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Title/Date of Hearing: Transparency and Sound Science Gone Extinct?: The Impacts of the Obama Administration's Close-Door Settlements on Endangered Species and People, August 1, 2013

Name of Lawsuit	Subject Matter	Federal Statutes
Board of Mississippi Levee Commissioners v. U.S. Environmental Protection Agency, N.D. Miss. No. 4:09-cv-00081-SA-DAS	Challenge to EPA veto under the Clean Water Act, 33 U.S.C. § 1251, et seq.	Administrative Procedure Act, 5 U.S.C. § 551, et seq.
Bonner County v. Jewell, D. Idaho No. 2:12-cv-00567-EJL	Suit for declaratory and injunctive relief to compel the Fish and Wildlife Service to issue 90-day finding on petition to delist the Southern Selkirk Mountain Caribou.	16 U.S.C. § 1531, et seq.; 5 U.S.C. § 702
California Cattlemen's Association v. Jewell, E.D. Cal. No. 2:13-cv-00800	Violation of ESA; reclassification of six species under the ESA.	ESA, 16 U.S.C. § 1531, et seq.
California Construction Trucking Association, Inc. v. U.S. Environmental Protection Agency, D.C. Cir. No. 13-1076	Reconsideration of light-duty vehicle greenhouse gas emissions standards and corporate average economy standards.	42 U.S.C. § 7607(b); 42 U.S.C. § 7607(d); 5 U.S.C. § 706(2)(A)-(D); 5 U.S.C. § 704
Coalition of Labor, Agriculture, and Business v. U.S. Department of Interior, S.D. Cal. No. 3:11-cv-02136	Federal Defendants' failure to act on plaintiffs' petition to remove the California gnatcatcher from the list of endangered species.	16 U.S.C. § 1540(g); 5 U.S.C. § 702
Delta Construction Co. v. U.S. Environmental Protection Agency, D.C. Cir. No. 11-1428	Review of final action under 76 Fed. Reg. 57106 (Sept. 15, 2011).	42 U.S.C. § 7607(b)(1)
Friends of Tahoe Forest Access v. U.S. Department of Agriculture, E.D. Cal. No. 2:12-cv-01876	Challenge to U.S. Forest Service's implementation of 2005 Travel Management Rule at Tahoe National Forest.	5 U.S.C. § 706; 42 U.S.C. § 4321, et seq.

Name of Lawsuit	Subject Matter	Federal Statutes
Hettinga v. United States, U.S. No. 15-232	Rational basis test.	7 U.S.C. § 608c(5)(M), (N)
In the Matter of Save Crystal River, Inc.'s Petition to Downlist the West Indian Manatee and Subspecies Thereof, Including the Florida Manatee and Antillean Manatee, From Endangered to Threatened Under the Endangered Species Act (Before the U.S. Department of Interior and U.S. Fish and Wildlife Service)	Petition to downlist the West Indian manatee and its subspecies.	16 U.S.C. § 1531, et seq.
In the Matter of the Petition to Delist the Southern Resident killer whale distinct population segment ( <i>Orcinus orcinus orca</i> ) under the Endangered Species Act	Petition to delist the Southern Resident killer whale.	16 U.S.C. § 1531, et seq.
In the Matter of the Petition to Rescind Critical Habitat for the Perdido Key Beach mouse ( <i>Peromyscus polionotus trissyllepsis</i> ) under the Endangered Species Act	Petition to rescind critical habitat for the Perdido Key Beach mouse.	16 U.S.C. § 1531, et seq.
Markle Interests, LLC v. U.S. Fish and Wildlife Service, E.D. La. No. 2:13-cv-00234	Suit for declaratory and injunctive relief regarding improper designation of critical habitat for the endangered gopher frog.	16 U.S.C. § 1531, et seq.
McMaster v. United States, E.D. Cal. No. 2:10-cv-00881	Quiet title action and review of patent issued under General Mining Law.	28 U.S.C. § 2409a; 5 U.S.C. § 702
New Mexico Cattle Growers' Association v. Jewell, D.N.M. No. 1:13-cv-00506	Violation of the Endangered Species Act.	16 U.S.C. § 1531, et seq.
North Sacramento Land Co. v. U.S. Fish and Wildlife Service, E.D. Cal. No. 2:12-cv-00618	Challenge to Fish and Wildlife Service's failure to make a finding on ESA listing of petition.	16 U.S.C. § 1540(g); 5 U.S.C. § 702

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Pacific Legal Foundation v. Salazar, E.D. Cal. No. 2:13-cv-00594	Action to compel final decision on petition to reclassify under the Endangered Species Act.	16 U.S.C. § 1540(c), (g); 5 U.S.C. § 702
Pacific Legal Foundation v. U.S. Environmental Protection Agency, D.C. Cir. No. 10-1310	Reconsideration of endangerment and cause or contribute findings for green house gases.	42 U.S.C. § 7607(d)
People for the Ethical Treatment of Property Owners v. U.S. Fish and Wildlife Service, D. Utah No. 2:13-cv-00278-EJF	Challenge to authority to regulate the Utah prairie dog under the Endangered Species Act.	5 U.S.C. § 706; U.S. Const. amend. X
Sackett v. U.S. Environmental Protection Agency, U.S. No. 10-1062	Suit to contest Clean Water Act jurisdiction over real property and to enjoin enforcement of compliance order.	5 U.S.C. § 551, et seq.; 33 U.S.C. § 1251, et seq.
Sissel v. U.S. Department of Health and Human Services, D.D.C. No. 1:10-cv-01263	Challenge to constitutionality of PPACA's individual mandate.	28 U.S.C. § 2201; U.S. Const. art. I, § 8, cl. 3
Smith v. U.S. Army Corps of Engineers, D.N.M. No. 2:12-cv-01282	Cause of action for declaratory and injunctive relief pursuant to the Administrative Procedure Act.	5 U.S.C. § 702; 28 U.S.C. § 2201; 28 U.S.C. § 2202
Stewart & Jasper Orchards v. U.S. Fish and Wildlife Service, E.D. Cal. No. 1:09-cv-00892	Challenge to biological opinion issued by the Fish and Wildlife Service.	5 U.S.C. § 706
Washington Cattlemen's Association v. Salazar, E.D. Wash. No. CV-11-3019-EFS	Failure to conduct 5-year status review of the gray wolf.	16 U.S.C. § 1531, et seq.