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DOJ-WILDLIFE SECTION

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[Signature]
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DEC 30 2002

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY

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18 Attorneys for Defendants

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

19 GREENPEACE, et al.,)

Civ. No. C98-0492Z

20 Plaintiffs,)

21 v.)

ORDER

22 NATIONAL MARINE FISHERIES)
23 SERVICE, and DONALD L. EVANS,)
24 in his official capacity as Secretary of)
25 Commerce,)

26 Defendants,)

27 and)

28 AT-SEA PROCESSORS ASSOCIATION,)
et al.,)

Defendant-Intervenors.)

Civ. No. C98-0492Z

Environment & Natural Resources Div.
U.S. Department of Justice
Ben Franklin Station, P.O. Box 7369
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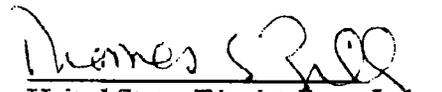
DOJ-WILDLIFE SECTION

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2 This matter having come before the Court on defendants' and intervenor defendants' joint
3 emergency motion, having considered the parties' arguments as well as the fact that the plaintiffs
4 have chosen not to oppose the relief sought by the defendants, it is hereby
5

6 ORDERED, that the 2001 Biological Opinion (and the incidental take statement contained
7 in that Biological Opinion) that the court has determined to be arbitrary and capricious in its
8 opinion of December 18, 2002, which it has remanded to the National Marine Fisheries Service
9 for further action in compliance with its Order, shall remain effective until June 30, 2003.
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11 ENTERED this 30th day of December, 2002.

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14 United States District Court Judge
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28 Civ. No. C98-0492Z

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