

Nos. 11-35661, 11-35670

[consolidated cases]

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IN THE UNITED STATES CIRCUIT COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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ALLIANCE FOR THE WILD ROCKIES, et al., Plaintiffs-Appellants,  
v.  
KEN SALAZAR, in his official capacity as United States Secretary of the Interior,  
et al., Defendants - Appellees

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CENTER FOR BIOLOGICAL DIVERSITY, et al., Plaintiffs-Appellants,  
v.  
KEN SALAZAR, in his official capacity as United States Secretary of the Interior,  
et al., Defendants - Appellees

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA

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**DECLARATION OF MICHAEL GARRITY**

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ATTORNEYS FOR APPELLANTS ALLIANCE  
FOR THE WILD ROCKIES, ET AL.

I, Michael Garrity, declare as follows:

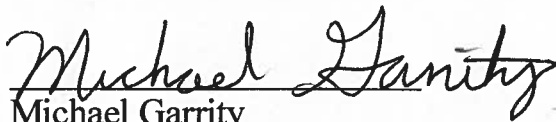
1. I am the Executive Director of Appellant Alliance for the Wild Rockies (Alliance).
2. I make this declaration in support of Appellants' Renewed Motion for Injunction Pending Appeal.
3. I make the statements in this declaration based upon my personal knowledge. I am competent to testify to the matters stated herein.
4. As of October 13, 2011, the State of Idaho Fish and Game reported that 53 wolves had been killed by hunters in Idaho.
5. Additionally, 81 other wolves have been killed in Idaho from Jan 1, 2011 - September 30, 2011 by state and federal control actions, illegal kills, legal protection of pets and livestock, illegal kills and unknown reasons.
6. As of October 14, 2011, the State of Idaho Fish and Game had sold 25,500 wolf hunting permits.
7. As of October 14, 2011 the State of Montana Fish, Wildlife, and Parks Department reported that 11 wolves have been killed by hunters in Montana.
8. Additionally, 71 other wolves have been killed in Montana in 2011 by state and/or federal control actions, legal and illegal kills by humans, and vehicle and train kills.
9. As of October 10, 2011, the State of Montana Fish, Wildlife, and Parks Department had sold 11,401 wolf hunting permits.
10. In Montana, big game (elk and deer) rifle hunting season opens on October 22, 2011. The general rifle season on wolves also opens on October 22, 2011. In Idaho, the majority of elk and deer zones open for rifle hunting around October 10 or October 15, 2011. Thus, within the next few weeks, the numbers of wolves shot by hunters will accelerate due to the higher likelihood of wolf-human interactions (more hunters in the field during big game season) and the easier method of killing wolves (rifles as opposed to archery equipment). Moreover, once the snow begins to fall, wolves will be

be easier to track and find. Thus, wolf kill numbers will also accelerate due to snowfall in the coming months.

11. Already my and Alliance's members' interests have suffered irreparable harm by the exterminations of individual wolves and the disruptions of the strict social hierarchy of individual wolf packs, such as removal of alpha males and females from dependent wolf packs. Our members will continue to suffer irreparable harm for each individual wolf killed and wolf pack disrupted, especially in the numerous areas across Montana and Idaho where our members visit and live with the hope of viewing and studying healthy, socially intact wolf packs.
12. I, and Alliance's members and staff, are also concerned about the viability of the gray wolf population in Montana and Idaho. The peer-reviewed, published scientific research predicts that the current Montana and Idaho wolf hunting and extermination levels are not sustainable. Our members will further suffer irreparable harm because wolf's viability as a species in the United States will be threatened if the wolf populations in Montana and Idaho are reduced to the levels currently authorized by Montana and Idaho.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 14<sup>th</sup> Day of October, 2011.



Michael Garrity

Executive Director, Alliance for the Wild Rockies