

FILED

JUL 01 2011

IN THE UNITED STATES DISTRICT COURT

PATRICK E. DUFFY, CLERK

FOR THE DISTRICT OF MONTANA

By _____
DEPUTY CLERK, MISSOULA

MISSOULA DIVISION

ALLIANCE FOR THE WILD ROCKIES,)
et al.)

CV 11-70-M-DWM

CV 11-71-M-DWM

Plaintiff,)

vs.)

ORDER

KEN SALAZAR, et al.,)

Defendants.)

_____)
CENTER FOR BIOLOGICAL)
DIVERSITY,)

Plaintiff,)

vs.)

KEN SALAZAR, et al.,)

Defendants.)

Safari Club International ("Safari Club") and the National Rifle Association of America ("NRA") moved to intervene in the above captioned case. This Court

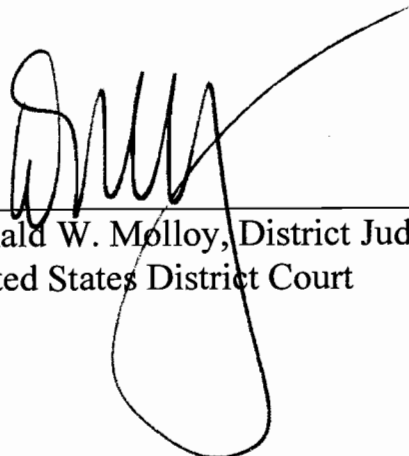
determined that Federal Defendants adequately represented Safari Club and NRA's interests, and the motion was denied. (dkt. # 34).

Federal Defendants filed their opening brief June 14, 2011, and Safari Club and NRA have identified arguments they would like to make that Federal Defendants did not include in their brief. Accordingly, Safari Club and NRA now request leave to file a motion for reconsideration.

An applicant for intervention bears the burden of showing that all of the requirements for intervention have been met. U.S. v. Alisal Water Corp., 370 F.3d 915, 919 (9th Cir. 2004). When Safari Club and NRA moved to intervene, they did not establish the right to intervene under Federal Rule of Civil Procedure 24(a). The ability to identify alternate arguments and litigation strategies is not a material fact that justifies reconsideration of the motion. See Local Rule 7.3(b). Moreover, Safari Club and NRA's differing litigation strategies do not undermine the adequacy of Federal Defendants' representation. Accordingly,

IT IS HEREBY ORDERED that the motion (dkt. # 59) is DENIED.

Dated this 1st day of July, 2011.



Donald W. Molloy, District Judge
United States District Court