

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

CENTER FOR BIOLOGICAL  
DIVERSITY, *et al.*,

Plaintiffs,

v.

MARGARET EVERSON, *et al.*,

Defendants

and

AMERICAN FOREST & PAPER  
ASSOCIATION, *et al.*,

Defendant-Intervenors.

Civil Action No. 15-477 (EGS)

DEFENDERS OF WILDLIFE,

Plaintiff,

v.

MARGARET EVERSON, *et al.*,

Defendants

and

AMERICAN FOREST & PAPER  
ASSOCIATION, *et al.*,

Defendant-Intervenors.

Civil Action No. 16-910 (EGS)  
(Consolidated with 15-cv-477)

**ORDER**

For the reasons stated in the accompanying Memorandum  
Opinion, it is hereby

**ORDERED** that [52] Plaintiffs' Partial Motion for Summary Judgment on Their Listing Claims is **GRANTED IN PART** and **DENIED IN PART**; and it is further

**ORDERED** that [53] Federal Defendants' Partial Motion for Summary Judgment on the Listing Claims and [56] Defendant-Intervenors' Cross-Motion for Partial Summary Judgment are **GRANTED IN PART** and **DENIED IN PART**; and it is further

**ORDERED** that the threatened listing determination for the northern long-eared bat is not vacated but is **REMANDED** to the Fish and Wildlife Service ("FWS") to make a new listing decision consistent with the accompanying Memorandum Opinion; and it is further

**ORDERED** that the provision of the Significant Portion of Range Policy which provides that if FWS and the National Marine Fisheries Service ("the Services") determine that a species is threatened throughout all of its range, the Services will not analyze whether the species is endangered in a significant portion of its range is **VACATED**.

**SO ORDERED.**

**Signed: Emmet G. Sullivan**  
**United States District Judge**  
**1/28/2020**