM) [Entered: 12/10/2020 02:40 PM]
- 12/22/2020  [12](#)  
78 pg, 398.68 KB Submitted (ECF) Opening Brief for review. Submitted by Appellants Grand Canyon Trust, Center for Biological Diversity and Sierra Club. Date of service: 12/22/2020. [11937663] [20-16401] (Paul, Aaron) [Entered: 12/22/2020 07:19 PM]
- 12/22/2020  [13](#)  
550 pg, 42.73 MB Submitted (ECF) excerpts of record. Submitted by Appellants Grand Canyon Trust, Center for Biological Diversity and Sierra Club. Date of service: 12/22/2020. [11937673] [20-16401] (Paul, Aaron) [Entered: 12/22/2020 07:25 PM]
- 12/23/2020  [14](#)  
2 pg, 96.79 KB Filed clerk order: The opening brief [\[12\]](#) submitted by Center for Biological Diversity, Grand Canyon Trust and Sierra Club is filed. Within 7 days of the filing of this order, filer is ordered to file 6 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: blue. The excerpts of record [\[13\]](#) submitted by

Center for Biological Diversity, Grand Canyon Trust and Sierra Club are filed. Within 7 days of this order, filer is ordered to file 3 copies of the excerpts in paper format securely bound on the left side, with white covers. The paper copies shall be submitted to the principal office of the Clerk. [11937950] (KWG) [Entered: 12/23/2020 09:51 AM]

- 12/30/2020  15 Received 3 paper copies of excerpts of record [13] in 3 volume(s) and index volume filed by Appellants. [11948959] (LA) [Entered: 12/30/2020 02:34 PM]
- 12/30/2020  16 Received 6 paper copies of Opening Brief [12] filed by Appellants. [11949167] (SD) [Entered: 12/30/2020 04:12 PM]
- 01/14/2021  17 Filed (ECF) Streamlined request for extension of time to file Answering Brief by Appellees USFS and Heather Provencio. New requested due date is 03/01/2021. [11963815] [20-16401] (Hansen-Young, Thekla) [Entered: 01/14/2021 11:55 AM]
- 01/14/2021  18 **Streamlined request [17] by Appellees Heather Provencio and USFS to extend time to file the brief is approved FOR ALL APPELLEES. Streamline requests allow for 30 day extensions. Amended briefing schedule: Appellees EFR Arizona Strip LLC, Energy Fuels Resources (USA), Inc., Heather Provencio and United States Forest Service answering brief due 03/08/2021. The optional reply brief is due 21 days from the date of service of the answering brief.** [11964207] (DLM) [Entered: 01/14/2021 02:34 PM]
- 02/26/2021  [19](#)  
4 pg, 100.88 KB Filed (ECF) Appellees Heather Provencio and USFS Unopposed Motion to extend time to file Answering brief until 04/05/2021. Date of service: 02/26/2021. [12018157] [20-16401] (Hansen-Young, Thekla) [Entered: 02/26/2021 01:42 PM]
- 02/26/2021  [20](#)  
2 pg, 75.1 KB Filed clerk order (Deputy Clerk: th): Granting Unopposed Motion [19] (ECF Filing) filed by Appellees USFS and Heather Provencio to extend time to file the ans. brief. The extension of time will apply to all appellees. The appellees' answering briefs are due 04/05/2021. The optional reply brief is due 21 days after service of the last-served answering brief. [12018571] (TH) [Entered: 02/26/2021 03:50 PM]
- 04/01/2021  [21](#)  
1 pg, 37.33 KB Filed (ECF) Appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc. Correspondence: formal notice of death of attorney of record. Date of service: 04/01/2021 [12060523] [20-16401] (Glass, Bradley) [Entered: 04/01/2021 10:21 AM]
- 04/01/2021  22 Terminated Michael Kevin Kennedy for Energy Fuels Resources (USA), Inc. and EFR Arizona Strip LLC in 20-16401 - DECEASED [12060534] (DJV) [Entered: 04/01/2021 10:25 AM]
- 04/05/2021  [23](#)  
119 pg, 4 MB Submitted (ECF) Answering Brief for review. Submitted by Appellees Heather Provencio and USFS. Date of service: 04/05/2021. [12063512] [20-16401]--[COURT UPDATE: Attached corrected brief. 04/06/2021 by LA] (Hansen-Young, Thekla) [Entered: 04/05/2021 11:48 AM]
- 04/05/2021  [24](#)  
781 pg, 34.32 MB Submitted (ECF) supplemental excerpts of record. Submitted by Appellees Heather Provencio and USFS. Date of service: 04/05/2021. [12063515] [20-16401]--[COURT UPDATE: Attached corrected excerpts. 04/06/2021 by LA] (Hansen-Young, Thekla) [Entered: 04/05/2021 11:49 AM]
- 04/05/2021  25 ~~STRICKEN PER ORDER [32]. Submitted (ECF) Answering Brief for review. Submitted by Appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc.. Date of service: 04/05/2021.~~ [12064308] [20-16401] (Glass, Bradley) [Entered: 04/05/2021 05:37 PM]
- 04/06/2021  [26](#)  
2 pg, 96.44 KB Filed clerk order: The answering brief [25] submitted by EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc. is filed. Within 7 days of the filing of this order, filer is ordered to file 6 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: red. The paper copies shall be submitted to the principal office of the Clerk. [12064832] (LA) [Entered: 04/06/2021 10:11 AM]
- 04/06/2021  [27](#)  
2 pg, 96.78 KB Filed clerk order: The answering brief [23] submitted by Heather Provencio and USFS is filed. Within 7 days of the filing of this order, filer is ordered to file 6 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: red. The supplemental excerpts of record [24] submitted by Heather Provencio and USFS are filed. Within 7 days of this order, filer is ordered to file 3 copies of the excerpts in paper format securely bound on the left side, with white covers. The paper copies shall be submitted to the principal office of the Clerk. [12065530] (LA) [Entered: 04/06/2021 03:00 PM]
- 04/08/2021  [28](#)  
3 pg, 7.55 KB Filed (ECF) Appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc. Motion to file substitute or corrected brief. Date of service: 04/08/2021. [12068361] [20-16401]--[COURT UPDATE: Removed PDF of the brief, filed correctly in [29]. 04/09/2021 by KWG] (Glass, Bradley) [Entered: 04/08/2021 02:59 PM]
- 04/08/2021  [29](#)  
237 pg, 8.89 MB Submitted (ECF) Answering Brief for review. Submitted by Appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc.. Date of service: 04/08/2021. [12069121]--[Court entered filing, originally filed with the motion in [28].]--[Edited: Backdated entry to original submission date (04/08/2021). 04/12/2021 by LA] (KWG) [Entered: 04/09/2021 10:02 AM]

- 04/09/2021  30 Received 6 paper copies of Answering Brief [23] filed by Heather Provencio and USFS. [12069837] (SD) [Entered: 04/09/2021 03:37 PM]
- 04/12/2021  31 Received 3 paper copies of supplemental excerpts of record [24] in 3 volume(s) and index volume filed by Appellee Heather Provencio. [12070360] (KWG) [Entered: 04/12/2021 09:38 AM]
- 04/12/2021  32  
2 pg, 103.17 KB Filed clerk order (Deputy Clerk: TAH): Based on the representation that modification is limited to updating citations to the supplemental excerpts of record, the motion of appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc. (Docket Entry No. [28]) for leave to file a substitute answering brief is granted. The Clerk will file the movants' substitute answering brief (Docket Entry No. [29]) and will strike the previously filed brief (Docket Entry No. [25]). The optional reply brief is due within 21 days after the date of this order. [12071303] (AF) [Entered: 04/12/2021 03:47 PM]
- 04/12/2021  33  
2 pg, 96.54 KB Filed clerk order: The answering brief [29] submitted by EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc. is filed. Within 7 days of the filing of this order, filer is ordered to file 6 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: red. The paper copies shall be submitted to the principal office of the Clerk. [12071362] (LA) [Entered: 04/12/2021 04:02 PM]
- 04/15/2021  34 Received 6 paper copies of Answering Brief [29] filed by EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc.. [12076328] (SD) [Entered: 04/15/2021 04:14 PM]
- 04/26/2021  35 Filed (ECF) Streamlined request for extension of time to file Reply Brief by Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club. New requested due date is 06/02/2021. [12086017] [20-16401] (Paul, Aaron) [Entered: 04/26/2021 08:03 AM]
- 04/26/2021  36 **Streamlined request [35] by Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club to extend time to file the brief is approved. Streamline requests allow for only 30 day extensions. Amended briefing schedule: the optional reply brief is due 06/01/2021.** [12086603] (DLM) [Entered: 04/26/2021 12:03 PM]
- 05/07/2021  37 This case is being considered for an upcoming oral argument calendar in San Francisco
- Please review the San Francisco sitting dates for September 2021 and the 2 subsequent sitting months in that location at [http://www.ca9.uscourts.gov/court\\_sessions](http://www.ca9.uscourts.gov/court_sessions). If you have an unavoidable conflict on any of the dates, please file **Form 32 within 3 business days of this notice** using the CM/ECF filing type **Response to Case Being Considered for Oral Argument**. Please follow the form's [instructions](#) carefully.
- When setting your argument date, the court will try to work around unavoidable conflicts; the court is not able to accommodate mere scheduling preferences. You will receive notice that your case has been assigned to a calendar approximately 10 weeks before the scheduled oral argument date.
- If the parties wish to discuss settlement before an argument date is set, they should jointly request referral to the mediation unit by filing a letter **within 3 business days of this notice**, using CM/ECF (**Type of Document:** Correspondence to Court; **Subject:** request for mediation).[12105774]. [20-16401] (KS) [Entered: 05/07/2021 11:41 AM]
- 06/01/2021  38  
50 pg, 318.34 KB Submitted (ECF) Reply Brief for review. Submitted by Appellants Grand Canyon Trust, Center for Biological Diversity and Sierra Club. Date of service: 06/01/2021. [12130372] [20-16401] (Paul, Aaron) [Entered: 06/01/2021 05:25 PM]
- 06/01/2021  39  
162 pg, 4.68 MB Submitted (ECF) further excerpts of record. Submitted by Appellants Grand Canyon Trust, Center for Biological Diversity and Sierra Club. Date of service: 06/01/2021. [12130375] [20-16401] (Paul, Aaron) [Entered: 06/01/2021 05:32 PM]
- 06/01/2021  40 Filed (ECF) UNDER SEAL Appellants Grand Canyon Trust, Center for Biological Diversity and Sierra Club notice of intent to unseal previously sealed material. Material: excerpts of record. Date of service: 06/01/2021. [12130383] [20-16401] (Paul, Aaron) [Entered: 06/01/2021 05:44 PM]
- 06/02/2021  41  
2 pg, 135.71 KB Filed (ECF) notice of intent to file document ([40]) publicly pursuant to Ninth Circuit Rule 27-13(f). Filed by Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club. Date of service: 06/01/2021. (Court-entered filing) [12130688] (LA) [Entered: 06/02/2021 09:08 AM]
- 06/02/2021  42 Submitted (ECF) provisionally UNDER SEAL further excerpts of record Volume 2. Submitted by Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club. Date of service: 06/01/2021. (Court-entered filing, excerpts of record originally submitted in [40].) [12130699] (LA) [Entered: 06/02/2021 09:10 AM]
- 06/20/2021  43 Notice of Oral Argument on Monday, August 30, 2021 - 09:30 A.M. - Courtroom 1 - Scheduled Location: San Francisco CA.  
The hearing time is the local time zone at the scheduled hearing location.

View the Oral Argument Calendar for your case [here](#).



NOTE: Although your case is currently scheduled for oral argument, the panel may decide to submit the case on the briefs instead. See Fed. R. App. P. 34. Absent further order of the court, if the court does determine that oral argument is required in this case, you will have the option to appear in person at the Courthouse or remotely by video. At this time, an election to appear remotely by video will not require a motion. The court expects and supports the fact that some attorneys and some judges will continue to appear remotely. If the panel determines that it will hold oral argument in your case, the Clerk's Office will contact you directly at least two weeks before the set argument date to review any requirements for in person appearance or to make any necessary arrangements for remote appearance.

Please note however that if you do elect to appear remotely, the court **strongly prefers** video over telephone appearance. Therefore, if you wish to appear remotely by telephone you will need to file a motion requesting permission to do so.

Be sure to review the [GUIDELINES](#) for important information about your hearing, including when to be available (30 minutes before the hearing time) and when and how to submit additional citations (filing electronically as far in advance of the hearing as possible).

If you are the specific attorney or self-represented party who will be arguing, use the [ACKNOWLEDGMENT OF HEARING NOTICE](#) filing type in CM/ECF no later than 21 days before Monday, August 30, 2021. No form or other attachment is required. If you will not be arguing, do not file an acknowledgment of hearing notice.[12148285]. [20-16401] (KS) [Entered: 06/20/2021 06:09 AM]

- 06/23/2021  44 Filed (ECF) UNDER SEAL Appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc. motion to maintain document under seal. Date of service: 06/23/2021. [12152689] [20-16401] (Glass, Bradley) [Entered: 06/23/2021 04:24 PM]
- 06/23/2021  [45](#)  
19 pg, 54.78 KB Filed Appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc. motion to maintain appellant's further excerpts of record Volume 2 UNDER SEAL. Deficiencies: None. Served on 06/23/2021. (Court-entered filing, motion originally filed in [44]) [12152742] (LA) [Entered: 06/23/2021 05:00 PM]
- 06/29/2021  [46](#)  
2 pg, 34.24 KB Filed clerk order (Deputy Clerk: AF): Intervenor-Defendants-Appellees' Unopposed Motion to Seal Plaintiffs Further Excerpts of Record is GRANTED. The Clerk shall publicly file the Reply Brief and further excerpts of Volume 1, and shall file Volume 2 under seal. [12157521] (AF) [Entered: 06/29/2021 12:10 PM]
- 06/29/2021  [47](#)  
2 pg, 97.24 KB Filed clerk order: The reply brief [\[38\]](#) submitted by appellants is filed. Within 7 days of the filing of this order, filer is ordered to file 6 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: gray. The further excerpts of record [\[39\]](#), [\[42\]](#) submitted by appellants are filed. Volume 2 of the excerpts is filed UNDER SEAL. Within 7 days of this order, filer is ordered to file 3 copies of the excerpts in paper format securely bound on the left side, with white covers. The paper copies shall be submitted to the principal office of the Clerk. [12157855] (LA) [Entered: 06/29/2021 02:06 PM]
- 07/09/2021  48 Received 3 paper copies of further excerpts of record [\[39\]](#), [\[42\]](#) in 2 volumes (Volume 2 UNDER SEAL) and index volume filed by Appellants. (sent to panel) [12167992] (LA) [Entered: 07/09/2021 11:07 AM]
- 07/09/2021  49 Received 6 paper copies of Reply Brief [\[38\]](#) filed by Appellants. (sent to panel) [12168383] (SD) [Entered: 07/09/2021 02:12 PM]
- 07/23/2021  50 Filed (ECF) Acknowledgment of hearing notice by Attorney Thekla Hansen-Young for Appellees Heather Provencio and USFS. Hearing in San Francisco on 08/30/2021 at 09:30 A.M. (Courtroom: Courtroom 1). Filer sharing argument time: Yes. (Argument minutes: 15.) Special accommodations: NO. Filer admission status: I certify that I am admitted to practice before this Court. Date of service: 07/23/2021. [12181627] [20-16401] (Hansen-Young, Thekla) [Entered: 07/23/2021 02:19 PM]
- 07/28/2021  51 Filed (ECF) Notice of withdrawal of counsel. Filed by Attorney Neil Levine for Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club. Party proceeding without counsel: No. Date of service: 07/28/2021. [12186101] [20-16401] (Levine, Neil) [Entered: 07/28/2021 04:39 PM]
- 07/28/2021  52 Terminated attorney Neil Levine for appellants Sierra Club, Grand Canyon Trust and Center for Biological Diversity in 20-16401. [12186136] (HH) [Entered: 07/28/2021 04:59 PM]
- 08/04/2021  53 Filed (ECF) Acknowledgment of hearing notice by Attorney Mr. Bradley J. Glass for Appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc.. Hearing in San Francisco on 08/30/2021 at 09:30 A.M. (Courtroom: Courtroom 1). Filer sharing argument time: Yes. (Argument minutes: 5.) Special accommodations: NO. Filer admission status: I certify that I am admitted to practice before this Court. Date of service: 08/04/2021. [12191495] [20-16401] (Glass, Bradley) [Entered: 08/04/2021 09:21 AM]
- 08/06/2021  54 Filed (ECF) Acknowledgment of hearing notice by Attorney Mr. Aaron Matthew Paul for Appellants Center for Biological Diversity, Grand Canyon Trust and Sierra Club. Hearing in San Francisco on 08/30/2021 at 09:30 A.M. (Courtroom: Courtroom 1). Filer sharing argument time: No. (Argument minutes: 20.) Special accommodations: NO. Filer admission status: I certify that I am admitted to practice before this Court. Date of service: 08/06/2021. [12193649] [20-16401] (Paul, Aaron) [Entered: 08/06/2021 07:04 AM]

- 08/30/2021  [55](#) ARGUED AND SUBMITTED TO MARY M. SCHROEDER, JOHNNIE B. RAWLINSON and JAY S. BYBEE. [12215144] (WWP) [Entered: 08/30/2021 12:42 PM]
- 08/30/2021  [56](#) Filed Audio recording of oral argument.  
1 pg, 38.21 MB **Note:** Video recordings of public argument calendars are available on the Court's website, at <http://www.ca9.uscourts.gov/media/> [12215352] (BJK) [Entered: 08/30/2021 02:04 PM]
- 01/13/2022  [57](#) Filed (ECF) notice of appearance of D. Lee Decker (Gallagher & Kennedy, P.A., 2575 East Camelback Road, #1100, Phoenix, AZ 85016) for Appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc.. Substitution for Attorney Mr. Bradley J. Glass for Appellees EFR Arizona Strip LLC and Energy Fuels Resources (USA), Inc.. Date of service: 01/13/2022. (Party was previously proceeding with counsel.) [12339833] [20-16401] (Decker, David) [Entered: 01/13/2022 10:00 AM]
- 01/13/2022  [58](#) Attorneys Bradley J. Glass and Bradley J. Glass in 20-16401 substituted by Attorneys David Lee Decker and David Lee Decker in 20-16401 [12339850] (DJV) [Entered: 01/13/2022 10:10 AM]
- 02/22/2022  [59](#) FILED OPINION (MARY M. SCHROEDER, JOHNNIE B. RAWLINSON and JAY S. BYBEE) The judgment of the district court is AFFIRMED. Judge: JSB Authoring. FILED AND ENTERED JUDGMENT. [12375690]-  
74 pg, 3.36 MB -[Edited (typographical corrections on pages 5, 10, and 24 n.5 per letter filed by counsel on 4/7/22) 04/08/2022 by AKM] (MM) [Entered: 02/22/2022 08:02 AM]
- 04/07/2022  [60](#) Filed (ECF) Appellants Grand Canyon Trust, Center for Biological Diversity and Sierra Club  
5 pg, 917.43 KB Correspondence: re: typographical matters in opinion issued February 22, 2022. Date of service: 04/07/2022 [12415470] [20-16401] (Paul, Aaron) [Entered: 04/07/2022 04:50 PM]
- 04/18/2022  [61](#) MANDATE ISSUED.(MMS, JBR and JSB) [12423439] (DJV) [Entered: 04/18/2022 07:19 AM]  
2 pg, 94.74 KB



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